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EN

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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

AGREEMENT

under Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments

THE EUROPEAN PARLIAMENT AND THE EUROPEAN INVESTMENT BANK (the 'Parties'),

- having regard to the Treaty on European Union, in particular Article 14 thereof,
 - having regard to the Treaty on the Functioning of the European Union, and in particular Articles 15, 16, 232, 308, 309 and 339 thereof,
 - having regard to the Statute of the European Investment Bank (EIB), and in particular Article 11(7) and Articles 16 and 18 thereof,
 - having regard to Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments ⁽¹⁾ (the 'EFSI Regulation'), and in particular Article 17(5) thereof,
 - having regard to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽²⁾,
 - having regard to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁽³⁾,
- A. whereas the EFSI Regulation establishes the European Fund for Strategic Investments (EFSI), an EU guarantee, an EU guarantee fund, a European investment advisory hub (EIAH) and a European investment project portal;
- B. whereas the purpose of the EFSI is to support, in the Union, through the supply of risk-bearing capacity to the EIB, the following:
- (a) investments;
 - (b) increased access to financing for companies as well as other entities having up to 3 000 employees, with a particular focus on small and medium-sized enterprises ('SMEs') and small mid-cap companies;
- C. whereas the EFSI Regulation provides that the EFSI should be established as a distinct, clearly identifiable and transparent facility managed by the EIB, the operations of which should be clearly distinguished from other operations of the EIB;

⁽¹⁾ OJ L 169, 1.7.2015, p. 1.

⁽²⁾ OJ L 8, 12.1.2001, p. 1.

⁽³⁾ OJ L 145, 31.5.2001, p. 43.

- D. whereas in order to ensure accountability to European citizens, the EIB should regularly report to the European Parliament and to the Council on the progress, impact and operations of the EFSI, in particular as regards the additionality of operations conducted under the EFSI compared to normal EIB operations, including special activities, and appropriate arrangements should be adopted for this purpose;
- E. whereas, in accordance with Article 17(5) of the EFSI Regulation, the European Parliament and the EIB are to conclude an agreement on the detailed arrangements for the exchange of information between the European Parliament and the EIB under the EFSI Regulation, including on the selection procedure for the EFSI Managing Director and the EFSI Deputy Managing Director;
- F. whereas Article 7(6) of the EFSI Regulation provides that, following an open and transparent selection process in line with EIB procedures, the Steering Board is to select a candidate for each of the positions of Managing Director and Deputy Managing Director, and requires that the European Parliament and the Council be kept duly informed in a timely manner at all the stages of the selection procedure, subject to strict confidentiality requirements. Following a hearing with the candidate selected for each position and the approval from the European Parliament, the Managing Director and Deputy Managing Director are to be appointed by the President of the EIB for a fixed term of three years, renewable once;
- G. whereas Article 16(2) of the EFSI Regulation provides that the EIB, in cooperation with the European Investment Fund (EIF) where appropriate, is to submit an annual report to the European Parliament and to the Council on EIB financing and investment operations covered by the EFSI Regulation. That annual report, which is to include operational and financial information as further specified in Article 16(2) of the EFSI Regulation, is to be made public;
- H. whereas Article 17(1) of the EFSI Regulation provides that, at the request of the European Parliament or of the Council, the Chairperson of the Steering Board and the Managing Director are to report on the performance of the EFSI to the requesting institution, including by participating in a hearing before the European Parliament;
- I. whereas Article 17(2) of the EFSI Regulation further provides that the Chairperson of the Steering Board and the Managing Director are to reply orally or in writing to questions addressed to the EFSI by the European Parliament or the Council, in any event within five weeks of the date of receipt of a question;
- J. whereas Article 17(4) of the EFSI Regulation provides that, at the request of the European Parliament, the President of the EIB is to participate in a hearing of the European Parliament that concerns EIB financing and investment operations covered by the EFSI Regulation. The President of the EIB is to reply orally or in writing, within five weeks of the date of their receipt, to questions addressed to the EIB by the European Parliament or the Council concerning EIB financing and investment operations covered by the EFSI Regulation;
- K. whereas Article 18(1) of the EFSI Regulation requires the EIB to evaluate the functioning of the EFSI by 5 January 2017. The EIB is to submit its evaluation to the European Parliament, the Council and the Commission;
- L. whereas this Agreement is without prejudice to the Tripartite Agreement between the European Commission, the European Court of Auditors and the European Investment Bank of 27 October 2003,

AGREE AS FOLLOWS:

Article 1

Purpose and scope

This Agreement sets out the detailed arrangements for the exchange of information between the European Parliament and the EIB provided for in the EFSI Regulation, including on the selection procedure for the Managing Director and the Deputy Managing Director.

SECTION I

ACCESS TO INFORMATION

*Article 2***Regular reports**

- 2.1. In accordance with Article 14(9) of the EFSI Regulation, the EIB shall submit an annual report to the European Parliament, to the Council, and to the Commission, with regard to the services provided by the EIAH and the execution of its budget, including information on the fees received and the use thereof (the 'EIAH Report').

The EIB shall prepare the EIAH Report by reference to the period ending on 31 December of each year, and shall submit it no later than by 1 September of the following year.

- 2.2. In accordance with Article 16(2) of the EFSI Regulation, the EIB, in cooperation with the EIF where appropriate, shall submit an annual report to the European Parliament and to the Council on EIB financing and investment operations covered by the EFSI Regulation (the 'EFSI Report'). The EFSI Report shall include:

- (a) an assessment of EIB financing and investment operations at operation, sector, country and regional levels and their compliance with the EFSI Regulation, in particular with the criterion of providing additionality, together with an assessment of the allocation of EIB financing and investment operations between the general objectives of the EFSI;
- (b) an assessment of the added value, the mobilisation of private sector resources, the estimated and actual outputs and the outcomes and impact of EIB financing and investment operations on an aggregated basis, including the impact on employment creation;
- (c) an assessment of the extent to which operations covered by the EFSI Regulation contribute to the achievement of the general objectives of the EFSI, including an assessment of the level of EFSI investments in the areas of research, development and innovation and transport (including TEN-T and urban mobility), telecommunications, energy infrastructure and energy efficiency;
- (d) an assessment of the compliance with the requirements concerning the use of the EU guarantee and with the key performance indicators;
- (e) an assessment of the leverage effect achieved by EFSI-supported projects;
- (f) a description of the projects where the support of the European Structural and Investment Funds is combined with the support of the EFSI, and the total amount of the contributions from each source;
- (g) the financial amount transferred to beneficiaries and an assessment of EIB financing and investment operations on an aggregated basis;
- (h) an assessment of the added value of EIB financing and investment operations, and of the aggregate risk associated with those operations;
- (i) detailed information on calls on the EU guarantee, losses, returns, amounts recovered and any other payments received;
- (j) the financial reports on EIB financing and investment operations covered by the EFSI Regulation audited by an independent external auditor.

The EIB shall prepare the EFSI Report by reference to the period ending on 31 December of each year, and shall submit it no later than by 31 May of the following year. Without prejudice to the provisions of the first subparagraph, raw data shall be provided by the EIB to the European Parliament in the same format and within the same timeframe (being no later than by 31 March of the year when the relevant EFSI Report is due) as it is provided to the Commission.

- 2.3. The language of the EIAH Report and of the EFSI Report shall be English.

*Article 3***EFSI evaluation reports**

- 3.1. In accordance with Article 18(1) of the EFSI Regulation, by 5 January 2017 the EIB shall evaluate the functioning of the EFSI and shall submit its evaluation to the European Parliament.
- 3.2. In accordance with Article 18(3) of the EFSI Regulation, the EIB shall publish a comprehensive report on the functioning of the EFSI, which shall include an evaluation of the impact of the EFSI on investment in the Union, employment creation and access to financing for SMEs and mid-cap companies, by 30 June 2018 and every three years thereafter.
- 3.3. In accordance with Article 18(5) of the EFSI Regulation, the EIB shall provide, and shall ensure that the EIF provides, in due time, the European Parliament with their respective independent evaluation reports, which assess the impact and practical results achieved by the specific activities of the EIB and the EIF respectively under the EFSI Regulation.

The assessment of the need for performing such independent evaluations, in addition to those specified in Articles 3.1 and 3.2, and the decision on the timing of such independent evaluations, rests entirely with the EIB or the EIF, as appropriate.

- 3.4. The evaluation reports specified in this Article shall be provided to the European Parliament without delay after their approval by the EIB or the EIF, as appropriate.
- 3.5. The language of the evaluation reports referred to in this Article shall be English.

*Article 4***Reporting on amendments to the EFSI Agreement**

In accordance with point (i) of Article 4(2) of the EFSI Regulation, the agreement concluded between the Commission and the EIB on the management of the EFSI and on the granting of the EU guarantee (the 'EFSI Agreement') shall include an obligation on those parties to report to the European Parliament on amendments to the EFSI Agreement.

*Article 5***Decisions of the Investment Committee**

- 5.1. In accordance with the third subparagraph of Article 7(12) of the EFSI Regulation, the EIB shall submit to the European Parliament a list of all decisions of the Investment Committee of the EFSI rejecting the use of the EU guarantee.
- 5.2. The EIB shall submit the list referred to in Article 5.1 to the European Parliament twice a year, by 31 March and by 30 September.
- 5.3. The information provided by the EIB to the European Parliament in accordance with Article 5.1 shall be subject to strict confidentiality requirements and shall be handled by the European Parliament in accordance with Article 10.
- 5.4. Without prejudice to Article 5.3, the EIB shall forward to the European Parliament all the decisions of the Investment Committee of the EFSI on the use of the guarantee as soon as those become available. Where applicable, the EIB shall include in the list of the decisions approving the use of the EU guarantee information on the operations, in particular their description, the identity of the promoter or financial intermediary, and the objectives of the project supported by the EIB under EFSI. In the case of commercially sensitive decisions, the EIB shall forward such decisions and information concerning promoters or financial intermediaries at the date of closing of the relevant financing or any earlier date when commercial sensitivity ends.
- 5.5. In accordance with the second subparagraph of Article 7(12) of the EFSI Regulation, the decisions of the Investment Committee of the EFSI approving the use of the EU guarantee shall be public and accessible.

*Article 6***Changes to sector or geographic concentration limits of EFSI portfolio**

- 6.1. In accordance with point 8 of Annex II to the EFSI Regulation, if the Steering Board of the EFSI decides to modify the indicative sector or geographical concentration limits set for the EFSI portfolio, it shall explain its decision in that respect to the European Parliament.
- 6.2. In accordance with the second subparagraph of Article 7(3) of the EFSI Regulation, the minutes of the Steering Board shall be published as soon as the Steering Board has approved them. Those minutes, together with the Steering Board's written explanation concerning any modification referred to in Article 6.1, shall be forwarded to the European Parliament as soon as they become available and in any event at the latest simultaneously with the publication of the minutes.

