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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2017/1836**of 10 October 2017****amending Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EU) 2017/1509 ⁽²⁾ gives effect to measures provided for in Decision (CFSP) 2016/849.
- (2) On 11 September 2017, the United Nations Security Council adopted Resolution 2375 (2017) ('UNSCR') in which it expressed the gravest concern at the nuclear test of 2 September 2017 by the Democratic People's Republic of Korea (DPRK). The UNSC reaffirmed that the proliferation of nuclear, chemical and biological weapons constitutes a threat to international peace and security, and imposed new measures against the DPRK. These measures further reinforce the restrictive measures imposed by UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017) and 2371 (2017).
- (3) The UNSC imposed new prohibitions with regard to imports of, inter alia, DPRK textiles, exports of petroleum products to DPRK, joint ventures and in the maritime sector.
- (4) Council Decision (CFSP) 2017/1838 ⁽³⁾ amended Decision (CFSP) 2016/849 in order to give effect to the new measures imposed by UNSCR 2375 (2017).
- (5) These measures fall within the scope of the Treaty and, therefore, in particular with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary.
- (6) Regulation (EU) 2017/1509 should therefore be amended accordingly,

⁽¹⁾ OJ L 141, 28.5.2016, p. 79.⁽²⁾ Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No 329/2007 (OJ L 224, 31.8.2017, p. 1).⁽³⁾ Council Decision (CFSP) 2017/1838 of 10 October 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea (see page 17 of this Official Journal).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2017/1509 is amended as follows:

- (1) in Article 3(2), the 7th subparagraph is replaced by:

‘Part VII of Annex II shall include conventional arms-related items, materials, equipment, goods and technology designated, pursuant to paragraph 5 of UNSCR 2371 (2017).’;

- (2) in Article 3(2), the following text is inserted after the 7th subparagraph:

‘Part VIII of Annex II shall include weapons of mass destruction-related items, materials, equipment, goods and technology designated, pursuant to paragraph 4 of UNSCR 2375 (2017).

Part IX of Annex II shall include conventional arms-related items, materials, equipment, goods and technology designated, pursuant to paragraph 5 of UNSCR 2375 (2017).’;

- (3) the following articles are inserted:

Article 16c

It shall be prohibited to sell, supply, transfer or export, directly or indirectly, condensates and natural gas liquids, as listed in Annex XIc, to the DPRK.

Article 16d

It shall be prohibited to sell, supply, transfer or export, directly or indirectly, all refined petroleum products, as listed in Annex XId, to the DPRK.

Article 16e

1. By way of derogation from Article 16d, the competent authorities of the Member States may authorise transactions in refined petroleum products that are determined to be exclusively for livelihood purposes of DPRK nationals, provided that all of the following conditions are met:

- (a) the transaction does not involve individuals or entities that are associated with the DPRK’s nuclear or ballistic missile programmes or other activities prohibited by UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) or 2375 (2017) including the persons, entities and bodies listed in Annex XIII, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, directly or indirectly, or individuals or entities assisting in the evasion of sanctions;
- (b) the transaction is unrelated to generating revenue for the DPRK’s nuclear or ballistic missile programmes or other activities prohibited by UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) or 2375 (2017);
- (c) the Sanctions Committee has not notified the Member States that 90 % of the aggregate annual limit has been reached; and
- (d) the Member State concerned notifies the Sanctions Committee of the amount of the export and information on all parties to the transaction every 30 days.

2. The Member State concerned shall notify the other Member States and the Commission of any authorisation granted pursuant to paragraph 1.

Article 16f

It shall be prohibited to sell, supply, transfer or export, directly or indirectly, crude oil, as listed in Annex XIe, to the DPRK.

Article 16g

1. By way of derogation from Article 16f, the competent authorities of the Member States may authorise transactions in crude oil after having determined that the Union’s annual aggregate transactions would not exceed the amount sold, supplied, transferred or exported in the period between 11 September 2016 and 10 September 2017.

2. By way of derogation from Article 16f, the competent authorities of the Member States may authorise transactions in crude oil that are determined to be exclusively for livelihood purposes, provided that all of the following conditions are met:

- (a) the transactions is unrelated to the DPRK's nuclear or ballistic missile programmes or other activities prohibited by UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) or 2375 (2017); and
- (b) the Member State has obtained the advance approval of the Sanctions Committee on a case-by-case basis.

3. The Member State concerned shall notify the other Member States and the Commission of any authorisation granted pursuant to paragraphs 1 and 2.

Article 16h

It shall be prohibited to import, purchase or transfer, directly or indirectly, textiles, as listed in Annex XIf, from the DPRK, whether or not originating in the DPRK.

Article 16i

1. By way of derogation from Article 16h, the competent authorities of the Member States may authorise the import, purchase or transfer of textiles, provided that the Member State has obtained the advance approval of the Sanctions Committee on a case-by-case basis.

