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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2017/1109 of 21 June 2017 lifting the suspension of submission of applications for import licences under the tariff quotas opened by Regulation (EC) No 891/2009 in the sugar sector** 1
- ★ **Commission Implementing Regulation (EU) 2017/1110 of 22 June 2017 laying down implementing technical standards with regard to the standard forms, templates and procedures for the authorisation of data reporting services providers and related notifications pursuant to Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments ⁽¹⁾** 3
- ★ **Commission Implementing Regulation (EU) 2017/1111 of 22 June 2017 laying down implementing technical standards with regard to procedures and forms for submitting information on sanctions and measures in accordance with Directive 2014/65/EU of the European Parliament and of the Council ⁽¹⁾** 14
- ★ **Commission Implementing Regulation (EU) 2017/1112 of 22 June 2017 amending Regulation (EC) No 3199/93 on the mutual recognition of procedures for the complete denaturing of alcohol for the purposes of exemption from excise duty** 22
- ★ **Commission Implementing Regulation (EU) 2017/1113 of 22 June 2017 renewing the approval of the active substance benzoic acid 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 ⁽¹⁾** 27
- ★ **Commission Implementing Regulation (EU) 2017/1114 of 22 June 2017 renewing the approval of the active substance pendimethalin, as a candidate for substitution, 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 ⁽¹⁾** 32

⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Implementing Regulation (EU) 2017/1115 of 22 June 2017 renewing the approval of the active substance propoxycarbazone 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 ⁽¹⁾	38
Commission Implementing Regulation (EU) 2017/1116 of 22 June 2017 on the minimum selling price for skimmed milk powder for the tenth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) 2016/2080	43
Commission Implementing Regulation (EU) 2017/1117 of 22 June 2017 determining the quantities to be added to the quantity fixed for the subperiod from 1 October to 31 December 2017 under the tariff quotas opened by Implementing Regulation (EU) 2015/2077 for eggs, egg products and egg albumin originating in Ukraine	44
Commission Implementing Regulation (EU) 2017/1118 of 22 June 2017 establishing the allocation coefficient to be applied to the quantities covered by the applications for import rights lodged from 1 to 7 June 2017 under the tariff quotas opened by Implementing Regulation (EU) 2015/2078 for poultrymeat originating in Ukraine	46
Commission Implementing Regulation (EU) 2017/1119 of 22 June 2017 fixing the allocation coefficient to be applied to the quantities covered by the applications for import licences lodged from 1 June 2017 to 10 June 2017 and determining the quantities to be added to the quantity fixed for the subperiod from 1 January 2018 to 30 June 2018 under the tariff quotas opened by Regulation (EC) No 2535/2001 in the milk and milk products sector	48
Commission Implementing Regulation (EU) 2017/1120 of 22 June 2017 determining the quantities to be added to the quantity fixed for the subperiod 1 October to 31 December 2017 under the tariff quotas opened by Regulation (EC) No 442/2009 in the pigmeat sector	52

DECISIONS

★ Council Decision (EU) 2017/1121 of 20 June 2017 appointing a member, proposed by the Republic of Austria, of the Committee of the Regions	54
★ Council Decision (EU) 2017/1122 of 20 June 2017 appointing a member, proposed by the Kingdom of Spain, of the Committee of the Regions	55

⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1109

of 21 June 2017

lifting the suspension of submission of applications for import licences under the tariff quotas opened by Regulation (EC) No 891/2009 in the sugar sector

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(1) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 891/2009 ⁽²⁾ opened annual tariff quotas for imports of sugar products.
- (2) The submission of applications for import licences under order number 09.4320 was suspended from 28 September 2016 by Commission Implementing Regulation (EU) 2016/1728 ⁽³⁾.
- (3) Commission Implementing Regulation (EU) 2017/1085 ⁽⁴⁾ increased the annual quantity for that order number. The suspension of applications should therefore be lifted.
- (4) In order to ensure efficient management of the measure, 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 suspension of submission of applications for import licences under order number 09.4320 laid down by Regulation (EU) 2016/1728 shall be lifted.

Article 2

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 891/2009 of 25 September 2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector (OJ L 254, 26.9.2009, p. 82).

⁽³⁾ Commission Implementing Regulation (EU) 2016/1728 of 27 September 2016 fixing the allocation coefficient to be applied to the quantities covered by applications for import licences lodged from 8 to 14 September 2016 under the tariff quotas opened by Regulation (EC) No 891/2009 in the sugar sector and suspending submission of applications for such licences (OJ L 261, 28.9.2016, p. 7).

⁽⁴⁾ Commission Implementing Regulation (EU) 2017/1085 of 19 June 2017 amending Regulation (EC) No 891/2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector (OJ L 156, 20.6.2017, p. 19).

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

Done at Brussels, 21 June 2017.

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

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1110**of 22 June 2017****laying down implementing technical standards with regard to the standard forms, templates and procedures for the authorisation of data reporting services providers and related notifications pursuant to Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU ⁽¹⁾, and in particular Article 61(5) thereof,

Whereas:

- (1) It is appropriate to set out common standard forms, templates and procedures to ensure a common understanding and enforcement among Member States' competent authorities of the authorisation process regarding the provision of data reporting services as well as to ensure efficient information flows. In order to facilitate communications between the applicant and the competent authority, competent authorities should designate a contact point and should publish the information on that contact point on their website.
- (2) The organisational requirements for approved publication arrangements, consolidated tape providers and approved reporting mechanisms differ from each other in some respects. As a result, an applicant should only be required to include in its application the information needed for assessing the application for the data reporting service it intends to provide.
- (3) In order to allow competent authorities to assess whether changes to the management body of a data reporting services provider may pose a threat to the effective, sound and prudent management of the data reporting services provider and to adequately take into consideration of the interests of its clients and the integrity of the market, it is appropriate to set out clear time limits for the submission of information on those changes.
- (4) Data reporting services providers should be able to submit information on a change to the management body after that change takes effect where the change is due to factors beyond the control of the data reporting services provider.
- (5) For reasons of consistency and in order to ensure the smooth functioning of the financial markets, it is necessary that the provisions laid down in this Regulation and the provisions laid down in Directive 2014/65/EU apply from the same date.
- (6) This Regulation is based on the draft implementing technical standards submitted by the European Securities and Markets Authority (ESMA) to the Commission.
- (7) ESMA has conducted open public consultations on the draft implementing technical standards on which this Regulation is based. ESMA has not analysed potential related costs and benefits as this would have been disproportionate in relation to their scope and impact.
- (8) ESMA has requested the opinion of the Securities and Markets Stakeholder Group established by Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽²⁾,

⁽¹⁾ OJ L 173, 12.6.2014, p. 349.

⁽²⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

HAS ADOPTED THIS REGULATION:

Article 1

Designation of a contact point

Competent authorities shall designate a contact point for handling all information received from applicants seeking authorisation as a data reporting services provider. The contact details of the designated contact point shall be made public and regularly updated on the competent authorities' websites.

Article 2

Provision of information and notification to the competent authority

1. An applicant for authorisation to provide data reporting services under the provisions of Title V of Directive 2014/65/EU shall provide the competent authority with all information in accordance with Article 61(2) of Directive 2014/65/EU by filling in the application form set out in Annex I.
2. The applicant shall notify the competent authority with information of all members of its management body by filling in the notification form set out in Annex II.
3. The applicant shall clearly identify in its submission which specific requirement under the provisions of Title V of Directive 2014/65/EU it refers to and in which document attached to its submission that information is provided.
4. The applicant shall indicate in its submission whether any specific requirement under the provisions of Title V of Directive 2014/65/EU or Commission Delegated Regulation (EU) 2017/571 ⁽¹⁾ is not applicable to the data reporting service that it is applying for.
5. Competent authorities shall indicate on their websites whether duly completed application forms, notifications and any related additional information are to be submitted on paper, electronically, or both.

Article 3

Receipt of application

Within 10 working days from the receipt of the application, the competent authority shall send on paper, electronically or both, an acknowledgement of receipt to the applicant, including the contact details of the contact point designated pursuant to Article 1.

Article 4

Requests for additional information

The competent authority may send an information request to the applicant indicating which additional information is needed in order to proceed with the assessment of the application.

⁽¹⁾ Commission Delegated Regulation (EU) 2017/571 of 2 June 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards on the authorisation, organisational requirements and the publication of transactions for data reporting services providers (OJ L 87, 31.3.2017, p. 126).