SECTION II

AD HOC REPORTING AND RESPONDING TO QUESTIONS*Article 7***Ad hoc reporting, hearings and other meetings**

- 7.1. In accordance with Article 17(4) of the EFSI Regulation, at the request of the competent committees of the European Parliament, the President of the EIB shall participate in at least one hearing before the European Parliament on issues concerning EIB financing and investment operations covered by the EFSI Regulation. The competent committees of the European Parliament and the EIB shall agree on a date that falls in the course of the following year for the holding of such hearing.
- 7.2. Pursuant to questions addressed by the European Parliament to the EIB on issues concerning EIB financing and investment operations covered by the EFSI Regulation, the competent committees of the European Parliament may invite the President of the EIB to additional ad hoc meetings on such issues.

The competent committees of the European Parliament and the EIB shall seek agreement on the date for such ad hoc meetings, which date shall be as soon as practicable and at the latest within five weeks from the date of the request of the competent committees of the European Parliament.

In accordance with the relevant provisions of the Rules of Procedure of the European Parliament, such hearings and ad hoc meetings may be confidential.

- 7.3. At the request of the President of the EIB or of the Chair of the competent committee of the European Parliament and with mutual agreement, senior staff of the EIB and of the EIF may attend the hearings and ad hoc meetings, including any confidential meetings, referred to in Articles 7.1 and 7.2.
- 7.4. At the request of the Chair of the competent committee of the European Parliament, pursuant to questions addressed by the European Parliament on issues concerning EIB financing and investment operations covered by the EFSI Regulation, the competent committees of the European Parliament may invite senior staff of the EIB to ad hoc exchanges of views on such issues, to be held on a mutually agreed date.

In accordance with the relevant provisions of the Rules of Procedure of the European Parliament, such ad hoc exchanges of views may be confidential.

- 7.5. In accordance with Article 17(1) of the EFSI Regulation, at the request of the competent committees of the European Parliament, the Managing Director of the EFSI shall report on the performance of the EFSI, including by participating in hearings before the European Parliament.

The competent committees of the European Parliament and the Managing Director of the EFSI shall seek agreement on the date for such hearings, which date shall be as soon as practicable and in any event within five weeks from the date of the request of the competent committees of the European Parliament.

Such reporting to the European Parliament by the Managing Director of the EFSI on the performance of the EFSI may take the form of ad hoc meetings with the competent committees of the European Parliament, to be organised at the request of such competent committees, on a mutually agreed date.

In accordance with the relevant provisions of the Rules of Procedure of the European Parliament, such hearings and ad hoc meetings may be confidential.

- 7.6. At the reasoned request of the Managing Director of the EFSI or of the Chair of the competent committee of the European Parliament, and with mutual agreement, senior staff of the EIB and of the EIF may attend the hearings and the ad hoc meetings, including any confidential meetings, referred to in Article 7.5.

Article 8

Responding to questions

- 8.1. In accordance with Article 17(4) of the EFSI Regulation, at the request of the competent committees of the European Parliament, the President of the EIB shall reply orally or in writing to questions addressed to the EIB by the European Parliament on issues concerning EIB financing and investment operations covered by the EFSI Regulation.
- 8.2. In accordance with Article 17(2) of the EFSI Regulation, the Managing Director of the EFSI shall reply, orally or in writing, to questions addressed to the EFSI by the European Parliament.
- 8.3. The European Parliament shall address any questions to the President of the EIB pursuant to Article 8.1 through the Chair of the competent committee of the European Parliament. It shall address any questions to the Managing Director of the EFSI pursuant to Article 8.2 through the Chair of the competent committee of the European Parliament and the Secretariat of the EFSI.
- 8.4. Any questions addressed by the European Parliament to the President of the EIB pursuant to Article 8.1, or to the Managing Director of the EFSI pursuant to Article 8.2, shall be answered as quickly as possible and in any event within five weeks of the date of receipt of a question.

Oral replies to questions addressed by the European Parliament to the President of the EIB pursuant to Article 8.1, or to the Managing Director of the EFSI pursuant to Article 8.2, may take the form of ad hoc meetings, as provided for in Article 7.2 and in the third subparagraph of Article 7.5, respectively.

SECTION III

SELECTION PROCEDURES

Article 9

Selection procedure for Managing Director and Deputy Managing Director

- 9.1. The EIB shall draw up the criteria for selection of the Managing Director and Deputy Managing Director of the EFSI in accordance with the EFSI Regulation, including the required balance of skills, knowledge and experience, seeking to promote the highest standards and to ensure diversity, including gender diversity.
- 9.2. The EIB shall inform the relevant committees of the European Parliament of a vacancy two weeks before the publication of that vacancy, giving details of the open selection procedure that the EIB will follow.
- 9.3. The EIB shall inform the relevant committees of the European Parliament of the composition of the pool of applicants (number of applications, mix of professional skills, gender and nationality balance), as well as the method to be used to screen the pool. Such screening shall result in a shortlist of at least two potential candidates proposed by the EIB to the Steering Board.

- 9.4. The EIB shall provide the relevant committees of the European Parliament with the shortlist of candidates. The EIB shall provide such shortlist at least three weeks before the Steering Board selects the final candidate.
- 9.5. The relevant committees of the European Parliament may submit questions concerning the selection criteria or the shortlist, or both, within a week of receiving the shortlist of candidates. The EIB shall reply in writing within two weeks.
- 9.6. The approval process shall comprise the following steps:
- (a) the EIB shall send the names of the proposed Managing Director and Deputy Managing Director to the European Parliament, together with written explanations of the reasons for that selection;
 - (b) the European Parliament shall organise as rapidly as possible, and at the latest within four weeks, a hearing with the candidate for each position;
 - (c) the European Parliament shall decide on the approval of the proposals through a vote in each of the relevant committees on a draft resolution followed by a vote for approval or rejection on that resolution, to be completed within six weeks of the proposals.
- 9.7. Following approval by the European Parliament, the President of the EIB shall appoint the Managing Director and the Deputy Managing Director in accordance with the provisions of the EFSI Regulation.
- 9.8. If the European Parliament does not approve a proposal of the EIB, the EIB may draw on the pool of existing candidates or relaunch the selection procedure.
- 9.9. The EIB shall notify without undue delay any resignation, dismissal, temporary replacement or vacancy occurring in the governance structure of EFSI to the European Parliament.

SECTION IV

GENERAL PROVISIONS

Article 10

Confidentiality

- 10.1. Having regard to the fact that some of the information exchanged in the context of this Agreement may be of a confidential character or commercially sensitive, the Parties undertake to abstain from disclosing without the prior written consent of the other any confidential information received by them in this context.

That undertaking, however, shall not affect any communication of information which is required by law, regulation, treaty, or by an order of a court having jurisdiction on the matter and shall be without prejudice to the relevant provisions of the EFSI Regulation on transparency and public disclosure of information.

For the purposes of this Agreement, 'confidential information' shall mean any information in written or other permanent (including electronic) form which is clearly identified as confidential.

In designating information as confidential information, the EIB shall comply with its Transparency Policy, as published on its website at the time such information is provided to the European Parliament.

- 10.2. The European Parliament shall handle and protect any confidential information provided by the EIB pursuant to this Agreement in accordance with the relevant provisions of the Rules of Procedure of the European Parliament, and in particular Rule 210a (Procedure for the consultation by a committee of confidential information received by Parliament) thereof, and with the Decision of the Bureau of the European Parliament of 15 April 2013 concerning the rules governing the treatment of confidential information by the European Parliament ⁽¹⁾, in respect of 'other confidential information' (as defined therein).

⁽¹⁾ OJ C 96, 1.4.2014, p. 1.

- 10.3. In accordance with the relevant provisions of its Rules of Procedure, the European Parliament shall maintain a list of persons handling confidential information.
- 10.4. The European Parliament and the EIB shall keep each other informed on the initiation and outcome of any judicial, administrative or other proceedings in which a third party seeks access to confidential information provided by the EIB to the European Parliament.

Article 11

Staff-level preparatory meetings

- 11.1. In order to prepare exchanges of views, hearings or other forms of interaction foreseen in this Agreement, staff-level meetings shall be organised if so requested by the European Parliament or by the EIB.
- 11.2. Staff-level meetings shall be held at least one week in advance of the exchange of views, hearing or other form of interaction to which they relate.

Article 12

Linguistic arrangements

Any request originating from the European Parliament under this Agreement may be transmitted to the EIB in any official language of the Union. The replies of the EIB shall be in English.

Article 13

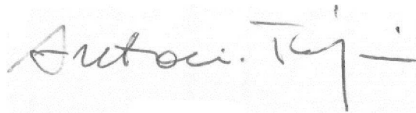
Final provisions

- 13.1. The Parties shall periodically assess the practical implementation of this Agreement and shall carry out a review as soon as the regulation extending the duration of EFSI enters into force and again by 30 June 2019, in the light of practical experience of implementation.
- 13.2. This Agreement shall enter into force on the day following that of its signature.
- 13.3. This Agreement shall be published in the *Official Journal of the European Union*.

Done at Brussels, 2 May 2017.

Done at Luxembourg, 3 April 2017.

For the European Parliament
The President



A. TAJANI

For the European Investment Bank
The President



W. HOYER

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/854

of 18 May 2017

conferring protection under Article 99 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the name 'Darnibole' (PDO)

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 99 thereof,

Whereas:

- (1) In accordance with Article 97(2) and (3) of Regulation (EU) No 1308/2013, the United Kingdom's application to register the name 'Darnibole' was examined by the Commission and subsequently published in the *Official Journal of the European Union* ⁽²⁾.
- (2) No statement of objection has been received by the Commission under Article 98 of Regulation (EU) No 1308/2013.
- (3) In accordance with Article 99 of Regulation (EU) No 1308/2013, the name 'Darnibole' should be protected and entered in the register referred to in Article 104 of the Regulation.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Darnibole' (PDO) is hereby protected.