2. By way of derogation from Article 16h, the competent authorities of the Member States may authorise the import, purchase or transfer of textiles by no later than 10 December 2017 provided that:

- (a) the import, purchase or transfer is due under a written contract that entered into force prior to 11 September 2017; and
- (b) the Member State concerned notifies the Sanctions Committee of the details of such import, purchase or transfer by no later than 24 January 2018.

3. The Member State concerned shall notify the other Member States and the Commission of any authorisation granted pursuant to paragraphs 1 and 2.;

(4) Article 17(2)(a) is replaced by the following:

‘(a) to establish, maintain or operate a joint venture or a cooperative entity with, or take or extend an ownership interest, including by acquisition in full or the acquisition of shares and other securities of a participatory nature in, any natural or legal person, entity or body referred to in paragraph 1.;

(5) in Article 17, the following paragraph is added:

‘3. Existing joint ventures or cooperative entities referred to in point (a) of paragraph 2, shall be closed by 9 January 2018, or within 120 days after the Sanctions Committee has denied a request for approval.;

(6) Article 17a is replaced by the following:

‘Article 17a

1. By way of derogation from point (a) of Article 17(2), the competent authorities of the Member States may authorise such activities, in particular those regarding joint ventures or cooperative entities that are non-commercial, public utility infrastructure projects not generating profit, provided that the Member State has obtained the advance approval of the Sanctions Committee on a case-by-case basis.

2. The Member State concerned shall notify the other Member States and the Commission of any authorisation granted pursuant to paragraph 1.;

(7) the following Article is inserted:

‘Article 17b

By way of derogation from Article 17(3), the competent authorities of the Member States may authorise such joint venture or cooperative entity to remain operational, provided that the Member State has obtained the advance approval of the Sanctions Committee on a case-by-case basis.;

(8) Article 34(2) is replaced by the following:

‘2. All vessels listed in Annex XIV shall be seized, if the Sanctions Committee has so specified.’;

(9) Article 34(4) is replaced by the following:

‘4. Annex XIII shall include the persons, entities and bodies designated by the Sanctions Committee or the UNSC pursuant to paragraph 8(d) of UNSCR 1718 (2006), and paragraph 8 of UNSCR 2094 (2013).

Annex XIV shall include the vessels that have been designated by the Sanctions Committee pursuant to paragraph 12 of UNSCR 2321 (2016) and paragraph 8 of UNSCR 2375 (2017).

Annex XV shall include persons, entities and bodies not listed in Annex XIII and XIV, who, pursuant to point (b) of Article 27(1) of Decision (CFSP) 2016/849, or any equivalent subsequent provision, have been identified by the Council:

- (a) as responsible for, including through supporting or promoting, the DPRK’s nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, or persons, entities or bodies acting on their behalf or at their direction, or persons, entities or bodies owned or controlled by them, including through illicit means;
- (b) as providing financial services or the transfer to, through or from the territory of the Union, or involving nationals of Member States or entities organised under their laws, or persons or financial institutions in the territory of the Union, of any financial or other assets or resources that could contribute to the DPRK’s nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes, or persons, entities or bodies acting on their behalf or at their direction, or persons, entities or bodies owned or controlled by them; or
- (c) as involved in, including through the provision of financial services, the supply to or from the DPRK of arms and related material of all types, or of items, materials, equipment, goods and technology which could contribute to the DPRK’s nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes.’;

(10) in Article 39(1), point (g) is replaced by the following:

‘(g) that is listed under Annex XIV, if the Sanctions Committee has so specified.’;

(11) in Article 40, paragraph (3) is replaced by the following:

‘3. By way of derogation from the prohibition in Article 39(1), where that concerns a vessel within the scope of point (g), the competent authorities of the Member States may authorise a vessel to come into port if the Sanctions Committee has determined in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) or 2375 (2017).’;

(12) Article 43(d) is replaced by the following:

‘(d) to register or maintain on the register, any vessel that is owned, controlled or operated by the DPRK or DPRK nationals, or has been de-registered by another State pursuant to paragraph 24 of UNSCR 2321 (2016) or paragraph 8 of UNSCR 2375 (2017); or’;

(13) the following Article is inserted:

‘Article 44a

It shall be prohibited to facilitate or engage in ship-to-ship transfers to or from any DPRK flagged vessel of any goods or items that are being sold, supplied, transferred or exported to or from the DPRK.’;

(14) Article 45 is replaced by the following:

‘Article 45

By way of derogation from the prohibitions arising from UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2070 (2016), 2321 (2016), 2356 (2016), 2371 (2017) or 2375 (2017), the competent authorities of Member States may authorise any activities if the Sanctions Committee has determined, on a case-by-case basis, that they are necessary to facilitate the work of international and non-governmental organisations carrying out assistance and relief activities in the DPRK for the benefit of the civilian population in the DPRK or for any other purpose consistent with the objectives of these resolutions.’;

(15) in Article 46, point (b) is replaced by the following:

‘(b) amend Parts II, III, IV, V, VI, VII, VIII and IX of Annex II and Annexes VI, VII, IX, X, XI, Xia, Xlb, Xlc, Xld, Xle and Xlf on the basis of determinations made by either the Sanctions Committee or the UNSC and to update nomenclature codes from the Combined Nomenclature as set out in Annex I to Regulation (EEC) No 2658/87;’;

(16) Annex II is amended in accordance with Annex I to this Regulation;

(17) Annex V is amended in accordance with Annex II to this Regulation;

(18) Annex Xla is amended in accordance with Annex III to this Regulation;

(19) Annex Xlb is amended in accordance with Annex IV to this Regulation;

(20) Annex Xlc is inserted in accordance with Annex V to this Regulation;

(21) Annex Xld is inserted in accordance with Annex VI to this Regulation;

(22) Annex Xle is inserted in accordance with Annex VII to this Regulation;

(23) Annex Xlf is inserted in accordance with Annex VIII to this Regulation;

(24) Annex XIV is replaced by Annex IX to this Regulation.

Article 2

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

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

Done at Luxembourg, 10 October 2017.

For the Council
The President
T. TÖNISTE

ANNEX I

1. Part VII of Annex II to Regulation (EU) 2017/1509 is replaced as follows:

'PART VII

Conventional arms-related items, materials, equipment, goods and technology designated, pursuant to paragraph 5 of UNSCR 2371 (2017).';

2. the following parts are added to Annex II to Regulation (EU) 2017/1509:

'PART VIII

Weapons of mass destruction-related items, materials, equipment, goods and technology designated, pursuant to paragraph 4 of UNSCR 2375 (2017).

PART IX

Conventional arms-related items, materials, equipment, goods and technology designated, pursuant to paragraph 5 of UNSCR 2375 (2017).'

ANNEX II

In Annex V to Regulation (EU) 2017/1509, the entry for '2704 00 10' is replaced by the following:

'2704	Coke and semi-coke of coal, of lignite or of peat, whether or not agglomerated; retort carbon'
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ANNEX III

In Annex XIa to Regulation (EU) 2017/1509, the entry for 'ex 1902 20 30' is deleted.

ANNEX IV

In Annex XIb to Regulation (EU) 2017/1509, the words 'Lead and lead ore referred to in Article 16c' are replaced by 'Lead and lead ore referred to in Article 16b'.

ANNEX V

‘ANNEX XIc

Condensates and natural gas liquids referred to in Article 16c

EXPLANATORY NOTE

The nomenclature codes are taken from the Combined Nomenclature as defined in Article 1(2) of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff and as set out in Annex I thereto, which are valid at the time of publication of this Regulation and *mutatis mutandis* as amended by subsequent legislation.

CN code	Description
2709 00 10	Natural gas condensates
2711 11	Liquefied natural gas’

ANNEX VI

‘ANNEX XI

Refined petroleum products referred to in Article 16d

EXPLANATORY NOTE

The nomenclature codes are taken from the Combined Nomenclature as defined in in Article 1(2) of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff and as set out in Annex I thereto, which are valid at the time of publication of this Regulation and *mutatis mutandis* as amended by subsequent legislation.

	CN code	Description
	2707	Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents
	2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils
	2711	Petroleum gases and other gaseous hydrocarbons
		Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured
	2712 10	– Petroleum jelly
	2712 20	– Paraffin wax containing by weight less than 0,75 % of oil
Ex	2712 90	– Other than petroleum jelly and Paraffin wax containing by weight less than 0,75 % of oil
	2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals
Ex	2714	Bitumen and asphalt, natural; bituminous or oil-shale and tar sands; asphaltites and asphaltic rocks
Ex	2715	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
		Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould-release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals.
		– Containing petroleum oils or oils obtained from bituminous minerals
	3403 11	– – Preparations for the treatment of textile materials, leather, furskins or other materials
	3403 19	– – Other than preparations for the treatment of textile materials, leather, furskins or other materials
		– Other than containing petroleum oils or oils obtained from bituminous minerals
Ex	3403 91	– – Preparations for the treatment of textile materials, leather, furskins or other materials

	CN code	Description
Ex	3403 99	-- Other than preparations for the treatment of textile materials, leather, furskins or other materials
		----- Chemical products or preparations, predominantly composed of organic compounds, not elsewhere specified or included
Ex	3824 99 92	----- In the form of a liquid at 20 °C
Ex	3824 99 93	----- Other
Ex	3824 99 96	----- Other
		Biodiesel and mixtures thereof, not containing or containing less than 70 % by weight of petroleum oils or oils obtained from bituminous minerals
	3826 00 10	– Fatty-acid mono-alkyl esters, containing by volume 96,5 % or more of esters (FAMAE)
	3826 00 90	– Other'

ANNEX VII

‘ANNEX XIe

Crude oil referred to in Article 16f

EXPLANATORY NOTE

The nomenclature codes are taken from the Combined Nomenclature as defined in Article 1(2) of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff and as set out in Annex I thereto, which are valid at the time of publication of this Regulation and *mutatis mutandis* as amended by subsequent legislation.