*Article 5***Notification of changes to the membership of the management body**

1. A data reporting services provider shall notify on paper, electronically or both, the competent authority of any change to the membership of its management body before such change takes effect.

Where, for substantiated reasons, it is not possible to make the notification before that change takes effect, it shall be made within 10 working days after the change

2. The data reporting services provider shall provide the information on the change referred to in paragraph 1 by filling in the notification form set out in Annex III.

*Article 6***Communication of the decision to grant or refuse the authorisation**

The competent authority shall inform the applicant on paper, electronically or both of its decision to grant or to refuse the authorisation.

*Article 7***Entry into force and application**

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

It shall apply from 3 January 2018.

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

Done at Brussels, 22 June 2017.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX I

Application form for authorisation to provide data reporting services

Reference number:

Date:

From:

Name of the applicant:

Address:

Legal Entity Identifier(where applicable):

(Contact details of the designated contact person at the applicant)

Full Name:

Telephone:

Email:

To:

Member State:

Competent authority:

Address:

(Contact details of the designated contact point at the competent authority)

Address:

Telephone:

Email:

Dear [insert appropriate name]

In accordance with Article 2 of Commission Implementing Regulation (EU) 2017/1110 ⁽¹⁾ please find attached the authorisation application.

— Person at the applicant in charge of preparing the application:

Full Name:

Status/position:

Telephone:

Email:

Date:

Signature:

— Nature of the application (tick the relevant box(es)):

- ☐ Authorisation – Approved Publication Arrangement (APA)
☐ Authorisation – Consolidated Tape Provider (CTP)
☐ Authorisation – Approved Reporting Mechanism (ARM)

Content

Please insert the information referred to under Commission Delegated Regulation (EU) 2017/571 ⁽²⁾. Please set out that information under the appropriate section or make reference to the relevant annexes containing the information.

Information on the organisation (Article 2 of Delegated Regulation (EU) 2017/571)

.....

Information on corporate governance (Article 3 of Delegated Regulation (EU) 2017/571)

.....

Information on conflicts of interest (Article 5 of Delegated Regulation (EU) 2017/571)

.....

Information on organisational requirements regarding outsourcing (Article 6 of Delegated Regulation (EU) 2017/571)

.....

Information on business continuity and back-up facilities (Article 7 of Delegated Regulation (EU) 2017/571)

.....

Information on testing and capacity (Article 8 of Delegated Regulation (EU) 2017/571)

.....

Information on security (Article 9 of Delegated Regulation (EU) 2017/571)

.....

Information on management of incomplete or potentially erroneous information by APAs and CTPs (Article 10 of Delegated Regulation (EU) 2017/571)

.....

Information on management of incomplete or potentially erroneous information by ARMs (Article 11 of Delegated Regulation (EU) 2017/571)

.....

Information on connectivity of ARMs (Article 12 of Delegated Regulation (EU) 2017/571)

.....

Information on other services provided by CTPs (Article 13 of Delegated Regulation (EU) 2017/571)

.....

Information on publication arrangements (Chapter 3 of Delegated Regulation (EU) 2017/571)

.....

Notes:

- (¹) Commission Implementing Regulation (EU) 2017/1110 of 22 June 2017 laying down implementing technical standards with regard to standard forms, templates and procedures for the authorisation of data reporting services providers and related notifications pursuant to Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments (OJ L 162, 23.6.2017, p. 3).
- (²) Commission Delegated Regulation (EU) 2017/571 of 2 June 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards on the authorisation, organisational requirements and the publication of transactions for data reporting services providers (OJ L 87, 31.3.2017, p. 126).

ANNEX II

Application form for the list of members of the management body

Reference number:

Date:

From:

Name of the applicant:

Address:

Legal Entity Identifier (where applicable):

(Contact details of the designated contact person at the applicant)

Full Name:

Telephone:

Email:

To:

Member State:

Competent authority:

Address:

(Contact details of the designated contact point at the competent authority)

Address:

Telephone:

Email:

Dear [insert appropriate name]

In accordance with Article 2 of Commission Implementing Regulation (EU) 2017/1110 ⁽¹⁾ please find attached the notification relating to the members of the management body.

— Person at the applicant in charge of preparing the application:

Full Name:

Status/position:

Telephone:

Email:

Date:

Signature:

— List of members of the management body:

Member 1

Full name

Date and place of birth

Personal national identification number or equivalent thereof

Private address:

Contact details (Telephone and email address)

Position

Curriculum vitae attached to application: Yes/No

Professional experience and other relevant experience

Educational qualification and relevant training

Criminal records attached to this application OR self-declaration of good repute and authorisation to the competent authority to make enquiries under Article 4(d) of Commission Delegated Regulation (EU) 2017/571 ⁽²⁾

Self-declaration of good repute and authorisation to the competent authority to make enquiries under Article 4(e) of Delegated Regulation (EU) 2017/571

Minimum time (approximate) that will be devoted to the performance of the person's functions within the data reporting services provider

Declaration of any potential conflicts of interest that may exist or arise in performing the duties and how these conflicts are managed

Additional information relevant for the assessment whether the member is of sufficiently good repute, possesses sufficient knowledge, skills and experience and commits sufficient time to perform the duties pursuant to Article 63(3) of Directive 2014/65/EU of the European Parliament and of the Council ⁽³⁾

Effective date

[Please set out that information here or provide an explanation of how it will be provided, or make reference to the relevant annexes containing the information]

Member [N]

Full name

Date and place of birth

Personal national identification number or equivalent thereof

Private address:

Contact details (Telephone and email address)

Position

Curriculum vitae attached to application: Yes/No

Professional experience and other relevant experience

Educational qualification and relevant training

Criminal records attached to application OR self-declaration of good repute and authorisation to the competent authority to make enquiries under Article 4(d) of Delegated Regulation (EU) 2017/571

Self-declaration of good repute and authorisation to the competent authority to make enquiries under Article 4(e) of Commission Delegated Regulation (EU) 2017/571 ⁽²⁾

Minimum time (approximate) that will be devoted to the performance of the person's functions within the data reporting services provider

Declaration of any potential conflicts of interest that may exist or arise in performing the duties and how these conflicts are managed

Additional information relevant for the assessment that the member is of sufficiently good repute, possesses sufficient knowledge, skills and experience and commits sufficient time to perform the duties referred to in Article 63(3) of Directive 2014/65/EU

Effective date

Notes:

- (¹) Commission Implementing Regulation (EU) 2017/1110 of 22 June 2017 laying down implementing technical standards with regard to standard forms, templates and procedures for the authorisation of data reporting services providers and related notifications pursuant to Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments (OJ L 162, 23.6.2017, p. 3).
- (²) Commission Delegated Regulation (EU) 2017/571 of 2 June 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards on the authorisation, organisational requirements and the publication of transactions for data reporting services providers (OJ L 187, 31.3.2017, p. 126).
- (³) Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).

ANNEX III

Application form for changes to the membership of the management body

Reference number:

Date:

From:

Name of the data reporting services provider:

Address:

Legal Entity Identifier (where applicable):

(Contact details of the designated contact person at the data reporting services provider)

Full name:

Telephone:

Email:

To:

Member State:

Competent Authority:

Address:

(Contact details of the designated contact point at the competent authority)

Address:

Telephone:

Email:

Dear [insert appropriate name]

In accordance with Article 4 of the Commission Implementing Regulation (EU) 2017/1110 ⁽¹⁾ please find attached the notification on changes to the membership of the management body.

— Person at the data reporting services provider in charge of preparing the notification:

Full Name:

Status/position:

Telephone:

Email:

Date:

Signed:

— Information on member(s) leaving the management body

Member 1

Full name

Contact details (Telephone and email address)

Position

Effective date of departure from management body

Reasons for the departure from management body

Member [N]

Full name

Contact details (Telephone and email address)

Position

Effective date of departure from management body

Reasons for the departure from management body

— Information on new member(s) of the management body

Member 1

Full name

Date and place of birth

Personal national identification number or equivalent thereof

Private address:

Contact details (telephone and email address)

Position

Curriculum vitae attached to application: Yes/No

Professional experience and other relevant experience

Educational qualification and relevant training

Criminal records attached to this application OR self-declaration of good repute and authorisation to the competent authority to make enquiries under Article 4(d) of Commission Delegated Regulation (EU) 2017/571 ⁽²⁾

Self-declaration of good repute and authorisation to the competent authority to make enquiries under Article 4(e) of Delegated Regulation (EU) 2017/571 ⁽²⁾

Minimum time (approximate) that will be devoted to the performance of the person's functions within the data reporting services provider

Declaration of any potential conflicts of interest that may exist or arise in performing the duties and how these conflicts are managed

Additional information relevant for the assessment that the member is of sufficiently good repute, possesses sufficient knowledge, skills and experience and commits sufficient time to perform the duties referred to in Article 63(3) of Directive 2014/65/EU of the European Parliament and of the Council ⁽³⁾

.....