Article 2

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

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

Done at Brussels, 18 May 2017.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ C 457, 8.12.2016, p. 3.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/855**of 18 May 2017****amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance diflubenzuron****(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular the first alternative of Article 21(3) and Article 78(2) thereof,

Whereas:

- (1) Commission Directive 2008/69/EC ⁽²⁾ included diflubenzuron as active substance in Annex I to Council Directive 91/414/EEC ⁽³⁾.
- (2) Active substances included in Annex I to Directive 91/414/EEC are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁴⁾.
- (3) In accordance with Commission Directive 2010/39/EU ⁽⁵⁾, the applicant, at whose request diflubenzuron was included in Annex I to Council Directive 91/414/EEC, was to provide confirmatory information as regards the potential toxicological relevance of the impurity and metabolite 4-chloroaniline (PCA).
- (4) The applicant submitted that information to the rapporteur Member State Sweden within the time period provided for its submission.
- (5) Sweden assessed the information submitted by the applicant. It submitted its assessment, in the form of an addendum to the draft assessment report, to the other Member States, the Commission and the European Food Safety Authority, hereinafter 'the Authority', on 20 December 2011.
- (6) The Commission consulted the Authority, which presented its conclusion on the risk assessment of confirmatory information for diflubenzuron on 7 September 2012 ⁽⁶⁾. The Authority communicated its views on diflubenzuron to the applicant, and the Commission invited the applicant to submit its comments on the review report. The draft assessment report, the addendum and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 16 July 2013 in the format of the Commission review report for diflubenzuron.
- (7) Although the results of genotoxicity studies indicated that PCA is an *in vivo* genotoxic agent, and PCA is a carcinogenic agent, a genotoxic and carcinogenic potential were not observed in studies with an appropriate animal model for human exposure to diflubenzuron, and hence to PCA as a metabolite and impurity. In light of the information submitted by the applicant, the Commission considered that the confirmatory information required had been provided.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2008/69/EC of 1 July 2008 amending Council Directive 91/414/EEC to include clofentezine, dicamba, difenocnazole, diflubenzuron, imazaquin, lenacil, oxadiazon, picloram and pyriproxyfen as active substances (OJ L 172, 2.7.2008, p. 9).

⁽³⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

⁽⁵⁾ Commission Directive 2010/39/EU of 22 June 2010 amending Annex I to Council Directive 91/414/EEC as regards the specific provisions relating to the active substances clofentezine, diflubenzuron, lenacil, oxadiazon, picloram and pyriproxyfen (OJ L 156, 23.6.2010, p. 7).

⁽⁶⁾ European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of confirmatory data submitted for the active substance diflubenzuron. *EFSA Journal* 2012;10(9):2870. [26 pp.] doi:10.2903/j.efsa.2012.2870. Available online: www.efsa.europa.eu/efsajournal.htm

- (8) In its conclusion, given the genotoxic properties of PCA identified on the basis of the confirmatory information, and given the carcinogenic properties of PCA and the absence of a threshold for acceptable exposure, the Authority however identified a new concern on potential exposure to PCA as a residue.
- (9) The Commission initiated a review of the approval of the active substance diflubenzuron. The Commission considered that, in the light of the new scientific and technical knowledge described above, there were indications that the approval of the active substance diflubenzuron no longer satisfied the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 with respect to its potential harmful effect on human health, through exposure to PCA as a residue. It invited the applicant to submit information as regards the potential exposure to PCA as a residue and, if exposure is confirmed, consideration of the potential toxicological relevance.
- (10) The applicant submitted that information to Sweden within the time period provided for its submission.
- (11) Sweden assessed the information submitted by the applicant. It submitted its assessment, in the form of an addendum to the draft assessment report, to the other Member States, the Commission and the Authority on 23 July 2014.
- (12) The Commission consulted the Authority, which presented its conclusion on the risk assessment of data submitted for the review of the approval of diflubenzuron on 11 December 2015 ⁽¹⁾. The Authority communicated its views on diflubenzuron to the applicant.
- (13) The Commission considers that the information submitted in the review process did not demonstrate that the risk from the potential exposure of consumers to PCA as a residue is acceptable. In particular, the presence of PCA in the metabolic pathway has been demonstrated in some plants and livestock and could not be excluded in others. Moreover, studies indicated a significant transformation of diflubenzuron residues into PCA under conditions similar or equal to food sterilisation processes, and such transformation could not be excluded for household processing practices.
- (14) Given the genotoxic and carcinogenic properties of PCA and the absence of a threshold for acceptable exposure, it was not established that the exposure of consumers to PCA as a residue, consequent on application consistent with good plant protection practice, has no harmful effects. Since toxicological reference values for PCA cannot be set and as consequently no safe residue levels can be identified, any exposure of consumers to PCA should be prevented.
- (15) The Commission invited the applicant to submit its comments on the review report. The comments of the applicant did not alleviate the concerns on consumer safety through exposure to PCA.
- (16) The draft assessment report, the addendum and the conclusion of the Authority were reviewed by the Member States and the Commission within the Standing Committee on Plants, Animals, Food and Feed and finalised on 23 March 2017 in the format of the Commission review report for diflubenzuron.
- (17) The Commission concluded that exposure of consumers to PCA cannot be excluded except by imposing further restrictions. In particular, the use of diflubenzuron should be limited to non-edible crops only, and crops treated with diflubenzuron should not enter the food and feed chain. In order to minimise the exposure of consumers to PCA, it is therefore appropriate to amend the conditions of use of diflubenzuron.
- (18) The Annex to Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (19) Member States should be provided with time to amend or withdraw authorisations for plant protection products containing diflubenzuron.
- (20) For plant protection products containing diflubenzuron, where Member States grant any grace period in accordance with Article 46 of Regulation (EC) No 1107/2009, that period should expire at the latest 15 months after the entry into force of this Regulation.

⁽¹⁾ European Food Safety Authority; Conclusion on the peer review on the review of the approval of the active substance diflubenzuron regarding the metabolite PCA. *EFSA Journal* 2015;13(8):4222. [30 pp.] doi:10.2903/j.efsa.2015.4222. Available online: www.efsa.europa.eu/efsajournal.htm

- (21) 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

Amendment to Implementing Regulation (EU) No 540/2011

In the seventh column, 'specific provisions', of entry 174 on diflubenzuron of Part A of the Annex to Implementing Regulation (EU) No 540/2011, the text is replaced by the following:

'Only uses as insecticide in non-edible crops may be authorised.

For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on diflubenzuron, and in particular Appendices I and II thereof, as amended in the Standing Committee on Plants, Animals, Food and Feed on 23 March 2017 shall be taken into account.

In this overall assessment Member States must pay particular attention to:

- the specification of the technical material as commercially manufactured, which must be confirmed and supported by appropriate analytical data. The test material used in the toxicity dossiers shall be compared and verified against this specification of the technical material;
- the protection of aquatic organisms, terrestrial organisms and non-target arthropods including bees;
- the potential unintended exposure of food and feed crops to diflubenzuron from uses on non-edible crops (e.g. through spray drift);
- the protection of workers, residents and bystanders.

Member States shall ensure that crops treated with diflubenzuron do not enter the food and feed chain.

Conditions of use shall include adequate risk mitigation measures, where appropriate.'

Article 2

Transitional measures

Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary, amend or withdraw existing authorisations for plant protection products containing diflubenzuron as active substance by 8 September 2017 at the latest.

Article 3

Grace period

Any grace period granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 shall be as short as possible and shall expire by 8 September 2018 at the latest.

Article 4

Entry into force

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, 18 May 2017.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2017/856
of 18 May 2017
amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the
active substance fluroxypyr
(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular the second alternative of Article 21(3) and Article 78(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 736/2011 ⁽²⁾ approved fluroxypyr as an active substance in accordance with Regulation (EC) No 1107/2009 subject to certain conditions requiring the Member States concerned to ensure that the applicant at whose request fluroxypyr was approved provide further confirmatory information on six points, one of which concerned the relevance of the impurities present in the technical specifications.
- (2) On 25 June 2012 and 5 September 2013 the applicant submitted additional information intended to address the confirmatory data requirements to the rapporteur Member State Ireland within the time period provided for its submission.
- (3) Ireland assessed the additional information provided by the applicant. It submitted its own assessment, in the form of an addendum to the draft assessment report, to the other Member States, the Commission and the European Food Safety Authority, hereinafter 'the Authority', on 22 December 2014 and invited them to comment on the assessment.
- (4) The Authority published a Technical Report ⁽³⁾ summarising the outcome of this consultation process for fluroxypyr on 22 July 2015.
- (5) The draft assessment report, the addendum and the Technical Report were reviewed by the Member States and the Commission within the Standing Committee on Plants, Animals, Food and Feed and finalised on 23 March 2017 in the format of the Commission review report for fluroxypyr.
- (6) The Commission invited the applicant to submit its comments on the Commission review report for fluroxypyr.
- (7) N-methyl-2-pyrrolidone (NMP) is classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽⁴⁾ as toxic for reproduction category 1B and has a general concentration limit of 0,3 %. The presence of NMP in the technical material below 3 g/kg would be highly unlikely to pose any risk to consumers. Hence the Commission has concluded that the additional information provided showed that a maximum level for the toxicologically relevant impurity NMP should be set at less than 3 g/kg (< 0,3 %) in the technical material.
- (8) In order to ensure a high level of protection for consumers it is, therefore, appropriate to establish a maximum level for this impurity in the commercially manufactured active substance.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 736/2011 of 26 July 2011 approving the active substance fluroxypyr, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 195, 27.7.2011, p. 37).

⁽³⁾ EFSA (European Food Safety Authority), 2015. Technical report on the outcome of the consultation with Member States, the applicant and EFSA on the pesticide risk assessment for fluroxypyr in light of confirmatory data. EFSA supporting publication 2015:EN-857. 43 pp.

⁽⁴⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

- (9) The Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽¹⁾ should therefore be amended accordingly.
- (10) Member States should be allowed sufficient time to amend or withdraw authorisations for plant protection products containing fluroxypyr.
- (11) For plant protection products containing fluroxypyr, where Member States grant any grace period in accordance with Article 46 of Regulation (EC) No 1107/2009, that period should, at the latest, expire on 8 September 2018.
- (12) 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

Amendment to Implementing Regulation (EU) No 540/2011

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

Article 2

Transitional measures

Member States shall in accordance with Regulation (EC) No 1107/2009, where necessary amend or withdraw existing authorisations for plant protection products containing fluroxypyr as the active substance by 8 September 2017 at the latest.

Article 3

Grace period

Any grace period granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 shall be as short as possible and shall expire by 8 September 2018 at the latest.

Article 4

Entry into force

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, 18 May 2017.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

ANNEX

The column 'Purity' of row 9, fluroxypyr, of Part B of the Annex to Implementing Regulation (EU) No 540/2011 is replaced by the following:

'≥ 950 g/kg (fluroxypyr-meptyl)

The following manufacturing impurity is of toxicological concern and must not exceed the following amount in the technical material:

N-methyl-2-pyrrolidone (NMP): < 3 g/kg'

The column 'Specific provisions' of row 9, fluroxypyr, of Part B of the Annex to Implementing Regulation (EU) No 540/2011 is replaced by the following:

'PART A

Only uses as herbicide may be authorised.

PART B

For the implementation of the uniform principles referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on fluroxypyr, and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plants, Animals, Food and Feed on 23 March 2017 shall be taken into account.