	CN code	Description
	2709 00 90	Petroleum oils and oils obtained from bituminous minerals, crude, other than natural gas condensates'

ANNEX VIII

‘ANNEX XI’f

Textiles referred to in Article 16h

EXPLANATORY NOTE

The nomenclature codes are taken from the Combined Nomenclature as defined in Article 1(2) of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff and as set out in Annex I thereto, which are valid at the time of publication of this Regulation and *mutatis mutandis* as amended by subsequent legislation.

Chapter	Description
50	Silk
51	Wool, fine or coarse animal hair; horsehair yarn and woven fabric
52	Cotton
53	Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn
54	Man-made filaments; strip and the like of man-made textile materials
55	Man-made staple fibres
56	Wadding, felt and nonwovens; special yarns; twine, cordage, ropes and cables and articles thereof
57	Carpets and other textile floor coverings
58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery
59	Impregnated, coated, covered or laminated textile fabrics; textile articles of a kind suitable for industrial use
60	Knitted or crocheted fabrics
61	Articles of apparel and clothing accessories, knitted or crocheted
62	Articles of apparel and clothing accessories, not knitted or crocheted
63	Other made-up textile articles; sets; worn clothing and worn textile articles; rags’

ANNEX IX

In Annex XIV to Regulation (EU) 2017/1509, the words ‘The vessels referred to in Article 34(2) and point (g) of Article 39(1)’ are replaced by the words ‘The vessels referred to in Article 34(2) and point (g) of Article 39(1) and applicable measures as specified by the Sanctions Committee’.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1837**of 28 September 2017****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Pera dell'Emilia Romagna (PGI))**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Italy's application for the approval of amendments to the specification for the protected geographical indication 'Pera dell'Emilia Romagna' registered under Commission Regulation (EC) No 1107/96 ⁽²⁾, as amended by Commission Regulation (EC) No 515/2009 ⁽³⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* as required by Article 50(2)(a) of that Regulation ⁽⁴⁾.
- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Pera dell'Emilia Romagna' (PGI) are hereby approved.

Article 2

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

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

Done at Brussels, 28 September 2017.

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Regulation (EC) No 1107/96 of 12 June 1996 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 (OJ L 148, 21.6.1996, p. 1).

⁽³⁾ Commission Regulation (EC) No 515/2009 of 17 June 2009 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Pera dell'Emilia Romagna (PGI)) (OJ L 155, 18.6.2009, p. 5).

⁽⁴⁾ OJ C 191, 16.6.2017, p. 34.

DECISIONS

COUNCIL DECISION (CFSP) 2017/1838

of 10 October 2017

amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP ⁽¹⁾,

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

Whereas:

- (1) On 27 May 2016, the Council adopted Decision (CFSP) 2016/849.
- (2) On 11 September 2017, the United Nations Security Council ('UNSC') adopted Resolution 2375 (2017) ('UNSCR 2375 (2017)'), in which it expressed the gravest concern for both the nuclear test by the Democratic People's Republic of Korea ('DPRK') on 2 September 2017 and the danger posed to the peace and stability of the region and beyond by the DPRK's ongoing nuclear- and ballistic missile-related activities. The UNSC also determined that a clear threat to international peace and security continues to exist.
- (3) UNSCR 2375 (2017) extends the prohibition on the export and import of certain goods to and from the DPRK and the restrictions on investment in the DPRK.
- (4) UNSCR 2375 (2017) also prohibits issuing work authorisations for DPRK nationals in the jurisdiction of Member States.
- (5) UNSCR 2375 (2017) furthermore provides for enhanced maritime interdiction of cargo vessels.
- (6) Further action by the Union is necessary to implement certain measures in this Decision.
- (7) Decision (CFSP) 2016/849 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2016/849 is amended as follows:

- (1) in Article 1(1), point (b) is replaced by the following:

‘(b) all items, materials, equipment, goods and technology, as determined by the UN Security Council or the Committee established pursuant to paragraph 12 of UNSCR 1718 (2006) (“the Sanctions Committee”) in accordance with paragraph 8(a)(ii) of UNSCR 1718 (2006), paragraph 5(b) of UNSCR 2087 (2013), paragraph 20 of UNSCR 2094 (2013), paragraph 25 of UNSCR 2270 (2016) and paragraph 4 of UNSCR 2375 (2017), which could contribute to the DPRK's nuclear-related, ballistic-missile-related or other weapons of mass destruction-related programmes;’

⁽¹⁾ OJ L 141, 28.5.2016, p. 79.

(2) in Article 1(1), point (i) is replaced by the following:

‘(i) any other item listed in the conventional arms dual-use list adopted by the Sanctions Committee pursuant to paragraph 7 of UNSCR 2321 (2016) and paragraph 5 of UNSCR 2375 (2017).’;

(3) the following Article is inserted:

‘Article 6c

1. The procurement of textiles (including but not limited to fabrics and partially or fully completed apparel products) from the DPRK by nationals of Member States, or using the flag vessels or aircraft of Member States, shall be prohibited, whether or not originating in the territory of the DPRK.