.....

Effective date

[Please set out that information here or provide an explanation of how it will be provided, or make reference to the relevant annexes containing the information]

Member [N]

Full name

Date and place of birth

Personal national identification number or equivalent thereof

Private address:

Position

Curriculum vitae attached to application: Yes/No

Professional experience and other relevant experience

Educational qualification and relevant training

Criminal records attached to this application OR self-declaration of good repute and authorisation to the competent authority to make enquiries under Article 4(d) of Delegated Regulation (EU) 2017/571

Self-declaration of good repute and authorisation to the competent authority to make enquiries under Article 4(e) of Delegated Regulation (EU) 2017/571

Minimum time (approximate) that will be devoted to the performance of the person's functions within the data reporting services provider

Declaration of any potential conflicts of interest that may exist or arise in performing the duties and how these conflicts are managed

Additional information relevant for the assessment that the member is of sufficiently good repute, possesses sufficient knowledge, skills and experience and commits sufficient time to perform the duties referred to in Article 63(3) of Directive 2014/65/EU.

Effective date

[Please set out that information here or provide an explanation of how it will be provided, or make reference to the relevant annexes containing the information]

— Complete updated list of members of the management body:

Name	Position	Effective date

Notes:

- (¹) Commission Implementing Regulation (EU) 2017/1110 of 22 June 2017 laying down implementing technical standards with regard to standard forms, templates and procedures for the authorisation of data reporting services providers and related notifications pursuant to Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments (OJ L 162, 23.6.2017, p. 3).
- (²) Commission Delegated Regulation (EU) 2017/571 of 2 June 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards on the authorisation, organisational requirements and the publication of transactions for data reporting services providers (OJ L 187, 31.3.2017, p. 126).
- (³) Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1111**of 22 June 2017****laying down implementing technical standards with regard to procedures and forms for submitting information on sanctions and measures in accordance with Directive 2014/65/EU of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU ⁽¹⁾, and in particular Article 71(7) thereof,

Whereas:

- (1) It is appropriate to set out common procedures and forms for competent authorities to submit information to the European Securities and Markets Authority (ESMA) on sanctions and measures referred to in Article 71 of Directive 2014/65/EU.
- (2) In order to facilitate the communication between competent authorities and ESMA and avoid unnecessary delays or failed submissions, each competent authority should designate a contact point specifically for the purpose of communication on sanctions and measures.
- (3) To ensure that all required information concerning sanctions and measures imposed by competent authorities is correctly identified and registered by ESMA, competent authorities should provide detailed and harmonised information using specific forms to that purpose.
- (4) With a view to including meaningful information in the annual report on sanctions and measures to be published by ESMA in accordance with Article 71 of Directive 2014/65/EU, competent authorities should report the information by using specific forms clearly indicating the provisions of Directive 2014/65/EU, as transposed in their national legislation, that were infringed.
- (5) For reasons of consistency and in order to ensure the smooth functioning of the financial markets, it is necessary that the provisions laid down in this Regulation and the related national provisions transposing Directive 2014/65/EU apply from the same date.
- (6) This Regulation is based on the draft implementing technical standards submitted by ESMA to the Commission.
- (7) ESMA did not conduct open public consultations on the draft implementing technical standards on which this Regulation is based, nor did it analyse potential related costs and benefits of introducing the standard forms and procedures for the relevant competent authorities, as this would have been disproportionate in relation to their scope and impact, taking into account that the addressees of the implementing technical standards would only be the national competent authorities of the Member States and not market participants.
- (8) ESMA has requested the opinion of the Securities and Markets Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽²⁾,

⁽¹⁾ OJ L 173, 12.6.2014, p. 349.

⁽²⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

HAS ADOPTED THIS REGULATION:

Article 1

Contact points

1. Each competent authority shall designate a single contact point for sending communications on any issue relating to the submission of information in accordance with Articles 2 to 6.

Competent authorities shall notify the European Securities and Markets Authority (ESMA) of the contact points designated in accordance with the first subparagraph.

2. ESMA shall designate a contact point for receiving the communications referred to in paragraph 1.
3. ESMA shall publish the contact point referred to in paragraph 2 on its website.

Article 2

Reporting procedure and forms

1. Competent authorities shall submit to ESMA the information referred to in the second subparagraph of Article 71(3) and Article 71(5) of Directive 2014/65/EU using the interfaces provided by the information technology system set up by ESMA to manage the receipt, storage, publication and exchange of that information.
2. The information referred to in paragraph 1 shall be submitted to ESMA in a report file in the form set out in Annex I to this Regulation.

Article 3

Invalidating and updating of reports

1. Where a competent authority wishes to invalidate an existing report file it has previously submitted to ESMA in accordance with Article 2, it shall cancel the existing report and send a new report file.
2. Where a competent authority wishes to update an existing report file it has previously submitted to ESMA in accordance with Article 2, it shall resubmit the report file with the updated information.

Article 4

Timeline

1. Competent authorities shall notify ESMA of an administrative sanction imposed but not published, including any appeal in relation thereto and the outcome thereof, by sending the report file within 10 working days at the latest after the decision not to publish the sanction has been taken.
2. Competent authorities shall notify ESMA of any information, including the final judgement, in relation to any criminal sanction by sending the report within 10 working days at the latest after it has received that information.

*Article 5***Annual submission of aggregated information on sanctions and measures**

Competent authorities shall provide ESMA with the information referred to in the first subparagraph of Article 71(4) of Directive 2014/65/EU by filling in the form set out in Annex II to this Regulation. That form shall include the information on all sanctions and measures imposed by the competent authority, as referred to in Article 71 of Directive 2014/65/EU, during the previous calendar year.

The form referred to in the first subparagraph shall be completed electronically and sent to ESMA by email by 31 March of each year at the latest.

*Article 6***Annual submission of anonymised and aggregated data on criminal investigations and sanctions**

Where Member States have in accordance with Article 70 of Directive 2014/65/EU laid down criminal sanctions for the infringements referred to in that Article, competent authorities shall provide ESMA with the data referred to in the second subparagraph of Article 71(4) of Directive 2014/65/EU by filling in the form set out in Annex III to this Regulation. That form shall include data on all criminal investigations undertaken and criminal sanctions imposed for infringements referred to in the second subparagraph of Article 71(4) of Directive 2014/65/EU by the competent authority during the previous calendar year.

The form referred to in the first subparagraph shall be completed electronically and sent to ESMA by email by 31 March of each year at the latest.

*Article 7***Entry into force and application**

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

It shall apply from 3 January 2018.

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

Done at Brussels, 22 June 2017.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX I

Form for submitting information under the second subparagraph of Article 71(3) and Article 71(5) of Directive 2014/65/EU

Information under the second subparagraph of Article 71(3) and Article 71(5) of Directive 2014/65/EU:

Field	Description	Type
Sanction identifier	The identification code attributed by the competent authority for the purpose of the submission of the sanction or measure	Optional
Legal framework	The acronym of the Union legislative act under which the sanction or measure has been imposed	Mandatory
Member State	The acronym of the Member State of the competent authority submitting the sanction or measure	Mandatory
Entity identifier	The identification code used to uniquely identify an entity on which sanction or measure has been imposed	Mandatory (only for sanctions or measures imposed on investment firms)
Nature of sanction	Information on whether the sanction notified is a criminal sanction or an administrative sanction	Mandatory (only for sanctions)
Authority key	The identifier of the authority submitting the sanction or measure	Mandatory
Entity's legal framework	The acronym of the Union legislative act that applies to the entity on which the sanction or measure has been imposed	Mandatory
Entity's full name	Full name of the entity on which the sanction or measure has been imposed	Mandatory (for legal persons only)
Person's full name	Full name of the natural persons on whom the sanction or measure has been imposed	Mandatory (for natural persons only)
Sanctioning competent authority	The acronym of the competent authority that has imposed the sanction or measure	Mandatory
Content of the sanction/measure	Text of the sanction or measure and text of any relevant information related to the sanction or measure (including any appeal in relation thereto, the outcome thereof and final judgements in relation to criminal sanction imposed) — in the main language	Mandatory
Content of the sanction/measure	Text of the sanction or measure and text of any relevant information related to the sanction or measure (including any appeal in relation thereto, the outcome thereof and final judgements in relation to criminal sanction imposed) — in other language	Optional
Date	The date on which the sanction or measure was imposed by the competent authority	Mandatory
Expiration date	Date on which the effects of the measure or sanction ends	Optional
Public	Information on whether the sanction or measure has been published by the competent authority	Mandatory

ANNEX II

Form for submitting aggregated information on all sanctions and measures imposed by competent authorities

Aggregated information on all sanctions and measures imposed by [name of the competent authority] in [year] under Article ... of ...