In this overall assessment, Member States must pay particular attention to:

- the potential contamination of groundwater by metabolite fluroxypyr pyridinol, when the active substance is applied in regions with alkaline or vulnerable soil or with vulnerable climatic conditions;
- the risk to aquatic organisms.

Conditions of authorisation shall include risk mitigation measures, where appropriate.'

COMMISSION IMPLEMENTING REGULATION (EU) 2017/857**of 18 May 2017****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, 18 May 2017.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA

Director-General

Directorate-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	104,0
	TN	158,2
	TR	94,0
	ZZ	118,7
0709 93 10	TR	132,4
	ZZ	132,4
0805 10 22, 0805 10 24, 0805 10 28	EG	49,9
	MA	59,7
	TR	41,8
	ZA	88,5
0805 50 10	ZZ	60,0
	AR	123,2
	TR	65,0
	ZA	207,1
0808 10 80	ZZ	131,8
	AR	118,7
	BR	119,2
	CL	133,7
	CN	130,6
	NZ	152,0
	US	107,1
	ZA	99,8
	ZZ	123,0

⁽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) 2017/858**of 18 May 2017****on the minimum selling price for skimmed milk powder for the ninth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) 2016/2080**

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) 2016/1240 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage ⁽²⁾, and in particular Article 32 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2080 ⁽³⁾ has opened the sale of skimmed milk powder by a tendering procedure.
- (2) In the light of the tenders received for the ninth partial invitation to tender, a minimum selling price should not be fixed.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the ninth partial invitation to tender for the selling of skimmed milk powder within the tendering procedure opened by Implementing Regulation (EU) 2016/2080, in respect of which the period during which tenders were to be submitted ended on 16 May 2017, a minimum selling price has not been fixed.

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, 18 May 2017.

For the Commission,

On behalf of the President,

Jerzy PLEWA

Director-General

Directorate-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 206, 30.7.2016, p. 71.

⁽³⁾ Commission Implementing Regulation (EU) 2016/2080 of 25 November 2016 opening the sale of skimmed milk powder by a tendering procedure (OJ L 321, 29.11.2016, p. 45).

DECISIONS

COUNCIL DECISION (EU) 2017/859

of 11 May 2017

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 02.03.01 Internal Market and Budget line 02.03.04 Internal Market Governance Tools)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 to the EEA Agreement.
- (3) Protocol 31 to the EEA Agreement contains provisions on cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the European Union regarding the operation and development of the internal market of goods and services.
- (5) In addition, the cooperation of the Contracting Parties to the EEA Agreement should be extended to Union actions funded from the general budget of the European Union regarding internal market governance tools.
- (6) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2017.
- (7) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

Article 2

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

Done at Brussels, 11 May 2017.

For the Council
The President
R. GALDES

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2017
of ...
amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the European Union regarding the operation and development of the internal market of goods and services.
- (2) In addition, the cooperation of the Contracting Parties to the EEA Agreement should be extended to Union actions funded from the general budget of the European Union regarding internal market governance tools.
- (3) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2017,

HAS ADOPTED THIS DECISION:

Article 1

Article 7 of Protocol 31 to the EEA Agreement shall be amended as follows:

1. In paragraph 12, the words 'the financial year 2016' are replaced by the words 'the financial years 2016 and 2017'.
2. The following paragraph is added:
'14. The EFTA States shall, as from 1 January 2017, participate in Union actions related to the following budget line, entered into the general budget of the European Union for the financial year 2017:
— **Budget line 02.03.04:** 'Internal market governance tools'.'

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement (*).

It shall apply from 1 January 2017.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee

The President

The Secretaries to the EEA Joint Committee

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COUNCIL DECISION (EU) 2017/860**of 11 May 2017****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 33.02.03.01)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 to the EEA Agreement.
- (3) Protocol 31 to the EEA Agreement contains provisions on cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the European Union regarding company law.
- (5) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2017.
- (6) The position of the Union within the EEA Joint Committee should be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 11 May 2017.

For the Council
The President
R. GALDES

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2017
of ...
amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the European Union regarding company law.
- (2) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2017,

HAS ADOPTED THIS DECISION:

Article 1

In Article 7(13) of Protocol 31 to the EEA Agreement, the words 'the financial year 2016' are replaced by the words 'the financial years 2016 and 2017'.

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement ⁽¹⁾.

It shall apply from 1 January 2017.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee

The President

The Secretaries to the EEA Joint Committee

⁽¹⁾ [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COUNCIL DECISION (EU) 2017/861**of 11 May 2017****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 3 to the EEA Agreement, concerning products referred to in Article 8(3)(b) of the Agreement**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 3 to the EEA Agreement. That Protocol determines specific trade arrangements for certain agricultural and processed agricultural products between the Contracting Parties.
- (3) Article 2(2) of Protocol 3 to the EEA Agreement stipulates that the customs duties set out in the Annexes to Table I of that Protocol can be adapted by the EEA Joint Committee, taking account of mutual concessions. Iceland and the European Union have agreed to eliminate tariffs for certain products listed in Protocol 3 to the EEA Agreement. These concessions will apply only to products originating, respectively, in the European Union and in Iceland, within the meaning of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin.
- (4) Protocol 3 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Protocol 3 to the EEA Agreement, concerning products referred to in Article 8(3)(b) of the Agreement, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 11 May 2017.

For the Council
The President
R. GALDES

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2017
of ...
amending Protocol 3 to the EEA Agreement, concerning products referred to in Article 8(3)(b) of
the Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Protocol 3 to the EEA Agreement determines specific trade arrangements for certain agricultural and processed agricultural products between the Contracting Parties.
- (2) Article 2(2) of Protocol 3 to the EEA Agreement stipulates that the customs duties set out in the Annexes to Table I of Protocol 3 to the EEA Agreement can be adapted by the EEA Joint Committee, taking account of mutual concessions. Iceland and the European Union have agreed to eliminate tariffs for certain products listed in Protocol 3 to the EEA Agreement. These concessions will apply only to products originating in the European Union and in Iceland, respectively, within the meaning of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin.
- (3) Protocol 3 to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Protocol 3 to the EEA Agreement shall be amended as follows:

1. In Article 2, the following subparagraph is added at the end of paragraph 1:

'Products covered by Table I originating in Iceland or the European Union, in accordance with the provisions of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, shall be subject to the customs duties set out in point 4a of Annex I to Table I and point 1a of Annex II to Table I, respectively.'

2. Annex I to Table I is amended as set out in Annex I to this Decision.
3. Annex II to Table I is amended as set out in Annex II to this Decision.

Article 2

This Decision shall enter into force on [...], provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*), or on the same day as the entry into force of the Agreement in the form of an Exchange of Letters between the European Union and Iceland concerning additional trade preferences in agricultural products ⁽¹⁾, whichever is the later.

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

⁽¹⁾ OJ x xxx, xx.xx.xx, p. xx.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee

The President

The Secretaries to the EEA Joint Committee

ANNEX I

Annex I to Table I of Protocol 3 to the Agreement is amended as follows:

(1) The following paragraph is added after paragraph (4):

‘(4a) The customs duties applicable to the following products originating in Iceland shall be zero:

CN Code	Comments
0710 40 00	
0711 90 30	
ex 1302 20 10	Containing 5 % or more by weight of added sugar
ex 1302 20 90	Containing 5 % or more by weight of added sugar
1517 10 10	
1517 90 10	
1704 10 10	
1704 10 90	
1704 90 10	
1704 90 30	
1704 90 51	
1704 90 55	
1704 90 61	
1704 90 65	
1704 90 71	
1704 90 75	
1704 90 81	
1704 90 99	
1806 10 15	
1806 10 20	
1806 10 30	
1806 10 90	
1806 20 10	
1806 20 30	
1806 20 50	
1806 20 70	
1806 20 80	
1806 20 95	

CN Code	Comments
1806 31 00	
1806 32 10	
1806 32 90	
1806 90 11	
1806 90 19	
1806 90 31	
1806 90 39	
1806 90 50	
1806 90 60	
1806 90 70	
1806 90 90	
1901 10 00	
1901 20 00	
1901 90 11	
1901 90 19	
1901 90 99	
1902 11 00	
1902 19 10	
1902 19 90	
1902 20 10	
1902 20 91	
1902 20 99	
1902 30 10	
1902 30 90	
1902 40 10	
1902 40 90	
1903 00 00	
1904 10 10	
1904 10 30	
1904 10 90	
1904 20 10	
1904 20 91	
1904 20 95	

CN Code	Comments
1904 20 99	
1904 30 00	
1904 90 10	
1904 90 80	
1905 10 00	
1905 20 10	
1905 20 30	
1905 20 90	
1905 31 11	
1905 31 19	
1905 31 30	
1905 31 91	
1905 31 99	
1905 32 05	
1905 32 11	
1905 32 19	
1905 32 91	
1905 32 99	
1905 40 10	
1905 40 90	
1905 90 10	
1905 90 20	
1905 90 30	
1905 90 45	
1905 90 55	
1905 90 60	
1905 90 90	
2001 90 30	
2001 90 40	
2004 10 91	
2004 90 10	
2005 20 10	
2005 80 00	

CN Code	Comments
ex 2006 00 38	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
ex 2006 00 99	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
2007 10 10	
2007 10 91	
2007 10 99	
2007 91 10	
2007 91 30	
2007 91 90	
2007 99 10	
2007 99 20	
2007 99 31	
2007 99 33	
2007 99 35	
2007 99 39	
2007 99 50	
2007 99 93	
2007 99 97	
ex 2008 11 91	Roasted
2008 99 85	
2008 99 91	
ex 2101 12 92	Containing by weight 1,5 % or more milk fat, 2,5 % or more milk proteins, 5 % or more sugar or 5 % or more starch
ex 2101 12 98	Containing by weight 1,5 % or more milk fat, 2,5 % or more milk proteins, 5 % or more sugar or 5 % or more starch
ex 2101 20 92	Containing by weight 1,5 % or more milk fat, 2,5 % or more milk proteins, 5 % or more sugar or 5 % or more starch
ex 2101 20 98	Containing by weight 1,5 % or more milk fat, 2,5 % or more milk proteins, 5 % or more sugar or 5 % or more starch'.
2101 30 19	
2101 30 99	
2102 10 31	
2102 10 39	
2102 20 11	
2102 20 19	

CN Code	Comments
2103 20 00	
2103 90 90	
2104 10 00	
2106 10 20	
2106 10 80	
2106 90 20	
2106 90 92	
2202 10 00	
2202 90 10	
2202 90 91	
2202 90 95	
2202 90 99	
2205 10 10	
2205 10 90	
2205 90 10	
2205 90 90	
2207 20 00	
2208 90 91	
2208 90 99	
2209 00 11	
2209 00 19	
2209 00 91	
2209 00 99	
2402 10 00	
2402 20 90	
2402 90 00	
2403 11 00	
2403 19 10	
2403 19 90	
2403 91 00	
2403 99 10	
2905 43 00	
2905 44 11	

CN Code	Comments
2905 44 19	
2905 44 91	
2905 44 99	
3302 10 10	
3302 10 21	
3302 10 29	
3501 10 50	
3501 10 90	
3501 90 10	
3501 90 90	
3505 10 10	
3505 10 50	
3505 10 90	
3505 20 10	
3505 20 30	
3505 20 50	
3505 20 90	
3809 10 10	
3809 10 30	
3809 10 50	
3809 10 90	
3824 60 11	
3824 60 19	
3824 60 91	
3824 60 99	

(2) Paragraph (8) is replaced by the following:

‘(8) Tariff codes set out in this Annex refer to those applicable in the European Union on 1 January 2004. However, the tariff codes set out in paragraph (4a) refer to those applicable in the European Union on 1 January 2015. The terms of this Annex will not be affected by any changes that may be made in the tariff nomenclature.’.