2. Paragraph 1 shall not apply where the Sanctions Committee has granted approval in advance on a case-by-case basis.

3. Member States may allow imports of textiles (including but not limited to fabrics and partially or fully completed apparel products) for which written contracts have been finalised prior to 11 September 2017, up to 10 December 2017, provided that the Sanctions Committee is notified by 24 January 2018 with details about those imports.’;

(4) Article 9 is replaced by the following:

‘Article 9

1. The import, purchase or transfer from the DPRK of petroleum products shall be prohibited.

2. The direct or indirect supply, sale or transfer to the DPRK, by nationals of Member States or through or from the territories of Member States or using the flag vessels or aircraft of Member States, and whether or not originating in their territories, of all refined petroleum products shall be prohibited.

3. Paragraph 2 shall not apply with respect to the direct or indirect supply, sale or transfer to the DPRK, by nationals of Member States or through or from the territories of Member States or using the flag vessels or aircraft of Member States, and whether or not originating in their territories, of refined petroleum products in the amount of up to 500 000 barrels during an initial period of three months beginning on 1 October 2017 and ending on 31 December 2017, and refined petroleum products in the amount of up to 2 000 000 barrels per year during a period of 12 months beginning on 1 January 2018 and annually thereafter, provided that:

(a) the Member State shall notify the Sanctions Committee every 30 days of the amount of such supply, sale, or transfer to the DPRK of refined petroleum products along with information about all the parties to the transaction; and

(b) the supply, sale, or transfer of refined petroleum products involve no individuals or entities that are associated with the DPRK’s nuclear or ballistic missile programmes or other activities prohibited by UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) or 2375 (2017), including designated individuals or entities, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, directly or indirectly, or individuals or entities assisting in the evasion of sanctions; and

(c) the supply, sale, or transfer of refined petroleum products are exclusively for livelihood purposes of DPRK nationals and unrelated to generating revenue for the DPRK’s nuclear or ballistic missile programmes or other activities prohibited by UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) or 2375 (2017).

4. The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.’;

(5) the following Article is inserted:

‘Article 9b

1. The supply, sale, or transfer to the DPRK by a Member State in any period of 12 months after 11 September 2017 of an amount of crude oil that is in excess of the amount the Member State supplied, sold or transferred in the period of 12 months prior to this date shall be prohibited.

2. Paragraph 1 shall not apply where the Sanctions Committee has approved in advance on a case-by-case basis that a shipment of crude oil is exclusively for livelihood purposes of DPRK nationals and unrelated to the DPRK's nuclear or ballistic missile programmes or other activities prohibited by UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) or 2375 (2017).

3. The Union shall take the necessary measures to determine the relevant items to be covered by this Article.;

(6) the following Article is inserted:

'Article 9c

The direct or indirect supply, sale or transfer to the DPRK, by nationals of Member States or through or from the territories of Member States, or using the flag vessels or aircraft of Member States, of all condensates and natural gas liquids shall be prohibited, whether or not originating in the territories of Member States. The Union shall take the necessary measures to determine the relevant items to be covered by this Article.;

(7) in Article 11(2), point (c) is replaced by the following:

'(c) the opening, maintenance, and operation of all joint ventures or cooperative entities, new and existing, by nationals of Member States or in territories of Member States with DPRK entities or individuals, whether or not acting for or on behalf of the government of the DPRK.;

(8) in Article 11, the following paragraphs are added:

'3. Paragraph 2, point c, shall not apply to joint ventures or cooperative entities, in particular those that are non-commercial, public utility infrastructure projects which do not generate profit, that have been approved by the Sanctions Committee in advance on a case-by-case basis.

4. Member States shall close any such existing joint venture or cooperative entity no later than by 9 January 2018 if such joint venture or cooperative entity has not been approved by the Sanctions Committee on a case-by-case basis. Member States shall also close any such existing joint venture or cooperative entity within 120 days after the Sanctions Committee has denied a request for approval.;

(9) in Article 16, paragraph (3) is replaced by the following:

'(3) Member States shall inspect vessels, with the consent of the flag State, on the high seas if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items whose supply, sale, transfer or export is prohibited under this Decision.

If a Member State that is a flag State does not consent to inspection on the high seas, it shall direct the vessel to proceed to an appropriate and convenient port for the required inspection by the local authorities pursuant to paragraph 18 of UNSCR 2270 (2016).