FROM:

Member State:

Competent authority:

Address:

(Contact details of the designated contact person)

Name:

Telephone:

Email:

TO:

ESMA

(Contact details of the designated contact person)

Name:

Telephone:

Email:

Dear [insert appropriate name]

In accordance with the first subparagraph of Article 71(4) of Directive 2014/65/EU I wish to provide you with aggregated information regarding all sanctions and measures imposed by [name of the competent authority] in [year]:

Articles of Directive 2014/65/EU transposed by the national provisions, or of Regulation (EU) No 600/2014 of the European Parliament and of the Council ⁽¹⁾ , which were infringed	Number of sanctions/measures imposed in the reporting period	Value of administrative fines imposed in the reporting period
[number of the article, paragraph, subparagraph]	[number of sanctions/measures]	[value of fines ⁽¹⁾]
Total sanctions/measures	[total number of sanctions/measures ⁽²⁾]	[total value of fines ⁽¹⁾ ⁽²⁾]

(¹) Please insert value in euro or in national currency. If the relevant sanction refers not only to breaches relating to the relevant article of Directive 2014/65/EU or of Regulation (EU) No 600/2014, but also to other provisions, add the mention 'AGGREGATED FIGURE' to each value.

(²) As sanctions/measures imposed may be based on more than one legislative provision, the sum of the different lines (number of sanctions or measures/value of fines) may not correspond to the total number of sanctions/measures or to the total value of fines imposed.

Yours sincerely,

[signature]

(¹) Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84).

ANNEX III

Form for submitting anonymised and aggregated data on all criminal investigations undertaken and criminal sanctions imposed

Anonymised and aggregated data on all criminal investigations undertaken and criminal sanctions imposed in [year] under Article ... of ...

FROM:

Member State:

Competent authority:

Address:

(Contact details of the designated contact person)

Name:

Telephone:

Email:

TO:

ESMA

(Contact details of the designated contact person)

Name:

Telephone:

Email:

Dear *[insert appropriate name]*

In accordance with the second subparagraph of Article 71(4) of Directive 2014/65/EU I wish to provide you with anonymised and aggregated information regarding all criminal investigations undertaken and criminal sanctions imposed in *[Member State]* in *[year]*.

Criminal investigations

Infringements of Articles of Directive 2014/65/EU transposed by the national provisions, or of Regulation (EU) No 600/2014, which have been investigated	Number of criminal investigations in the reporting period
[number of the article, paragraph, subparagraph]	[number of criminal investigations]
Total criminal investigations	[total number of criminal investigations ⁽¹⁾]

⁽¹⁾ As criminal investigations may be based on more than one legislative provision, the sum of the different lines may not correspond to the total number of criminal investigations.

Criminal sanctions imposed

Articles of Directive 2014/65/EU transposed by the national provisions, or of Regulation (EU) No 600/2014, which were infringed	Number of criminal sanctions imposed in the reporting period	Value of criminal fines imposed in the reporting period
[number of the article, paragraph, subparagraph]	[number of criminal sanctions]	[value of criminal fines ⁽²⁾]
Total criminal sanctions	[total number of criminal sanctions ⁽³⁾]	[total value of criminal fines ⁽²⁾ ⁽³⁾]

⁽²⁾ Please insert value in euro or in national currency. If the relevant criminal sanction refers not only to breaches relating to the relevant article of Directive 2014/65/EU or of Regulation (EU) No 600/2014, but also to other provisions, add the mention 'AGGREGATED FIGURE' to each value.

⁽³⁾ As criminal sanctions imposed may be based on more than one legislative provision, the sum of the different lines (number of criminal sanctions/value) may not correspond to the total number of criminal sanctions/total value of fines imposed.

Yours sincerely,

[signature]

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1112**of 22 June 2017****amending Regulation (EC) No 3199/93 on the mutual recognition of procedures for the complete denaturing of alcohol for the purposes of exemption from excise duty**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 92/83/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on alcohol and alcoholic beverages ⁽¹⁾, and in particular Article 27(4) thereof,

Whereas:

- (1) Pursuant to Article 27(1)(a) of Directive 92/83/EEC, Member States are required to exempt from excise duty alcohol which has been completely denatured in accordance with the requirements of any Member State, provided that those requirements have been duly notified and accepted in accordance with the conditions laid down in paragraphs 3 and 4 of that Article.
- (2) Denaturants which are employed in each Member State for the purposes of the complete denaturing of alcohol as referred to in Article 27(1)(a) of Directive 92/83/EEC are described in the Annex to Commission Regulation (EC) No 3199/93 ⁽²⁾.
- (3) Commission Implementing Regulation (EU) 2016/1867 ⁽³⁾ amended Regulation (EC) No 3199/93 by introducing a single common procedure for the complete denaturing of alcohol. That common procedure involved the use, per hectolitre of absolute ethanol, of one litre of isopropyl alcohol (IPA), one litre of methyl ethyl ketone (MEK) and one gram of denatonium benzoate. It was also intended to replace all of the various national denaturing procedures, in order to prevent evasion, avoidance and abuse.
- (4) The procedure followed in adopting Implementing Regulation (EU) 2016/1867 was not in accordance with Article 27(3) and (4) of Directive 92/83/EEC. This Implementing Regulation should therefore be repealed.
- (5) On or before 15 March 2017 certain Member States communicated to the Commission the denaturants for the complete denaturing of alcohol which they intend to employ for the purposes of Article 27(1)(a) from 1 August 2017.
- (6) The Commission transmitted the communications received to the other Member States at the latest on 15 March 2017.
- (7) One Member State raised an objection as referred to in Article 27(4) of Directive 92/83/EEC on the ground that the procedure for the complete denaturing of alcohol containing one litre of isopropyl alcohol (IPA), one litre of methyl ethyl ketone (MEK) and one gram of denatonium benzoate per hectolitre of absolute ethanol is open to misuse and therefore does not fulfil the requirements of Article 27(1) of Directive 92/83/EEC with regard to preventing any evasion, avoidance or abuse.
- (8) In respect of Member States that did not communicate their intention to use new denaturants, the procedures already contained in the Annex to Regulation (EC) No 3199/93 before it was amended by Implementing Regulation (EU) 2016/1867 should continue to apply.
- (9) Procedures which are no longer included in the Annex to Regulation (EC) No 3199/93 may be used in a Member State in which they are authorised, for the production of denatured alcohol to be used in the manufacture of any product not for human consumption, pursuant to Article 27(1)(b) of Directive 92/83/EEC.

⁽¹⁾ OJ L 316, 31.10.1992, p. 21.

⁽²⁾ Commission Regulation (EC) No 3199/93 of 22 November 1993 on the mutual recognition of procedures for the complete denaturing of alcohol for the purposes of exemption from excise duty (OJ L 288, 23.11.1993, p. 12).

⁽³⁾ Commission Implementing Regulation (EU) 2016/1867 of 20 October 2016 amending the Annex to Regulation (EC) No 3199/93 on the mutual recognition of procedures for the complete denaturing of alcohol for the purposes of exemption from excise duty (OJ L 286, 21.10.2016, p. 32).

- (10) Regulation (EC) No 3199/93 should therefore be amended accordingly.
- (11) In order to avoid any doubt about the applicable provisions in these specific circumstances, Implementing Regulation (EU) 2016/1867 should be explicitly repealed.
- (12) For reasons of legal certainty this Regulation should apply from the same date as Implementing Regulation (EU) 2016/1867 and should therefore enter into force as a matter of urgency.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Excise Duties,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 3199/93 is replaced by the text in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) 2016/1867 is repealed.