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ANNEX II

Annex II to Table I of Protocol 3 to the Agreement is amended as follows:

(1) The following paragraph is added after paragraph (1):

‘(1a) The customs duties applicable to the following products originating in the European Union shall be zero:

Icelandic Tariff Code	Product description
0501.0000	Human hair, unworked, whether or not washed or scoured; waste of human hair
0502	Pigs', hogs' or boars' bristles and hair; badger hair and other brush making hair; waste of such bristles or hair:
0502.1000	– Pigs', hogs' or boars' bristles and hair and waste thereof
0502.9000	– Other
0505	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers:
	– Feathers of a kind used for stuffing; down:
0505.1001	– – Feathers
0505.1002	– – Eider down, cleaned
0505.1003	– – Other down
0505.1009	– – Other
0505.9000	– Other
0507	Ivory, tortoise-shell, whalebone and whalebone hair, horns, antlers, hooves, nails, claws and beaks, unworked or simply prepared but not cut to shape; powder and waste of these products:
	– Ivory; ivory powder and waste:
0507.1001	– – Whale teeth
0507.1009	– – Other
	– Other
0507.9001	– – Whalebone
0507.9002	– – Bird's claws
0507.9003	– – Sheep horns
0507.9004	– – Bovine horns
0507.9009	– – Other
0508.0000	Coral and similar materials, unworked or simply prepared but not otherwise worked; shells of molluscs, crustaceans or echinoderms and cuttle-bone, unworked or simply prepared but not cut to shape powder and waste thereof
0510.0000	Ambergris, castoreum, civet and musk; cantharides; bile, whether or not dried; glands and other animal products used in the preparation of pharmaceutical products, fresh, chilled, frozen or otherwise provisionally preserved

Icelandic Tariff Code	Product description
ex 0710 0710.4000	Vegetables (uncooked or cooked by steaming or boiling in water), frozen: – Sweet corn
ex 0711 0711.9002	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption: – Other vegetables; mixtures of vegetables: – – Sweet corn
ex 1302 1302.1901 1302.1909 1302.2001	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products: – Vegetable saps and extracts: – – Other: – – – For food preparations – – – Other – Pectic substances, pectinates and pectates: – – Containing by weight 5 % or more of added sugar
1401 1401.1000 1401.2000 1401.9000	Vegetable materials of a kind used primarily for plaiting (for example, bamboos, rattans, reeds, rushes, osier, raffia, cleaned, bleached or dyed cereal straw, and lime bark): – Bamboos – Rattans – Other
1404 1404.2000 1404.9001 1404.9009	Vegetable products not elsewhere specified or included: – Cotton linters – Other: – – Teazel-heads – – Other
ex 1517 1517.1001 1517.9002 1517.9005	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading No 1516: – Margarine, excluding liquid margarine: – – Containing more than 10 % but not more than 15 % by weight of milkfat – Other: – – Containing more than 10 % but not more than 15 % by weight of milk fats – – Edible mixtures of animal or vegetable fats and oils for use as mould release preparations

Icelandic Tariff Code	Product description
ex 1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:
1702.5000	– Chemically pure fructose – Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 % by weight of fructose:
1702.9004	– – Chemically pure maltose
1704	Sugar confectionery (including white chocolate), not containing cocoa:
1704.1000	– Chewing gum, whether or not sugar-coated – Other:
1704.9001	– – Paste of powdered almonds with added sugar, and persipan (imitations of powdered almond paste), in units of 5 kg or more
1704.9002	– – Paste of powdered almonds, with added sugar, and persipan (imitations of powdered almond paste), in units of less than 5 kg
1704.9003	– – Moulded ornamental sugar
1704.9004	– – Liquorice, with sugar and liquorice preparations
1704.9005	– – Sugar bonbons, sweet tablets (lozenges), n.e.s
1704.9006	– – Caramels
1704.9007	– – Preparations of gum Arabic
1704.9008	– – Sugar confectionery not containing gluten nor protein specially prepared for allergy and metabolism disorder
1704.9009	– – Other
1806	Chocolate and other food preparations containing cocoa:
	– Cocoa powder, containing added sugar or other sweetening matter:
1806.1001	– – For the manufacture of beverages
1806.1009	– – Other
	– Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings, of a content exceeding 2 kg:
1806.2010	– – Paste of nougat in blocks of 5 kg or more
1806.2020	– – Powder for making desserts
	– – Cocoa powder, excluding products of heading 1901, containing by weight 30 % or more of fresh milk powder and/or skimmed milk powder, whether or not containing added sugar or other sweetening matter, but not mixed with other substances:
1806.2031	– – – Containing added sugar or other sweetening matter
1806.2039	– – – Other
	– – Cocoa powder, excluding products of heading 1901, containing by weight less than 30 % of fresh milk powder and/or skimmed milk powder, whether or not containing added sugar or other sweetening matter, but not mixed with other substances:
1806.2041	– – – Containing added sugar or other sweetening matter
1806.2049	– – – Other

Icelandic Tariff Code	Product description
	-- Other:
1806.2050	--- Other preparations, excluding products of heading 1901, containing by weight 30 % or more of fresh milk powder and/or skimmed milk powder
1806.2060	--- Other preparations, excluding products of heading 1901, containing by weight less than 30 % of fresh milk powder and/or skimmed milk powder
1806.2090	--- Other
	- Other, in blocks, slabs or bars:
	-- Filled:
1806.3101	--- Filled chocolate in blocks, slabs or bars
1806.3109	--- Other
	-- Not filled:
1806.3201	--- Chocolate composed solely of cocoa paste, sugar and not more than 30 % of cocoa butter, in slabs and bars
1806.3202	--- Chocolate containing cocoa paste, sugar, cocoa butter and milk powder, in slabs or bars
1806.3203	--- Imitation chocolate in slabs or bars
1806.3209	--- Other
	- Other:
	-- Substances for the manufacture of beverages:
1806.9011	--- Prepared substances for beverages, with a basis of goods of headings 0401 to 0404, containing by weight 5 % or more of cocoa powder calculated on a totally defatted basis, n.e.s., sugar or other sweetening matter, in addition to other minor ingredients and flavouring matter
1806.9012	--- Prepared substances for beverages, containing cocoa together with proteins and/or other nutritive elements, also vitamins, minerals, vegetable fibres, polyunsaturated fatty acids and flavouring matter
1806.9019	--- Other
	-- Other:
1806.9021	--- Powder for making desserts; puddings and soups
1806.9022	--- Food specially prepared for infants and for dietetic purposes
1806.9023	--- Easter eggs
1806.9024	--- Ice-cream sauces and dips
1806.9025	--- Coated or covered, such as raisins, nuts, 'puffed' cereals, liquorice, caramels and jellies
1806.9026	--- Chocolate creams (konfekt)
1806.9027	--- Breakfast cereals
	--- Cocoa powder, excluding products of heading 1901, containing by weight 30 % or more of fresh milk powder and/or skimmed milk powder, whether or not containing added sugar or other sweetening matter, but not mixed with other substances:
1806.9041	---- Containing added sugar or other sweetening matter

Icelandic Tariff Code	Product description
1806.9049	----- Other
	--- Cocoa powder, excluding products of heading 1901, containing by weight less than 30 % of fresh milk powder and/or skimmed milk powder, whether or not containing added sugar or other sweetening matter, but not mixed with other substances:
1806.9051	----- Containing added sugar or other sweetening matter
1806.9059	----- Other
	--- Other:
1806.9091	----- Containing added sugar or other sweetening matter
1806.9099	----- Other
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings Nos. 0401 to 0404, not containing cocoa or containing cocoa powder in a proportion by weight of less than 5 % calculated on a totally defatted basis, not elsewhere specified or included:
1901.1000	- Preparations for infant use, put up for retail sale
	- Mixes and doughs for the preparation of bakers' wares of heading No 1905:
	-- Containing a total of 3 % or more of fresh milk powder, skimmed milk powder, eggs, milkfat (such as butter), cheese or meat:
1901.2011	--- For the preparation of crisp bread of heading 1905.1000
1901.2012	--- For the preparation of gingerbread and the like of heading 1905.2000
1901.2051	--- For the preparation of sweet biscuits of headings 1905.3110, including cookies
1901.2052	--- For the preparation of sweet biscuits of headings 1905.3120, including cookies
1901.2053	--- For the preparation of ginger snaps of heading 1905.3131
1901.2054	--- For the preparation of waffles and wafers of heading 1905.3201 and 1905.3209 containing added sugar or other sweetening matter
1901.2055	--- For the preparation of waffles and wafers of heading 1905.3201 and 1905.3209 without added sugar or other sweetening matter
1901.2056	--- For the preparation of rusks, toasted bread and similar toasted products of heading 1905.4000
1901.2057	--- For the preparation of bread of heading 1905.9011 with filling based on butter or other dairy products
1901.2058	--- For the preparation of bread of heading 1905.9019
1901.2059	--- For the preparation of plain biscuits of headings 1905.9021 and 1905.9029
1901.2061	--- For the preparation of savoury and salted biscuits of heading 1905.9030
1901.2062	--- For the preparation of cakes and pastry of headings 1905.9041 and 1905.9049 containing added sugar or other sweetening matter
1901.2063	--- For the preparation of cakes and pastry of headings 1905.9041 and 1905.9049 without added sugar or other sweetening matter
1901.2064	--- Mixes and doughs, containing meat, for the preparation of pies, including pizza, of heading 1905.9051