When the flag State neither consents to inspections on the high seas nor directs the vessel to proceed to an appropriate and convenient port for the required inspection, or if the vessel refuses to comply with flag State direction to permit inspection on the high seas or to proceed to such a port, Member States shall promptly submit a report containing relevant details regarding the incident, the vessel and the flag State to the Sanctions Committee.;

(10) Article 16(6) is replaced by the following:

'6. Member States shall take the necessary measures to seize and dispose of, such as through destruction, rendering inoperable or unusable, storage, or transferring to a State other than the originating or destination State for disposal, items the supply, sale, transfer, or export of which is prohibited by UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017) or 2375 (2017) that are identified in inspections, in a manner that is consistent with their obligations under applicable international law.;

(11) in Article 16, the following paragraph is added:

'9. Member States shall prohibit their nationals, persons subject to their jurisdiction, entities incorporated in their territory or subject to their jurisdiction, and vessels flying their flag, from facilitating or engaging in ship-to-ship transfers to or from DPRK-flagged vessels of any goods or items that are being supplied, sold, or transferred to or from the DPRK.;

(12) Article 18a is replaced by the following:

‘Article 18a

1. A Member State that is a flag State of a vessel designated by the Sanctions Committee shall, if the Sanctions Committee has so specified, de-flag the vessel.
2. A Member State that is the flag State of a vessel designated by the Sanctions Committee shall, if the Sanctions Committee has so specified, direct the vessel to a port identified by the Sanctions Committee, in coordination with the port State.
3. A Member State that is the flag State of a vessel designated by the Sanctions Committee shall, if the Sanctions Committee has so specified, immediately deregister the vessel.
4. Member States shall, if the designation by the Sanctions Committee has so specified, prohibit entry into their ports of a vessel, except in case of emergency or in case of return to its port of origination, or unless the Sanctions Committee determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017) or 2371 (2017).
5. Member States shall, if the designation by the Sanctions Committee has so specified, make a vessel subject to an asset freeze.
6. Annex IV shall contain the vessels referred to in paragraphs 1 to 5 of this Article designated by the Sanctions Committee in accordance with paragraph 12 of UNSCR 2321 (2016), paragraph 6 of UNSCR 2371 (2017) and paragraphs 6 and 8 of UNSCR 2375 (2017).’;

(13) Article 26a is replaced by the following:

‘Article 26a

1. Member States shall not provide work authorisations for DPRK nationals in their jurisdictions in connection with admission to their territories.
2. Paragraph 1 shall not apply where the Sanctions Committee approves on a case-by-case basis in advance that employment of DPRK nationals in a Member State’s jurisdiction is required for the delivery of humanitarian assistance, denuclearisation or any other purpose consistent with the objectives of UNSCRs 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) or 2375 (2017).
3. Paragraph 1 shall not apply with respect to work authorisations for which written contracts have been finalised prior to 11 September 2017.’;

(14) Article 32 is replaced by the following:

‘Article 32

No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, wholly or in part, by the measures imposed pursuant to UNSCR 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) or 2375 (2017), including measures of the Union or of any Member State in accordance with, as required by or in any connection with the implementation of the relevant decisions of the UN Security Council or measures covered by this Decision, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, notably a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated persons or entities listed in Annex I, II or III;
- (b) any other person or entity in the DPRK, including the Government of the DPRK, its public bodies, corporations and agencies; or
- (c) any person or entity acting through or on behalf of one of the persons or entities referred to in points (a) or (b).’;

(15) the heading of Annex IV is replaced by the following:

‘List of vessels referred to in Article 18a(6)’;

(16) Annex VI is deleted.

Article 2

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

Done at Luxembourg, 10 October 2017.

For the Council

The President

T. TÕNISTE

COMMISSION IMPLEMENTING DECISION (EU) 2017/1839**of 9 October 2017****amending Implementing Decision 2013/426/EU on measures to prevent the introduction into the Union of the African swine fever virus from certain third countries or parts of the territory of third countries in which the presence of that disease is confirmed and repealing Decision 2011/78/EU***(notified under document C(2017) 6672)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular Article 22(6) thereof,

Whereas:

- (1) African swine fever is a highly contagious and fatal infection of domestic pigs and wild boar, with the potential for rapid spread, notably through products obtained from infected animals and contaminated inanimate objects.
- (2) Due to the African swine fever situation in Russia and in Belarus, the Commission adopted Implementing Decision 2013/426/EU ⁽²⁾ laying down measures which provide amongst others for appropriate cleansing and disinfection of 'livestock vehicles' having transported live animals and which enter the Union from those two countries. The same measures were extended to Ukraine by Commission Implementing Decision (EU) 2015/1752 ⁽³⁾.
- (3) Following recent notifications of African swine fever outbreaks in Moldova, the existing measures of cleansing and disinfection provided for in Implementing Decision 2013/426/EU should also be extended to the vehicles entering the Union from Moldova.
- (4) The list of third countries and parts of territory of third countries where the presence of African swine fever virus is confirmed, as provided for in Annex I of Implementing Decision 2013/426/EU, should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

In Annex I of Implementing Decision 2013/426/EU, the word 'Moldova' is added after the word 'Belarus'.