Article 3

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

Article 1 shall apply from 1 August 2017.

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

Done at Brussels, 22 June 2017.

For the Commission
The President
Jean-Claude JUNKER

ANNEX

'ANNEX

List of products with their Chemical Abstracts Service (CAS) registry number authorised for the complete denaturing of alcohol.

Acetone	CAS: 67-64-1
C.I. reactive red 24	CAS: 70210-20-7
Crystal violet (C.I. No 42555)	CAS: 548-62-9
Denatonium benzoate	CAS: 3734-33-6
Ethanol	CAS: 64-17-5
Fluorescein	CAS: 2321-07-5
Fusel oil	CAS: 8013-75-0
Gasoline (including unleaded gasoline)	CAS: 86290-81-5
Isopropyl alcohol	CAS: 67-63-0
Kerosene	CAS: 8008-20-6
Lamp oil	CAS: 64742-47-8 and 64742-48-9
Methanol	CAS: 67-56-1
Methyl ethyl ketone (2-butanone)	CAS: 78-93-3
Methyl isobutyl ketone	CAS: 108-10-1
Methyl isopropyl ketone	CAS: 563-80-4
Methyl violet	CAS: 8004-87-3
Methylene blue (52015)	CAS: 61-73-4
Solvent naphtha	CAS: 8030-30-6
Spirits of turpentine	CAS: 8006-64-2
Naphtha (petroleum)	CAS: 92045-57-3
Tert-butyl alcohol	CAS: 75-65-0
Thiophene	CAS: 110-02-1
Thymol blue	CAS: 76-61-9

The term "absolute ethanol" in this Annex has the same meaning as the term "absolute alcohol" used by the International Union of Pure and Applied Chemistry.

In all these Member States, any dye may be added to the denatured alcohol to give it a characteristic colour, making it immediately identifiable.

- I. The common denaturing procedure for completely denatured alcohol employed in Belgium, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Slovenia, Slovakia, Finland:**

Per hectolitre of absolute ethanol:

— 1,0 litre isopropyl alcohol,

- 1,0 litre methyl ethyl ketone,
- 1,0 gram denatonium benzoate.

II. An increased concentration of the common denaturing procedure for completely denatured alcohol, employed in the following Member States:

Bulgaria, Czech Republic, Romania, and the United Kingdom

Per hectolitre of absolute ethanol:

- 3,0 litres isopropyl alcohol,
- 3,0 litres methyl ethyl ketone,
- 1,0 gram denatonium benzoate.

Croatia

Per hectolitre of absolute ethanol:

A minimum of:

- 1,0 litre isopropyl alcohol,
- 1,0 litre methyl ethyl ketone,
- 1,0 gram denatonium benzoate.

Sweden

Per hectolitre of absolute ethanol:

- 1,0 litre isopropyl alcohol,
- 2,0 litres methyl ethyl ketone,
- 1,0 gram denatonium benzoate.

III. Additional denaturing procedures for completely denatured alcohol employed in certain Member States:

Per hectolitre of absolute ethanol any of the following formulations:

Czech Republic

1. 0,4 litre solvent naphtha,
0,2 litre kerosene,
0,1 litre technical petrol.
2. 3,0 litres ethyl tert-butyl ether,
1,0 litre isopropyl alcohol,
1,0 litre unleaded gasoline,
10 milligrams fluorescein.

Greece

Only low-quality alcohol (heads and tails from distillation), with an alcoholic strength of at least 93 % volume and not exceeding 96 % volume can be denatured.

Per hectolitre of hydrated alcohol of 93 % volume, the following substances are added:

- 2,0 litres methanol,
- 1,0 litre spirit of turpentine,

- 0,50 litre lamp oil,
- 0,40 gram methylene blue.

At a temperature of 20 °C, the end product will reach, in its unaltered state, 93 % volume.

Finland — authorised until 31.12.2018

Per hectolitre of absolute ethanol any of the following formulations:

1. 2,0 litres methyl ethyl ketone,
3,0 litres methyl isobutyl ketone.
 2. 2,0 litres acetone,
3,0 litres methyl isobutyl ketone.'
-

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1113**of 22 June 2017****renewing the approval of the active substance benzoic acid 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****(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 Article 20(1) thereof,

Whereas:

- (1) Commission Directive 2004/30/EC ⁽²⁾ included benzoic acid as an 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) The approval of the active substance benzoic acid, as set out in Part A of the Annex to Implementing Regulation (EU) No 540/2011, expires on 31 January 2018.
- (4) An application for the renewal of the approval of benzoic acid was submitted in accordance with Article 1 of Commission Implementing Regulation (EU) No 844/2012 ⁽⁵⁾ within the time period provided for in that Article.
- (5) The applicant submitted the supplementary dossiers required in accordance with Article 6 of Implementing Regulation (EU) No 844/2012. The application was found to be complete by the rapporteur Member State.
- (6) The rapporteur Member State prepared a renewal assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority ('the Authority') and the Commission on 4 January 2016.
- (7) The Authority communicated the renewal assessment report to the applicant and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the supplementary summary dossier available to the public.
- (8) On 30 November 2016 the Authority communicated to the Commission its conclusion ⁽⁶⁾ on whether benzoic acid can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009. The Commission presented the draft renewal report for benzoic acid to the Standing Committee on Plants, Animals, Food and Feed on 24 January 2017.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2004/30/EC of 10 March 2004 amending Council Directive 91/414/EEC to include benzoic acid, flazasulfuron and pyraclostrobin as active substances (OJ L 77, 13.3.2004, p. 50).

⁽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 Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26).

⁽⁶⁾ EFSA (European Food Safety Authority), 2016. Conclusion on the peer review of the pesticide risk assessment of the active substance benzoic acid. *EFSA Journal* 2016;14(12):4657, 14 pp. doi:10.2903/j.efsa.2016.4657. Available at <http://www.efsa.europa.eu/en/efsajournal/pub/4657>

- (9) The applicant was given the possibility to submit comments on the renewal report.
- (10) It has been established with respect to one or more representative uses of at least one plant protection product containing benzoic acid that the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 are satisfied.
- (11) It is therefore appropriate to renew the approval of benzoic acid.
- (12) The risk assessment for the renewal of the approval of benzoic acid is based on a limited number of representative uses, which however do not restrict the uses for which plant protection products containing benzoic acid may be authorised. It is therefore appropriate not to maintain the restriction for use only as a disinfectant.
- (13) In accordance with Article 14(1) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, however, it is necessary to include certain conditions.
- (14) In accordance with Article 20(3) of Regulation (EC) No 1107/2009, in conjunction with Article 13(4) thereof, the Annex to Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (15) Commission Implementing Regulation (EU) 2016/2016 ⁽¹⁾ extended the approval period of benzoic acid to 31 January 2018 in order to allow the renewal process to be completed before the expiry of the approval of that substance. However, given that a decision on renewal has been taken ahead of this extended expiry date, this Regulation should apply from 1 September 2017.
- (16) 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

Renewal of the approval of active substance

The approval of the active substance benzoic acid, as specified in Annex I, is renewed subject to the conditions laid down in that Annex.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

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

Article 3

Entry into force and date of application

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

It shall apply from 1 September 2017.

⁽¹⁾ Commission Implementing Regulation (EU) 2016/2016 of 17 November 2016 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances acetamiprid, benzoic acid, flazasulfuron, mecoprop-P, mepanipyrim, mesosulfuron, propineb, propoxycarbazon, propyzamide, propiconazole, *Pseudomonas chlororaphis* Strain: MA 342, pyraclostrobin, quinoxifen, thiacloprid, thiram, ziram, zoxamide (OJ L 312, 18.11.2016, p. 21).