Icelandic Tariff Code	Product description
1901.2065	--- Mixes and doughs, containing ingredients other than meat, for the preparation of pizza and the like of heading 1905.9059
1901.2066	--- For the preparation of snacks, such as flakes, screws, rings, cones, sticks, and the like
1901.2067	--- For the preparation of products of heading 1905.9091
1901.2068	--- For the preparation of products of heading 1905.9099
	-- Other:
1901.2071	--- For the preparation of crispbread of heading 1905.1000
1901.2072	--- For the preparation of gingerbread and the like of heading 1905.2000
1901.2073	--- For the preparation of sweet biscuits of headings 1905.3110, including cookies
1901.2074	--- For the preparation of sweet biscuits of 1905.3120, including cookies
1901.2075	--- For the preparation of ginger snaps of heading 1905.3131
1901.2076	--- For the preparation of waffles and wafers of heading 1905.3201 and 1905.3209
1901.2077	--- For the preparation of rusks, toasted bread and similar toasted products of heading 1905.4000
1901.2078	--- For the preparation of bread of heading 1905.9011 with filling based on butter or other dairy products
1901.2079	--- For the preparation of bread of heading 1905.9019
1901.2081	--- For the preparation of plain biscuits of heading 1905.9021 and 1905.9029
1901.2082	--- For the preparation of savoury and salted biscuits of heading 1905.9030
1901.2083	--- For the preparation of cakes and pastry of heading 1905.9041
1901.2084	--- For the preparation of cakes and pastry of heading 1905.9049
1901.2085	--- Mixes and doughs, containing meat, for the preparation of pies, including pizza, of heading 1905.9051
1901.2086	--- Mixes and doughs, containing ingredients other than meat, for the preparation of pizza and the like of heading 1905.9059
1901.2087	--- For the preparation of snacks, such as flakes, screws, rings, cones, sticks, and the like
1901.2088	--- For the preparation of products of heading 1905.9091 containing added sugar or other sweetening matter
1901.2089	--- For the preparation of products of heading 1905.9099
	-- Other:
	-- Substances for the manufacture of beverages:
1901.9021	--- Prepared substances for beverages, with a basis of goods of headings 0401 to 0404, not containing cocoa or containing by weight less than 5 % of cocoa calculated on a totally defatted basis, n.e.s., added sugar or other sweetening matter, in addition to other minor ingredients and flavouring matter
1901.9029	--- Other prepared substances for beverages, with a basis of goods of headings 0401 to 0404, not containing cocoa or containing by weight less than 5 % of cocoa calculated on a totally defatted basis, n.e.s.
1901.9031	--- Other substances for beverages containing added sugar or other sweetening matter

Icelandic Tariff Code	Product description
1901.9039	--- Other substances for beverages
1901.9091	--- Containing added sugar or other sweetening matter
1901.9099	--- Other
ex 1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; cous-cous, whether or not prepared:
	- Uncooked pasta, not stuffed or otherwise prepared:
1902.1100	-- Containing eggs
1902.1900	-- Other
	- Stuffed pasta, whether or not cooked or otherwise prepared:
	-- Stuffed with preparations of fish, crustaceans, molluscs and other aquatic invertebrates:
1902.2011	--- In a proportion exceeding 20 % by weight
1902.2019	--- Other
	-- Stuffed with preparations of sausages, meat, meat offal or blood or mixtures thereof:
1902.2022	--- Containing 3 % up to and including 20 % by weight of sausages, meat, meat offal or blood or mixtures thereof
1902.2029	--- Other
	-- Stuffed with cheese:
1902.2031	--- Containing more than 3 % by weight of cheese
1902.2039	--- Other
	-- Stuffed with meat and cheese:
1902.2041	--- Containing more than 20 % by weight of meat and cheese
1902.2042	--- Containing a total of 3 % up to and including 20 % by weight of meat and cheese
1902.2049	--- Other
1902.2050	-- Other
	- Other pasta:
1902.3010	-- With fish, crustaceans, molluscs and other aquatic invertebrates
	-- With sausages, meat, meat offal or blood or mixtures thereof:
1902.3021	--- In a proportion of 3 % up to and including 20 % by weight
1902.3029	--- Other
	-- With cheese:
1902.3031	--- In a proportion exceeding 3 % by weight
1902.3039	--- Other
	-- With meat and cheese:
1902.3041	--- In a proportion of 3 % up to and including 20 % by weight, total
1902.3049	--- Other
1902.3050	-- Other

Icelandic Tariff Code	Product description
	--- Other:
1905.3131	---- Ginger snaps
1905.3132	---- Sweet biscuits and cookies, containing less than 20 % of sugar
1905.3139	---- Other sweet biscuits and cookies
	-- Waffles and wafers:
1905.3201	--- Coated or covered with chocolate or with fondants containing cocoa
1905.3209	--- Other
1905.4000	- Rusks, toasted bread and similar toasted products - Other: -- Bread:
1905.9011	--- With a filling consisting essentially of butter or other dairy products (for example, garlic butter)
1905.9019	--- Other -- Plain biscuits:
1905.9021	--- Not containing gluten nor protein specially prepared for allergy- and metabolism disorder
1905.9029	--- Other
1905.9030	-- Savoury and salted biscuits -- Cakes and pastry:
1905.9041	--- Not containing gluten nor protein specially prepared for allergy- and metabolism disorder
1905.9049	--- Other -- Pies, including pizza:
1905.9051	--- Containing meat
1905.9059	--- Other
1905.9060	-- Snacks, such as flakes, screws, rings, cones, sticks, and the like -- Other
1905.9091	--- Containing added sugar or other sweetening matter
1905.9099	--- Other
ex 2001	- Vegetable, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid: - Other:
2001.9001	-- Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
2001.9002	-- Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch
ex 2001.9009	-- others containing palm hearts

Icelandic Tariff Code	Product description
ex 2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen: – Potatoes: 2004.1001 – – Flour, meal or flakes 2004.9001 – – Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen: – Potatoes: 2005.2001 – – Flour, meal or flakes 2005.8000 – Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
ex 2006	Fruit, nuts, fruit-peel other parts of plants, preserved by sugar (drained, glacé or crystallised) – Frozen vegetables: 2006.0011 – – Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) 2006.0021 – – Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
2007	Jams, fruit jellies, marmalades, fruit or nut puree and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter: 2007.1000 – Homogenised preparations 2007.9100 – – Citrus fruit 2007.9900 – – Other
ex 2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included: – Nuts, ground-nuts and other seeds, whether or not mixed together: 2008.1101 – – – Peanut butter ex 2008.1109 – – – Other, roasted 2008.9100 – – Palm hearts 2008.9902 – – – Maize (corn), other than sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)

Icelandic Tariff Code	Product description
ex 2101	Extracts, essences and concentrates, of coffee, tea or mate and preparations with a basis of these products or with a basis of coffee, tea or mate; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof: – Extracts, essences and concentrates, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee: – – Preparations with a basis of extracts, essences or concentrates or with a basis of coffee: – – – Containing by weight 1,5 % or more of milkfat, 2,5 % or more of milk protein, 5 % or more of sugar or 5 % or more of starch – Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté: – – Containing by weight 1,5 % or more of milkfat, 2,5 % or more of milk protein, 5 % or more of sugar or 5 % or more of starch – Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof: – – Other roasted coffee substitutes, excluded roasted chicory, extracts, essences and concentrates of other roasted coffee substitutes, excluded roasted chicory
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders: – Active yeasts: – – Other than for baking of bread, excluded yeasts for use in animal fodder – – Other – Inactive yeasts; other single-cell micro-organisms, dead: – – Inactive yeasts – – Dead, single-cell algae – – For use in animal fodder – – Other – Prepared baking powders: – – In retail packings of 5 kg or less – – Other
ex 2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard: – Tomato ketchup and other tomato sauces – Mustard flour and meal and prepared mustard: – – Prepared mustard containing 5 % or more by weight of added sugar – Other: – – Prepared vegetable sauces with a basis of flour, meal, starch or malt extract

Icelandic Tariff Code	Product description
2103.9020	-- Mayonnaise
2103.9030	-- Sauces of oil n.e.s. (for example rémoulades sauces)
	-- Containing meat:
2103.9051	--- In a proportion exceeding 20 % by weight
2103.9052	--- In a proportion of 3 % up to and including 20 % by weight
2103.9059	--- Other
	-- Other:
2103.9091	--- Containing added sugar or other sweetening matter
2103.9099	--- Other
2104	Soups and broths and preparations therefor; homogenised composite food preparations:
	- Soups and broths and preparations therefor:
2104.1001	-- Preparations of vegetable soups with a basis of flour, meal, starch or malt extract
2104.1002	-- Other soup powder in packings of 5 kg or more
2104.1003	-- Canned fish soups
	-- Other soups:
2104.1011	--- Containing meat in a proportion exceeding 20 % by weight
2104.1012	--- Containing meat in a proportion of 3 % up to and including 20 % by weight
2104.1019	--- Other
	-- Other:
2104.1021	--- Containing meat in a proportion exceeding 20 % by weight
2104.1022	--- Containing meat in a proportion of 3 % up to and including 20 % by weight
2104.1029	--- Other
	- Homogenised composite food preparations:
2104.2001	--- Containing meat in a proportion exceeding 20 % by weight
2104.2002	--- Containing meat in a proportion of 3 % up to and including 20 % by weight
2104.2003	-- Containing, fish, crustaceans molluscs or other aquatic invertebrates
2104.2009	--- Other
ex 2106	Food preparations not elsewhere specified or included:
2106.1000	- Protein concentrates and textured protein substances
	- Other:
	-- Fruit juices, prepared or mixed more than specified in heading No 2009:
2106.9011	--- Unfermented and not containing sugar, in containers of 50 kg or more
2106.9012	--- Other in other containers containing added sugar or other sweetening matters
2106.9013	--- Other in other containers
	-- Preparations for making beverages:
2106.9023	--- Mixtures of plants or parts of plants, whether or not mixed with extracts from plants, for the preparations of plant broths