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.⁽²⁾ Commission Implementing Decision 2013/426/EU of 5 August 2013 on measures to prevent the introduction into the Union of the African swine fever virus from certain third countries or parts of the territory of third countries in which the presence of that disease is confirmed and repealing Decision 2011/78/EU (OJ L 211, 7.8.2013, p. 5).⁽³⁾ Commission Implementing Decision (EU) 2015/1752 of 29 September 2015 amending Implementing Decision 2013/426/EU on measures to prevent the introduction into the Union of the African swine fever virus from certain third countries or parts of the territory of third countries in which the presence of that disease is confirmed and repealing Decision 2011/78/EU (OJ L 256, 1.10.2015, p. 17).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 October 2017.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2017/1840**of 9 October 2017****amending Decision 2008/866/EC, on emergency measures suspending imports from Peru of certain bivalve molluscs intended for human consumption, as regards its period of application***(notified under document C(2017) 6719)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, and in particular Article 53(1)(b)(i) thereof,

Whereas:

- (1) Regulation (EC) No 178/2002 lays down the general principles governing food and feed in general, and food and feed safety in particular, at Union and national level. It provides for emergency measures where it is evident that food or feed imported from a third country is likely to constitute a serious risk to human health, animal health or the environment, and that such risk cannot be contained satisfactorily by means of measures taken by the Member State(s) concerned.
- (2) Commission Decision 2008/866/EC ⁽²⁾ was adopted following an outbreak of Hepatitis A in humans related to the consumption of bivalve molluscs imported from Peru that were contaminated with Hepatitis A virus. That Decision, establishing emergency measures suspending imports from Peru of certain bivalve molluscs intended for human consumption, initially was to be applied until 31 March 2009.
- (3) The Peruvian competent authority was requested to provide satisfactory guarantees to ensure that the shortcomings identified in relation to the monitoring system for virus detection in live bivalve molluscs were corrected. In the meantime, the emergency measures had to be extended until the effectiveness of the corrective actions was demonstrated. To date, the period of application of the Decision has been extended several times, being the last time extended until 30 November 2017 by Commission Implementing Decision (EU) 2015/2022 ⁽³⁾.
- (4) In order to verify if the last guarantees provided by the Peruvian competent authority are effective and sufficient to lift the emergency measures, an audit by the Commission Services was scheduled for May 2017. However, due to the serious climatic events linked to the weather phenomenon of 'el niño', which affected Peru in March and April 2017 and to the impact that these events had on the production of bivalve molluscs in Peru, the audit was postponed to September 2017.
- (5) The period of application of Decision 2008/866/EC should therefore be amended accordingly. The extension of the period of application of Decision 2008/866/EC could be revised depending on the results of the audit by the Commission Services.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

In Article 5 of Decision 2008/866/EC, the date '30 November 2017' is replaced by the date '30 November 2018'.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ Commission Decision 2008/866/EC of 12 November 2008 on emergency measures suspending imports from Peru of certain bivalve molluscs intended for human consumption (OJ L 307, 18.11.2008, p. 9).

⁽³⁾ Commission Implementing Decision (EU) 2015/2022 of 10 November 2015 amending Decision 2008/866/EC, on emergency measures suspending imports from Peru of certain bivalve molluscs intended for human consumption, as regards its period of application (OJ L 295, 12.11.2015, p. 45).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 October 2017.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2017/1841**of 10 October 2017****amending Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States***(notified under document C(2017) 6886)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2017/247 ⁽³⁾, as last amended by Commission Implementing Decision (EU) 2017/1593 ⁽⁴⁾, was adopted following outbreaks of highly pathogenic avian influenza of subtype H5 in a number of Member States ('the concerned Member States'), and the establishment of protection and surveillance zones by the competent authority of the concerned Member States in accordance with Article 16(1) of Council Directive 2005/94/EC ⁽⁵⁾.
- (2) Implementing Decision (EU) 2017/247 provides that the protection and surveillance zones established by the competent authorities of the concerned Member States in accordance with Directive 2005/94/EC are to comprise at least the areas listed as protection and surveillance zones in the Annex to that Implementing Decision.
- (3) Implementing Decision (EU) 2017/247 also lays down that the measures to be applied in the protection and surveillance zones, as provided for in Article 29(1) and Article 31 of Directive 2005/94/EC, are to be maintained until at least the dates for those zones set out in the Annex to that Implementing Decision.
- (4) Depending on the epidemiological situation as regards highly pathogenic avian influenza, a concerned Member State may establish further restricted zones around or adjacent to the protection and surveillance zones in accordance with Article 16(4) of Directive 2005/94/EC.
- (5) In order to strengthen disease control, concerned Member States should establish further restricted zones on their territory where the epidemiological enquiry has identified a serious risk for disease spread taking into account the criteria laid down in Article 16(3) of the Directive 2005/94/EC which include, inter alia, the geographical situation, the location and proximity of holdings and the estimated number of poultry, their movements and trade patterns, and facilities and personnel available to implement the control of these zones.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ Commission Implementing Decision (EU) 2017/247 of 9 February 2017 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States (OJ L 36, 11.2.2017, p. 62).