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

Done at Brussels, 22 June 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Benzoic acid CAS No 65-85-0 CIPAC No 622	Benzoic acid	≥ 990 g/kg	1 September 2017	31 August 2032	For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the renewal report on benzoic acid and in particular Appendices I and II thereof, shall be taken into account. In this overall assessment Member States shall pay particular attention to the protection of operators, ensuring that conditions of use impose the use of adequate personal protective equipment. Conditions of use shall include risk mitigation measures, where appropriate.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

ANNEX II

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(1) in Part A, entry 79 on benzoic acid is deleted;

(2) in Part B, the following entry is added:

Number	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'115	Benzoic acid CAS No 65-85-0 CIPAC No 622	Benzoic acid	≥ 990 g/kg	1 September 2017	31 August 2032	For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the renewal report on benzoic acid and in particular Appendices I and II thereof, shall be taken into account. In this overall assessment Member States shall pay particular attention to the protection of operators, ensuring that conditions of use impose the use of adequate personal protective equipment. Conditions of use shall include risk mitigation measures, where appropriate.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1114**of 22 June 2017****renewing the approval of the active substance pendimethalin, as a candidate for substitution, 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****(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 Article 24 in conjunction with Article 20(1) thereof,

Whereas:

- (1) Commission Directive 2003/31/EC ⁽²⁾ included pendimethalin as an 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) The approval of the active substance pendimethalin, as set out in Part A of the Annex to Implementing Regulation (EU) No 540/2011, expires on 31 July 2017.
- (4) An application for the renewal of the approval of pendimethalin was submitted in accordance with Article 1 of Commission Implementing Regulation (EU) No 844/2012 ⁽⁵⁾ within the time period provided for in that Article.
- (5) The applicant submitted the supplementary dossiers required in accordance with Article 6 of Implementing Regulation (EU) No 844/2012. The application was found to be complete by the rapporteur Member State.
- (6) The rapporteur Member State prepared a renewal assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority ('the Authority') and the Commission on 4 February 2015.
- (7) The Authority communicated the renewal assessment report to the applicant and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the supplementary summary dossier available to the public.
- (8) On 17 March 2016 the Authority communicated to the Commission its conclusion on whether pendimethalin can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 ⁽⁶⁾. The Commission presented the draft renewal report for pendimethalin to the Standing Committee on Plants, Animals, Food and Feed on 6 December 2016.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2003/31/EC of 11 April 2003 amending Council Directive 91/414/EEC to include 2,4-DB, beta-cyfluthrin, cyfluthrin, iprodione, linuron, maleic hydrazide and pendimethalin as active substances (OJ L 101, 23.4.2003, p. 3).

⁽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 Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26).

⁽⁶⁾ EFSA (European Food Safety Authority), 2016. Conclusion on the peer review of the pesticide risk assessment of the active substance pendimethalin. *EFSA Journal* 2016;14(3):4420, 212 pp. doi:10.2903/j.efsa.2016.4420; Available online: www.efsa.europa.eu

- (9) The applicant was given the possibility to submit comments on the draft renewal report.
- (10) It has been established with respect to one or more representative uses of at least one plant protection product containing pendimethalin that the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 are satisfied. It is therefore appropriate to renew the approval of pendimethalin.
- (11) The risk assessment for the renewal of the approval of pendimethalin is based on a limited number of representative uses, which however do not restrict the uses for which plant protection products containing pendimethalin may be authorised. It is therefore appropriate to remove the restriction for use only as a herbicide.
- (12) The Commission however considers that pendimethalin is a candidate for substitution pursuant to Article 24 of Regulation (EC) No 1107/2009. Pendimethalin is a persistent and toxic substance in accordance with points 3.7.2.1 and 3.7.2.3 respectively, of Annex II to Regulation (EC) No 1107/2009, given that the half-life in soil is greater than 120 days and the long-term no-observed-effect concentration for freshwater organisms is less than 0,01 mg/L. Pendimethalin therefore fulfils the condition set in the second indent of point 4 of Annex II to Regulation (EC) No 1107/2009.
- (13) It is therefore appropriate to renew the approval of pendimethalin as a candidate for substitution.
- (14) In accordance with Article 14(1) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions and restrictions. In particular, it is appropriate to require further confirmatory information.
- (15) In accordance with Article 20(3) of Regulation (EC) No 1107/2009, in conjunction with Article 13(4) thereof, the Annex to Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (16) Commission Implementing Regulation (EU) 2017/841 ⁽¹⁾ extended the approval period pendimethalin to 31 July 2018 in order to allow the renewal process to be completed before the expiry of the approval of that substance. However, given that a decision on renewal has been taken ahead of this extended expiry date, this Regulation shall apply from 1 September 2017.
- (17) 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

Renewal of the approval of the active substance as a candidate for substitution

The approval of the active substance pendimethalin, as a candidate for substitution, is renewed as set out in Annex I.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

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

⁽¹⁾ Commission Implementing Regulation (EU) 2017/841 of 17 May 2017 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances alpha-cypermethrin, *Ampelomyces quisqualis*-strain aq 10, benalaxyl, bentazone, bifenazate, bromoxynil, carfentrazone ethyl, chlorpropham, cyazofamid, desmedipham, diquat, DPX KE 459 (flupyrsulfuron-methyl), etoxazole, famoxadone, fenamidone, flumioxazine, foramsulfuron, *Gliocladium catenulatum* strain j1446, imazamox, imazosulfuron, isoxaflutole, laminarin, metalaxyl-M, methoxyfenozide, milbemectin, oxasulfuron, pendimethalin, phenmedipham, pymetrozine, S-metolachlor and trifloxystrobin (OJ L 125, 18.5.2017, p. 12).

*Article 3***Entry into force and date of application**

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

It shall apply from 1 September 2017.

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

Done at Brussels, 22 June 2017.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Pendimethalin CAS No 40487-42-1 CIPAC No 357	N-(1-ethylpropyl)-2,6-dinitro-3,4-xylidene	900 g/kg 1,2-dichloroethane ≤ 1 g/kg Total N-Nitroso compounds: max 100 ppm, of which N-Nitroso-pendimethalin: < 45 ppm.	1 September 2017	31 August 2024	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 pendimethalin, and in particular Appendices I and II thereof, shall be taken into account. In their overall assessment Member States shall 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 the specification of the technical material, — the protection of operators, — the protection of birds, mammals and aquatic organisms. Conditions of use shall include risk mitigation measures, where appropriate. In particular, personal protective equipment such as gloves, coverall and sturdy footwear has to be worn to ensure that the AOEL is not exceeded for the operator. The applicant shall submit confirmatory information to the Commission, the Member States and the Authority as regards: 1. the potential for bioaccumulation, in particular a reliable BCF value for bluegill sunfish (<i>Lepomis macrochirus</i>); 2. the effect of water treatment processes on the nature of residues present in surface and groundwater, when surface water or groundwater are abstracted for drinking water. The applicant shall submit the confirmatory information requested under point 1 by 31 December 2018. The applicant shall submit the confirmatory information requested under point 2 within a period of two years of the publication by the Commission of a guidance document on evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(1) in Part A, entry 53 on pendimethalin is deleted;

(2) in Part E, the following entry is added:

	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'7	Pendimethalin CAS No 40487-42-1 CIPAC No 357	N-(1-ethylpropyl)-2,6-dinitro-3,4-xylylene	900 g/kg 1,2-dichloroethane ≤ 1 g/kg Total N-Nitroso compounds: max 100 ppm, of which N-Nitroso-pendimethalin: < 45 ppm.	1 September 2017	31 August 2024	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 pendimethalin, and in particular Appendices I and II thereof, shall be taken into account. In their overall assessment Member States shall 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 the specification of the technical material, — the protection of operators, — the protection of birds, mammals and aquatic organisms. Conditions of use shall include risk mitigation measures, where appropriate. In particular, personal protective equipment such as gloves, coverall and sturdy footwear has to be worn to ensure that the AOEL is not exceeded for the operator. The applicant shall submit confirmatory information to the Commission, the Member States and the Authority as regards: 1. the potential for bioaccumulation, in particular a reliable BCF value for bluegill sunfish (<i>Lepomis macrochirus</i>); 2. the effect of water treatment processes on the nature of residues present in surface and groundwater, when surface water or groundwater are abstracted for drinking water.