Icelandic Tariff Code	Product description
2106.9024	--- Specially prepared as infant food or for dietetic purposes
2106.9025	--- Prepared substances for beverages, containing proteins and/or other nutritive elements, also vitamins, minerals, vegetable fibres, polyunsaturated fatty acids and flavouring matter
2106.9026	--- Prepared substances for beverages, of ginseng extract mixed with other ingredients, for example glucose or lactose
2106.9027	--- Non-alcoholic preparations (concentrated extracts) without sugar or other sweetening matter
2106.9028	--- Non-alcoholic preparations (concentrated extracts) containing added sugar
2106.9029	--- Non-alcoholic preparations (concentrated extracts) containing added sweetening matter
	--- Alcoholic preparations of an alcoholic strength by volume exceeding 0,5 %, for making beverages:
2106.9031	---- Of an alcoholic strength by volume of more than 0,5 % up to and including 2,25 % vol
2106.9032	---- Of an alcoholic strength by volume of more than 2,25 % up to and including 15 % vol
2106.9033	---- Of an alcoholic strength by volume of more than 15 % up to and including 22 % vol
2106.9034	---- Of an alcoholic strength by volume more than 22 % up to and including 32 % vol
2106.9035	---- Of an alcoholic strength by volume more than 32 % up to and including 40 % vol
2106.9036	---- Of an alcoholic strength by volume more than 40 % up to and including 50 % vol
2106.9037	---- Of an alcoholic strength by volume more than 50 % up to and including 60 % vol
2106.9038	---- Other
2106.9039	--- Other
	-- Powder for making desserts:
2106.9041	--- In retail packings of 5 kg or less, containing milk powder, egg white or egg yolks
2106.9042	--- In retail packings of 5 kg or less, not containing milk powder, egg white or egg yolks
2106.9048	--- Other, containing milk powder, egg white or egg yolks
2106.9049	--- Other, not containing milk powder, egg white or egg yolks
2106.9051	-- Mixtures of chemical substances and food, such as saccharin and lactose used as sweetening matter
2106.9062	-- Fruit soups and porridge
2106.9064	-- Containing meat in a proportion of 3 % up to and including 20 % by weight
2106.9065	-- Fish liver oil capsules and other vitamins, n.e.s.
2106.9066	-- Food supplements, n.e.s.
2106.9067	-- Vegetarian cream
2106.9068	-- Vegetarian cheese

Icelandic Tariff Code	Product description
2202.1094	--- In disposable packings of glass for more than 500 ml
2202.1095	--- In disposable packings of glass for 500 ml or less
2202.1096	--- In disposable packings of plastic, coloured
2202.1097	--- In disposable packings of plastic, uncoloured
2202.1099	--- Other
	- Other:
	-- Of dairy products with other ingredients, provided that the dairy products are 75 % or more by weight excluding packings:
2202.9011	--- In packings of paperboard
2202.9012	--- In disposable packings of steel
2202.9013	--- In disposable packings of aluminium
2202.9014	--- In disposable packings of glass for more than 500 ml
2202.9015	--- In disposable packings of glass for 500 ml or less
2202.9016	--- In disposable packings of plastic, coloured
2202.9017	--- In disposable packings of plastic, uncoloured
2202.9019	--- Other
	-- Specially prepared as infant food or for dietetic purposes:
2202.9021	--- In packings of paperboard
2202.9022	--- In disposable packings of steel
2202.9023	--- In disposable packings of aluminium
2202.9024	--- In disposable packings of glass for more than 500 ml
2202.9025	--- In disposable packings of glass for 500 ml or less
2202.9026	--- In disposable packings of plastic, coloured
2202.9027	--- In disposable packings of plastic, uncoloured
2202.9029	--- Other
	-- Beverages of soya beans:
2202.9031	--- In packings of paperboard
2202.9032	--- In disposable packings of steel
2202.9033	--- In disposable packings of aluminium
2202.9034	--- In disposable packings of glass for more than 500 ml
2202.9035	--- In disposable packings of glass for 500 ml or less
2202.9036	--- In disposable packings of plastic, coloured
2202.9037	--- In disposable packings of plastic, uncoloured
2202.9039	--- Other
	-- Beverages of rice and/or almonds:
2202.9041	--- In packings of paperboard
2202.9042	--- In disposable packings of steel
2202.9043	--- In disposable packings of aluminium
2202.9044	--- In disposable packings of glass for more than 500 ml

Icelandic Tariff Code	Product description
2202.9045	--- In disposable packings of glass for 500 ml or less
2202.9046	--- In disposable packings of plastic, coloured
2202.9047	--- In disposable packings of plastic, uncoloured
2202.9049	--- Other
	-- Other:
2202.9091	--- In packings of paperboard
2202.9092	--- In disposable packings of steel
2202.9093	--- In disposable packings of aluminium
2202.9094	--- In disposable packings of glass for more than 500 ml
2202.9095	--- In disposable packings of glass for 500 ml or less
2202.9096	--- In disposable packings of plastic, coloured
2202.9097	--- In disposable packings of plastic, uncoloured
2202.9099	--- Other
2203	Beer made from malt:
	- Malt ale of an alcoholic strength by volume of more than 0,5 % up to and including 2,25 % vol:
2203.0011	-- In disposable packings of steel
2203.0012	-- In disposable packings of aluminium
2203.0013	-- In disposable packings of glass for more than 500 ml
2203.0014	-- In disposable packings of glass for 500 ml or less
2203.0015	-- In disposable packings of plastic, coloured
2203.0016	-- In disposable packings of plastic, uncoloured
2203.0019	-- Other
	- Other:
2203.0091	-- In disposable packings of steel
2203.0092	-- In disposable packings of aluminium
2203.0093	-- In disposable packings of glass for more than 500 ml
2203.0094	-- In disposable packings of glass for 500 ml or less
2203.0095	-- In disposable packings of plastic, coloured
2203.0096	-- In disposable packings of plastic, uncoloured
2203.0099	-- Other
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances:
	- In containers holding 2 l or less:
	-- Of an alcoholic strength by volume of more than 0,5 % up to and including 2,25 % vol:
2205.1011	--- In disposable packings of steel
2205.1012	--- In disposable packings of aluminium
2205.1013	--- In disposable packings of glass for more than 500 ml

Icelandic Tariff Code	Product description
2205.1014	--- In disposable packings of glass for 500 ml or less
2205.1015	--- In disposable packings of plastic, coloured
2205.1016	--- In disposable packings of plastic, uncoloured
2205.1019	--- Other -- Of an alcoholic strength by volume of more than 2,25 % up to and including 15 % of pure alcohol provided the goods contains solely alcohol formed by fermentation without any kind of distillation:
2205.1021	--- In disposable packings of steel
2205.1022	--- In disposable packings of aluminium
2205.1023	--- In disposable packings of glass for more than 500 ml
2205.1024	--- In disposable packings of glass for 500 ml or less
2205.1025	--- In disposable packings of plastic, coloured
2205.1026	--- In disposable packings of plastic, uncoloured
2205.1029	--- Other -- Other:
2205.1091	--- In disposable packings of steel
2205.1092	--- In disposable packings of aluminium
2205.1093	--- In disposable packings of glass for more than 500 ml
2205.1094	--- In disposable packings of glass for 500 ml or less
2205.1095	--- In disposable packings of plastic, coloured
2205.1096	--- In disposable packings of plastic, uncoloured
2205.1099	--- Other -- Other: -- Of an alcoholic strength by volume of more than 0,5 % up to and including 2,25 % vol:
2205.9011	--- In disposable packings of steel
2205.9012	--- In disposable packings of aluminium
2205.9013	--- In disposable packings of glass
2205.9015	--- In disposable packings of plastic, coloured
2205.9016	--- In disposable packings of plastic, uncoloured
2205.9019	--- Other -- Of an alcoholic strength by volume of more than 2,25 % and a maximum of 15 % and contains solely alcohol formed by fermentation without any kind of distillation:
2205.9021	--- In disposable packings of steel
2205.9022	--- In disposable packings of aluminium
2205.9023	--- In disposable packings of glass for more than 500 ml
2205.9025	--- In disposable packings of plastic, coloured
2205.9026	--- In disposable packings of plastic, uncoloured
2205.9029	--- Other

Icelandic Tariff Code	Product description
2205.9091 2205.9092 2205.9093 2205.9095 2205.9096 2205.9099	-- Other: --- In disposable packings of steel --- In disposable packings of aluminium --- In disposable packings of glass for more than 500 ml --- In disposable packings of plastic, coloured --- In disposable packings of plastic, uncoloured --- Other
ex 2207 2207.2000	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol and other spirits, denatured, of any strength: – Ethyl alcohol and other spirits, denatured, of any strength
ex 2208 2208.4011 2208.4012 2208.4013 2208.4014 2208.4015 2208.4016 2208.4019 2208.5031 2208.5032 2208.5033 2208.5034 2208.5035 2208.5036 2208.5039 2208.5041 2208.5042 2208.5043 2208.5044 2208.5045 2208.5046 2208.5049	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol.; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages: – Rum and other spirits obtained by distilling fermented sugar-cane products: -- In disposable packings of steel -- In disposable packings of aluminium -- In disposable packings of glass for more than 500 ml -- In disposable packings of glass for 500 ml or less -- In disposable packings of plastic, coloured -- In disposable packings of plastic, uncoloured -- Other – Gin and Geneva: -- Gin: --- In disposable packings of steel --- In disposable packings of aluminium --- In disposable packings of glass for more than 500 ml --- In disposable packings of glass for 500 ml or less --- In disposable packings of plastic, coloured --- In disposable packings of plastic, uncoloured --- Other -- Geneva: --- In disposable packings of steel --- In disposable packings of aluminium --- In disposable packings of glass for more than 500 ml --- In disposable packings of glass for 500 ml or less --- In disposable packings of plastic, coloured --- In disposable packings of plastic, uncoloured --- Other

Icelandic Tariff Code	Product description
	– Vodka:
2208.6011	– – In disposable packings of steel
2208.6012	– – In disposable packings of aluminium
2208.6013	– – In disposable packings of glass for more than 500 ml
2208.6014	– – In disposable packings of glass for 500 ml or less
2208.6015	– – In disposable packings of plastic, coloured
2208.6016	– – In disposable packings of plastic, uncoloured
2208.6019	– – Other
	– Liqueurs and cordials:
	– – Of an alcoholic strength by volume of more than 0,5 % up to and including 2,25 % vol:
2208.7021	– – – In disposable packings of steel
2208.7022	– – – In disposable packings of aluminium
2208.7023	– – – In disposable packings of glass for more than 500 ml
2208.7024	– – – In disposable packings of glass for 500 ml or less
2208.7025	– – – In disposable packings of plastic, coloured
2208.7026	– – – In disposable packings of plastic, uncoloured
2208.7029	– – – Other
	– – Other:
2208.7081	– – – In disposable packings of steel
2208.7082	– – – In disposable packings of aluminium
2208.7083	– – – In disposable packings of glass for more than 500 ml
2208.7084	– – – In disposable packings of glass for 500 ml or less
2208.7085	– – – In disposable packings of plastic, coloured
2208.7086	– – – In disposable packings of plastic, uncoloured
2208.7089	– – – Other
	– Other:
	– – Aqua vitae (brennivín):
2208.9021	– – – In disposable packings of steel
2208.9022	– – – In disposable packings of aluminium
2208.9023	– – – In disposable packings of glass for more than 500 ml
2208.9024	– – – In disposable packings of glass for 500 ml or less
2208.9025	– – – In disposable packings of plastic, coloured
2208.9026	– – – In disposable packings of plastic, uncoloured
2208.9029	– – – Other
	– Aquavit:
2208.9031	– – – In disposable packings of steel
2208.9032	– – – In disposable packings of aluminium