	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
						The applicant shall submit the confirmatory information requested under point 1 by 31 December 2018. The applicant shall submit the confirmatory information requested under point 2 within a period of two years of the publication by the Commission of a guidance document on evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1115**of 22 June 2017****renewing the approval of the active substance propoxycarbazone 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****(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 Article 20(1) thereof,

Whereas:

- (1) Commission Directive 2003/119/EC ⁽²⁾ included propoxycarbazone as an 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) The approval of the active substance propoxycarbazone, as set out in Part A of the Annex to Implementing Regulation (EU) No 540/2011, expires on 31 January 2018.
- (4) An application for the renewal of the approval of propoxycarbazone was submitted in accordance with Article 1 of Commission Implementing Regulation (EU) No 844/2012 ⁽⁵⁾ within the time period provided for in that Article.
- (5) The applicant submitted the supplementary dossiers required in accordance with Article 6 of Implementing Regulation (EU) No 844/2012. The application was found to be complete by the rapporteur Member State.
- (6) The rapporteur Member State prepared a renewal assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority ('the Authority') and the Commission on 19 November 2015.
- (7) The Authority communicated the renewal assessment report to the applicant and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the supplementary summary dossier available to the public.
- (8) On 19 October 2016 the Authority communicated to the Commission its conclusion ⁽⁶⁾ on whether propoxycarbazone (variant evaluated propoxycarbazone-sodium) can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009. The Commission presented the draft renewal report for propoxycarbazone-sodium to the Standing Committee on Plants, Animals, Food and Feed on 23 January 2017.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2003/119/EC of 5 December 2003 amending Council Directive 91/414/EEC to include mesosulfuron, propoxycarbazone and zoxamide as active substances (OJ L 325, 12.12.2003, p. 41).

⁽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 Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26).

⁽⁶⁾ EFSA (European Food Safety Authority), 2016. Conclusion on the peer review of the pesticide risk assessment of the active substance propoxycarbazone. *EFSA Journal* 2016;14(10):4612, 25 pp. doi:10.2903/j.efsa.2016.4612. Available at <http://www.efsa.europa.eu/en/efsajournal/pub/4612>

- (9) The applicant was given the possibility to submit comments on the renewal report.
- (10) It has been established with respect to one or more representative uses of at least one plant protection product containing propoxycarbazone that the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 are satisfied.
- (11) It is therefore appropriate to renew the approval of propoxycarbazone.
- (12) The risk assessment for the renewal of the approval of propoxycarbazone is based on a limited number of representative uses, which however do not restrict the uses for which plant protection products containing propoxycarbazone may be authorised. It is therefore appropriate not to maintain the restriction for use only as a herbicide.
- (13) In accordance with Article 14(1) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, however, it is necessary to include certain conditions and restrictions. In particular, it is appropriate to require further confirmatory information.
- (14) In accordance with Article 20(3) of Regulation (EC) No 1107/2009, in conjunction with Article 13(4) thereof, the Annex to Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (15) Commission Implementing Regulation (EU) 2016/2016 ⁽¹⁾ extended the approval period of propoxycarbazone to 31 January 2018 in order to allow the renewal process to be completed before the expiry of the approval of that substance. However, given that a decision on renewal has been taken ahead of this extended expiry date, this Regulation should apply from 1 September 2017.
- (16) 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

Renewal of the approval of active substance

The approval of the active substance propoxycarbazone, as specified in Annex I, is renewed subject to the conditions laid down in that Annex.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

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

Article 3

Entry into force and date of application

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

It shall apply from 1 September 2017.

⁽¹⁾ Commission Implementing Regulation (EU) 2016/2016 of 17 November 2016 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances acetamiprid, benzoic acid, flazasulfuron, mecoprop-P, mepanipyrim, mesosulfuron, propineb, propoxycarbazon, propyzamide, propiconazole, *Pseudomonas chlororaphis* Strain: MA 342, pyraclostrobin, quinoxifen, thiacloprid, thiram, ziram, zoxamide (OJ L 312, 18.11.2016, p. 21).

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

Done at Brussels, 22 June 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Propoxycarbazone (parent) Propoxycarbazone-sodium (variant) CAS No 145026-81-9 (pro- poxycarbazone) CAS No 181274-15-7 (pro- poxycarbazone-sodium) CIPAC No 655 (propoxycar- bazone) CIPAC No 655.011 (pro- poxycarbazone-sodium)	Propoxycarbazone: methyl 2-[(4,5-dihydro-4- methyl-5-oxo-3-propoxy- 1H-1,2,4-triazole-1-carbox- amido)sulfonyl]benzoate Propoxycarbazone-sodium: sodium {[2-(methoxycarbo- nyl)phenyl]sulfonyl}[(4,5-di- hydro-4-methyl-5-oxo-3- propoxy-1H-1,2,4-triazol- 1-yl)carbonyl]azanide	≥ 950 g/kg (expressed as <i>Propoxy- carbazone-sodium</i>)	1 September 2017	31 August 2032	For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the renewal report on propoxycarbazone, and in particular Appendices I and II thereof, shall be taken into account. In this overall assessment Member States shall pay particular attention to: — the protection of aquatic organisms, in particular aquatic plants and of and non-target terrestrial plants, — the protection of groundwater, when the substance is applied in regions with vulnerable soil and/or climatic conditions. Conditions of use shall include risk mitigation measures, where appropriate. The applicant shall submit to the Commission, the Member States and the Authority confirmatory information as regards the effect of water treatment processes on the nature of residues present in drinking water within a period of 2 years of a guidance document on the evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater being made public by the Commission.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(1) in Part A, entry 76 on propoxycarbazone is deleted;

(2) in Part B, the following entry is added:

Number	Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
'114	Propoxycarbazone (parent) Propoxycarbazone-sodium (variant) CAS No 145026-81-9 (propoxycarbazone) CAS No 181274-15-7 (propoxycarbazone-sodium) CIPAC No 655 (propoxy-carbazone) CIPAC No 655.011 (propoxycarbazone-sodium)	Propoxycarbazone: methyl 2-[(4,5-dihydro-4-methyl-5-oxo-3-propoxy-1H-1,2,4-triazole-1-carboxamido)sulfonyl]benzoate Propoxycarbazone-sodium: sodium {[2-(methoxycarbonyl)phenyl]sulfonyl}[(4,5-dihydro-4-methyl-5-oxo-3-propoxy-1H-1,2,4-triazol-1-yl)carbonyl]azanide	≥ 950g/kg <i>(expressed as Propoxy-carbazone-sodium)</i>	1 September 2017	31 August 2032	For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the renewal report on propoxycarbazone, and in particular Appendices I and II thereof, shall be taken into account. In this overall assessment Member States shall pay particular attention to: — the protection of aquatic organisms, in particular aquatic plants and of and non-target terrestrial plants, — the protection of groundwater, when the substance is applied in regions with vulnerable soil and/or climatic conditions. Conditions of use shall include risk mitigation measures, where appropriate. The applicant shall submit to the Commission, the Member States and the Authority confirmatory information as regards the effect of water treatment processes on the nature of residues present in drinking water within a period of 2 years of a guidance document on the evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater being made public by the Commission.'

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1116**of 22 June 2017****on the minimum selling price for skimmed milk powder for the tenth 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 tenth partial invitation to tender, a minimum selling price should be fixed.
- (3) The Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit laid down by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

For the tenth 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 20 June 2017, the minimum selling price shall be 185 EUR/100 kg.

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, 22 June 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).

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1117**of 22 June 2017****determining the quantities to be added to the quantity fixed for the subperiod from 1 October to 31 December 2017 under the tariff quotas opened by Implementing Regulation (EU) 2015/2077 for eggs, egg products and egg albumin originating in Ukraine**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(2) and (3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2015/2077 ⁽²⁾ opened annual tariff quotas for imports of eggs and egg albumin originating in Ukraine.
- (2) The quantities covered by the applications for import licences lodged from 1 to 7 June 2017 for the subperiod from 1 July to 30 September 2017 are less than those available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the next quota subperiod.
- (3) In order to ensure efficient management of the measure, 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 quantities for which import licence applications have not been lodged pursuant to Implementing Regulation (EU) 2015/2077, to be added to the subperiod from 1 October to 31 December 2017, are set out 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, 22 June 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⁾ Commission Implementing Regulation (EU) 2015/2077 of 18 November 2015 opening and providing for the administration of Union import tariff quotas for eggs, egg products and albumins originating in Ukraine (OJ L 302, 19.11.2015, p. 57).

ANNEX

Order No	Quantities not applied for, to be added to the quantities available for the subperiod from 1 October to 31 December 2017 (shell egg equivalent weight in kg)
09.4275	977 500
09.4276	2 250 000

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1118**of 22 June 2017****establishing the allocation coefficient to be applied to the quantities covered by the applications for import rights lodged from 1 to 7 June 2017 under the tariff quotas opened by Implementing Regulation (EU) 2015/2078 for poultrymeat originating in Ukraine**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(1) and (3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2015/2078 ⁽²⁾ opened annual tariff quotas for imports of poultrymeat products originating in Ukraine.
- (2) For the quota with order number 09.4273, the quantities covered by the applications for import licences lodged from 1 to 7 June 2017 for the subperiod from 1 July to 30 September 2017 exceed those available. The extent to which import rights may be allocated should therefore be determined and an allocation coefficient laid down to be applied to the quantities applied for, calculated in accordance with Article 6(3) in conjunction with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (3) In order to ensure efficient management of the measure, 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 quantities covered by the applications for import rights lodged under Implementing Regulation (EU) 2015/2078 for the subperiod from 1 July to 30 September 2017 shall be multiplied by the allocation coefficient set out 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, 22 June 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⁾ Commission Implementing Regulation (EU) 2015/2078 of 18 November 2015 opening and providing for the administration of Union import tariff quotas for poultrymeat originating in Ukraine (OJ L 302, 19.11.2015, p. 63).

⁽³⁾ Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

ANNEX

Order No	Allocation coefficient — applications lodged for the subperiod from 1 July to 30 September 2017 (%)
09.4273	2,343990
09.4274	—

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1119**of 22 June 2017**

fixing the allocation coefficient to be applied to the quantities covered by the applications for import licences lodged from 1 June 2017 to 10 June 2017 and determining the quantities to be added to the quantity fixed for the subperiod from 1 January 2018 to 30 June 2018 under the tariff quotas opened by Regulation (EC) No 2535/2001 in the milk and milk products sector

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Commission Regulation (EC) No 2535/2001 ⁽²⁾ opened annual tariff quotas for imports of products of the milk and milk products sector.
- (2) For some quotas, the quantities covered by the applications for import licences lodged from 1 June 2017 to 10 June 2017 for the subperiod from 1 July 2017 to 31 December 2017 exceed those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (3) The quantities covered by the applications for import licences lodged from 1 June 2017 to 10 June 2017 for the subperiod from 1 July 2017 to 31 December 2017 are, for some quotas, less than those available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod.
- (4) In order to ensure the efficient management of the measure, 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

1. The quantities covered by the applications for import licences lodged under Regulation (EC) No 2535/2001 for the subperiod from 1 July 2017 to 31 December 2017 shall be multiplied by the allocation coefficient set out in the Annex to this Regulation.

2. The quantities for which import licence applications have not been lodged pursuant to Regulation (EC) No 2535/2001, to be added to the subperiod from 1 January 2018 to 30 June 2018, are set out in the Annex to this Regulation.

Article 2

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas (OJ L 341, 22.12.2001, p. 29).

⁽³⁾ Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

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

Done at Brussels, 22 June 2017.

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

ANNEX

I.A

Order No	Allocation coefficient — applications lodged for the subperiod from 1.7.2017 to 31.12.2017 (%)	Quantities not applied for, to be added to the quantities available for the subperiod from 1.1.2018 to 30.6.2018 (kg)
09.4590	—	34 268 500
09.4591	—	2 680 000
09.4592	—	9 219 000
09.4593	—	2 706 500
09.4594	—	10 003 500
09.4595	—	5 302 500
09.4596	—	9 653 400
09.4599	—	5 680 000

I.F

Products originating in Switzerland		
Order No	Allocation coefficient — applications lodged for the subperiod from 1.7.2017 to 31.12.2017 (%)	Quantities not applied for, to be added to the quantities available for the subperiod from 1.1.2018 to 30.6.2018 (kg)
09.4155	—	847 200

I.H

Products originating in Norway		
Order No	Allocation coefficient — applications lodged for the subperiod from 1.7.2017 to 31.12.2017 (%)	
09.4179	—	

I.I

Products originating in Iceland		
Order No	Allocation coefficient — applications lodged for the subperiod from 1.7.2017 to 31.12.2017 (%)	Quantities not applied for, to be added to the quantities available for the subperiod from 1.1.2018 to 30.6.2018 (kg)
09.4205	—	175 000
09.4206	—	0

I.K

Products originating in New Zealand		
Order No	Allocation coefficient — applications lodged for the subperiod from 1.7.2017 to 31.12.2017 (%)	Quantities not applied for, to be added to the quantities available for the subperiod from 1.9.2017 to 31.12.2017 (kg)
09.4514	—	7 000 000
09.4515	—	4 000 000
09.4182	—	33 612 000
09.4195	—	40 980 000

I.L

Products originating in Ukraine:	
Order No	Allocation coefficient — applications lodged for the subperiod from 1.7.2017 to 31.12.2017 (%)
09.4600	—
09.4601	—
09.4602	0,584795

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1120**of 22 June 2017****determining the quantities to be added to the quantity fixed for the subperiod 1 October to 31 December 2017 under the tariff quotas opened by Regulation (EC) No 442/2009 in the pigmeat sector**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(2) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 442/2009 ⁽²⁾ opened annual tariff quotas for imports of pigmeat products. The quotas listed in Part B of Annex I to that Regulation are managed using the simultaneous examination method.
- (2) The quantities covered by import licence applications lodged from 1 to 7 June 2017 for the subperiod 1 July to 30 September 2017 are smaller than those available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod.
- (3) In order to ensure the efficient management of the measure, 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 quantities for which import licence applications have not been lodged under Regulation (EC) No 442/2009, to be added to the subperiod 1 October to 31 December 2017, are set out 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, 22 June 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⁾ Commission Regulation (EC) No 442/2009 of 27 May 2009 opening and providing for the administration of Community tariff quotas in the pigmeat sector (OJ L 129, 28.5.2009, p. 13).

ANNEX

Order No	Quantities not applied for, to be added to the quantities available for the subperiod 1 October to 31 December 2017 (kg)
09.4038	8 466 250
09.4170	1 230 500
09.4204	1 156 000

DECISIONS

COUNCIL DECISION (EU) 2017/1121

of 20 June 2017

appointing a member, proposed by the Republic of Austria, of the Committee of the Regions

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Austrian Government,

Whereas:

- (1) On 26 January 2015, 5 February 2015 and 23 June 2015, the Council adopted Decisions (EU) 2015/116 ⁽¹⁾, (EU) 2015/190 ⁽²⁾ and (EU) 2015/994 ⁽³⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020.
- (2) A member's seat on the Committee of the Regions has become vacant following the end of the mandate on the basis of which Mr Christian BUCHMANN (*Regierungsmitglied mit politischer Verantwortung gegenüber dem Landtag (Mitglied der Steirischen Landesregierung)*) was proposed,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2020:

— Mag. Christian BUCHMANN, *Mitglied des steiermärkischen Landtages* (change of mandate).

Article 2

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

Done at Luxembourg, 20 June 2017.

For the Council

The President

H. DALLI

⁽¹⁾ Council Decision (EU) 2015/116 of 26 January 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 20, 27.1.2015, p. 42).

⁽²⁾ Council Decision (EU) 2015/190 of 5 February 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 31, 7.2.2015, p. 25).

⁽³⁾ Council Decision (EU) 2015/994 of 23 June 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 159, 25.6.2015, p. 70).

COUNCIL DECISION (EU) 2017/1122**of 20 June 2017****appointing a member, proposed by the Kingdom of Spain, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Spanish Government,

Whereas:

- (1) On 26 January 2015, 5 February 2015 and 23 June 2015, the Council adopted Decisions (EU) 2015/116 ⁽¹⁾, (EU) 2015/190 ⁽²⁾ and (EU) 2015/994 ⁽³⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020. On 18 September 2015, by Council Decision (EU) 2015/1571 ⁽⁴⁾, Mr Alberto GARRE LÓPEZ was replaced by Mr Pedro Antonio SÁNCHEZ LÓPEZ as a member.
- (2) A member's seat on the Committee of the Regions has become vacant following the end of the term of office of Mr Pedro Antonio SÁNCHEZ LÓPEZ,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2020:

— Mr Fernando LÓPEZ MIRAS, *Presidente Región de Murcia*.

Article 2

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

Done at Luxembourg, 20 June 2017.

For the Council

The President

H. DALLI

⁽¹⁾ Council Decision (EU) 2015/116 of 26 January 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 20, 27.1.2015, p. 42).

⁽²⁾ Council Decision (EU) 2015/190 of 5 February 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 31, 7.2.2015, p. 25).

⁽³⁾ Council Decision (EU) 2015/994 of 23 June 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 159, 25.6.2015, p. 70).

⁽⁴⁾ Council Decision (EU) 2015/1571 of 18 September 2015 appointing two Spanish members of the Committee of the Regions (OJ L 245, 22.9.2015, p. 8).