Icelandic Tariff Code	Product description
2208.9033	--- In disposable packings of glass for more than 500 ml
2208.9034	--- In disposable packings of glass for 500 ml or less
2208.9035	--- In disposable packings of plastic, coloured
2208.9036	--- In disposable packings of plastic, uncoloured
2208.9039	--- Other
2209.0000	Vinegar and substitutes for vinegar obtained from acetic acid
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes:
	– Cigars, cheroots and cigarillos, containing tobacco:
2402.1001	– Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2402.1009	– Other
	– Cigarettes containing tobacco:
2402.2001	– Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2402.2009	– Other
	– Other:
	– Cigars, cheroots and cigarillos of tobacco substitutes:
2402.9011	– Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2402.9019	– Other
	– Other:
2402.9091	– Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2402.9099	– Other
2403	Other manufactured tobacco and manufactured tobacco substitutes; 'homogenised' or 'reconstituted' tobacco; tobacco extracts and essences:
	– Smoking tobacco, whether or not containing tobacco substitutes in any proportion:
	– Water pipe tobacco specified in Subheading Note 1 to this Chapter:
2403.1101	– Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2403.1109	– Other

Icelandic Tariff Code	Product description
	-- Other:
2403.1901	--- Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2403.1909	--- Other
	-- 'Homogenised' or 'reconstituted' tobacco:
2403.9101	--- Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2403.9109	--- Other
	-- Other:
	--- Snuff containing <i>solutio ammoniae</i> :
2403.9911	---- Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2403.9919	---- Other
	--- Other snuff:
2403.9921	---- Brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2403.9929	---- Other
	--- Other:
2403.9992	---- Imitation tobacco snuff
2403.9993	---- Imitation tobacco for oral use
2403.9994	---- Other, brought to the country by travellers, crew members and others for personal use, or is sent to the country without being professional importation
2403.9999	---- Other'.

(2) Paragraph (2) is replaced by the following:

'(2) Tariff codes set out in Paragraph (1) refer to those applicable in Iceland on 1 July 2001. Tariff codes set out in paragraph (1a) refer to those applicable in Iceland on 1 January 2015. The terms of this Annex will not be affected by any changes that may be made in the tariff nomenclature.'

COMMISSION IMPLEMENTING DECISION (EU) 2017/862**of 17 May 2017**

laying down the animal health and veterinary certification conditions for the re-entry of registered horses for competition after temporary export to Turkmenistan, amending Annex I to Decision 93/195/EEC as regards the entry for Turkmenistan and amending Annex I to Decision 2004/211/EC as regards the entry for Turkmenistan in the list of third countries and parts thereof from which imports into the Union of live equidae and semen, ova and embryos of the equine species are authorised

(notified under document C(2017) 3207)

(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 importation into the Union of live equidae. It provides that imports of equidae into the Union are only authorised from third countries that meet certain animal health requirements.
- (2) Annex I to Commission Decision 93/195/EEC ⁽²⁾ sets out lists of third countries assigned to sanitary groups A to E. Annex VII to that Decision contains, amongst others, a model health certificate to be used for the re-entry of registered horses after temporary export for less than 60 days to participate in the equestrian events of the Asian Games and the Endurance World Cup.
- (3) The equestrian events of the 2017 Asian Indoor and Martial Arts Games will take place in Ashgabat, Turkmenistan, from 17 to 27 September 2017 under the auspices of the Fédération Equestre Internationale.
- (4) In order to authorise the re-entry into the Union of registered horses for competition after temporary export for the purpose of taking part in the Asian Indoor and Martial Arts Games, and in order to provide for a model health certificate to accompany such registered horses, it is necessary to include Turkmenistan in the appropriate sanitary group in Annex I to that Decision and to lay down that those horses may re-enter the Union only when accompanied by a health certificate in accordance with the model set out in Annex VII to Decision 93/195/EEC.
- (5) Decision 93/195/EEC should therefore be amended accordingly.
- (6) Annex I to Commission Decision 2004/211/EC ⁽³⁾ establishes a list of third countries, or parts thereof where regionalisation applies, from which Member States authorise the importation of equidae and semen, ova and embryos thereof, and indicates the conditions applicable to such imports.
- (7) In order to host the equestrian events of the 2017 Asian Indoor and Martial Arts Games, the competent authorities of Turkmenistan requested that a part of the territory of that country, established in the south of the Akhal region, be recognised as an equine disease-free zone for a limited period of time.

⁽¹⁾ OJ L 192, 23.7.2010, p. 1.

⁽²⁾ 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).

⁽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).

- (8) In February 2017, the Commission services participated in a mission carried out by the World Organisation for Animal Health (OIE) in Turkmenistan to assist that country in finalising the establishment of the equine disease free zone, which consists of a core zone embedded in a surveillance zone.
- (9) The competent authorities of Turkmenistan provided a number of guarantees, in particular as regards the notifiability of the diseases listed in Annex I to Directive 2009/156/EC in their country and the undertaking to fully comply with Article 12(2)(f) of that Directive as regards the immediate disease notification to the Commission and the Member States.
- (10) African horse sickness, Venezuelan equine encephalomyelitis and vesicular stomatitis have never occurred in Turkmenistan. The last case of dourine reported to OIE occurred in 2010. There is no report on a case of glanders for at least 3 years, as required by OIE for a country claiming freedom from that disease.
- (11) Turkmenistan has carried out a comprehensive serological survey on the equine population in the country and in particular in the surveillance zone of the equine disease free zone with negative results in all cases for African horse sickness, glanders and dourine. For a period of 6 months, starting formally on 15 March 2017, the core zone will remain free of equidae until participating horses will be introduced according to the agreed quarantine protocol.
- (12) In order to ensure the sustainable protection of the health status of the equine population within the equine disease-free zone, the Turkmen authorities have undertaken to operate a newly erected quarantine facility right next to the equine disease free zone to control the entry of equidae from holdings in other parts of Turkmenistan and arriving from certain third countries not listed in Annex I to Decision 2004/211/EC. During this pre-entry quarantine the animals are subjected to the animal health tests in line with Union import conditions.
- (13) Taking into account the satisfactory results reported from the aforementioned mission, together with the information and guarantees provided by Turkmenistan, Turkmenistan should be included in the list of third countries set out in Annex I to Decision 2004/211/EC for the re-entry of registered horses during the period of 10 September to 10 October 2017. At the same time Turkmenistan should be regionalised for certain equine diseases. From an epidemiological point of view the equine disease-free zone in Turkmenistan should be assigned to sanitary group B in the list in Annex I to Decision 2004/211/EC.
- (14) Decision 2004/211/EC should therefore be amended accordingly.
- (15) 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

Member States shall authorise the re-entry of registered horses for competition after temporary export to the part of the territory of Turkmenistan regionalised for the participation in the 2017 Asian Indoor and Martial Arts Games in Ashgabat, provided that they are accompanied by a health certificate in accordance with the model health certificate set out in Annex VII to Decision 93/195/EEC duly completed within the period of time indicated in Annex I to Decision 2004/211/EC.

Article 2

Annex I to Decision 93/195/EEC is amended in accordance with Annex I to this Decision.

Article 3

Annex I to Decision 2004/211/EC is amended in accordance with Annex II to this Decision.

Article 4

This Decision is addressed to the Member States.

It shall apply until 31 October 2017.

Done at Brussels, 17 May 2017.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX I

Annex I to Decision 93/195/EEC is amended as follows:

(1) the list of third countries in the Sanitary Group B is replaced by the following:

‘Australia (AU), Belarus (BY), Montenegro (ME), former Yugoslav Republic of Macedonia ⁽²⁾ (MK), New Zealand (NZ), Serbia (RS), Russia ⁽³⁾ (RU), Turkmenistan ⁽³⁾ ⁽⁵⁾ (TM), Ukraine (UA).’;

(2) footnote 3 is replaced by the following:

‘⁽³⁾ Part of the third country or territory in accordance with Article 13(2)(a) of Directive 2009/156/EC as indicated in columns 3 and 4 of the table in Annex I to Decision 2004/211/EC.’;

(3) the following footnote 5 is added:

‘⁽⁵⁾ For the period indicated in column 15 of the table in Annex I to Decision 2004/211/EC.’.

ANNEX II

Annex I to Decision 2004/211/EC is amended as follows:

- (1) in the table, the following entry for Turkmenistan is inserted in the alphabetic order of the ISO-code between the entries for Thailand and Tunisia:

TM	Turkmenistan	TM-0	Whole country		—	—	—	—	—	—	—	—	—	Valid from 10 September to 10 October 2017'
		TM-1	The equine disease free zone of Ashgabat (see Box 8 for details)	B	—	X	—	—	—	—	—	—	—	

- (2) the following Box 8 is added:

Box 8			
TM	Turkmenistan	TM-1	The Equine Disease Free Zone (EDFZ) of Ashgabat consisting of: (1) the core zone established at 37.925300 N, 58.438068 E, east of the junction of auto route M37 and the Kuliyeve Street leading northwards, and the fresh water canal (Garagum Canal) to the north and the railway to the south; (2) the surveillance zone of 30 to 50 km deep from the soiled water canal in the north to the state border with Iran, and 110 km wide from the district of Anew east of Ashgabat to the district of Baharden west of Ashgabat, including the international airport close to the core zone.'

COMMISSION IMPLEMENTING DECISION (EU) 2017/863**of 18 May 2017****updating the open source software licence EUPL to further facilitate the sharing and reuse of software developed by public administrations**

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) The Commission has approved the European Union Public Licence (EUPL) v.1.0 by Decision C(2006) 7108 on 9 January 2007.
- (2) By Decision C(2007) 6774 the EUPL v.1.0 was validated in all the official languages of the European Union.
- (3) By Decision C(2008) 8911, the Commission adopted a revised version of the Licence (EUPL v. 1.1) and validated it in all the official languages.
- (4) In order to further facilitate the sharing and reuse of software developed by public administrations concerning the use of an open source software licence, a new EUPL version, EUPL v. 1.2, should be adopted.
- (5) Some adjustments of wording and simplifications are necessary to align it with official denominations, to allow for a broader scope, to give parties certain flexibilities as regards the applicable law, and to clarify the jurisdiction of the Court of Justice in accordance with the Treaty on the Functioning of the European Union.
- (6) The EUPL includes an appendix of 'compatible licenses' providing interoperability with a list of other 'share alike' licenses, which requires some updates to take into account newer relevant licenses.
- (7) An updated version of the EUPL, version 1.2, has consequently been established and in the interest of clarity and rationality its text should be presented in a consolidated form,

HAS DECIDED AS FOLLOWS:

Sole Article

A new version European Union Public Licence (EUPL) — version 1.2 — is hereby released in accordance with the terms set out in Annex to this Decision.

Done at Brussels, 18 May 2017.

For the Commission
Günther OETTINGER
Member of the Commission

ANNEX

EUROPEAN UNION PUBLIC LICENCE v. 1.2

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