⁽⁴⁾ Commission Implementing Decision (EU) 2017/1593 of 20 September 2017 amending the Annex to Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member (OJ L 243, 21.9.2017, p. 14).

⁽⁵⁾ Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC (OJ L 10, 14.1.2006, p. 16).

- (6) In addition, Article 32 of that Directive lays down that the competent authority may provide that some or all of the measures to be applied in the protection and surveillance zones are to apply inside the further restricted zones.
- (7) For reasons of clarity, and in order to keep the Member States, third countries and stakeholders up-to-date on the evolution of the epidemiological situation in the Union, those further restricted zones should also be covered by Implementing Decision (EU) 2017/247 and listed in the Annex thereto. That Annex should set out the date for the maintenance of the application of the protection measures in the further restricted zones, taking into account the epidemiological situation in the Union as regards highly pathogenic avian influenza.
- (8) The concerned Member States should prohibit the dispatch of consignments of live poultry, day-old chicks and hatching eggs from the areas listed as further restricted zones in the Annex to Implementing Decision (EU) 2017/247 to other Member States, except where the concerned Member States authorise the dispatch of such consignments subject to specific conditions.
- (9) Implementing Decision (EU) 2017/247 as amended by Commission Implementing Decision (EU) 2017/696 ⁽¹⁾ in order to lay down conditions for the dispatch of consignments of day-old chicks from areas listed as protection and surveillance zones in the Annex thereto taking into account the low risk for the spread of highly pathogenic avian influenza by this commodity. Similar conditions should also apply for the dispatch from the concerned Member State of day-old chicks from further restricted zones as listed in the Annex to Implementing Decision (EU) 2017/247 to other Member States.
- (10) In addition, the concerned Member States should be permitted to authorise the dispatch of hatching eggs from further restricted zones as they are unlikely to transmit highly pathogenic avian influenza to other poultry in particular as their surface must be disinfected before dispatch to other Member States and the hatchery of origin and of destination must comply with the required hygiene rules laid down in Annex II to Council Directive 2009/158/EC ⁽²⁾.
- (11) Implementing Decision (EU) 2017/247 should therefore be amended in order to lay down the conditions whereby the concerned Member States of dispatch may authorise the dispatch of day-old chicks and hatching eggs from further restricted zones to other Member States.
- (12) The Annex to Implementing Decision (EU) 2017/247 should be amended in order to include a new Part C listing the further restricted zones established by the concerned Member State, in accordance with Directive 2005/94/EC and the duration of the restrictions applicable in the further restrictive zones.
- (13) Implementing Decision (EU) 2017/247 was amended by Commission Implementing Decision (EU) 2017/977 ⁽³⁾, in order to extend its date of application until 31 December 2017.
- (14) Due to the increasing risk for the seasonal occurrence of that disease within the Union, the measures to be applied in areas listed in the Annex to that Implementing Decision could continue after that date in the case of further outbreaks in the Union. It is therefore appropriate to prolong the period of application of Implementing Decision (EU) 2017/247 until 31 May 2018.
- (15) Implementing Decision (EU) 2017/247 should therefore be amended accordingly.
- (16) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ Commission Implementing Decision (EU) 2017/696 of 11 April 2017 amending Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States (OJ L 101, 13.4.2017, p. 80).

⁽²⁾ Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (OJ L 343, 22.12.2009, p. 74).

⁽³⁾ Commission Implementing Decision (EU) 2017/977 of 8 June 2017 amending Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States (OJ L 146, 9.6.2017, p. 155).

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2017/247 is amended as follows:

- (1) the following paragraphs replace the second paragraph of Article 1:

‘This Decision also establishes at Union level the further restricted zones to be established in the concerned Member States, as referred to in Article 16(4) of Directive 2005/94/EC, following an outbreak or outbreaks of highly pathogenic avian influenza, and the duration of the measures to be applied in those further restricted zones.

This Decision lays down rules concerning the dispatch of consignments of live poultry, day-old chicks and hatching eggs from the concerned Member States.’;

- (2) in Article 3a, paragraph 3 is deleted;
- (3) the following Articles 3b, 3c and 3d are inserted after Article 3a:

Article 3b

The concerned Member States shall ensure that:

- (a) the further restricted zones established by their competent authorities, as referred to in Article 16(4) of Directive 2005/94/EC, comprise at least the areas listed as further restricted zones in Part C of the Annex to this Decision;
- (b) the measures to be applied in the further restricted zones, as referred to in Article 32 of Directive 2005/94/EC, are maintained until at least the dates for the further restricted zones set out in Part C of the Annex to this Decision.

Article 3c

1. The concerned Member States shall prohibit the dispatch of consignments of live poultry, day-old chicks and hatching eggs from the areas listed as further restricted zones in Part C of the Annex to other Member States, except where the competent authority of the concerned Member State of dispatch authorises, subject to the following conditions, the direct transport of consignments of the following commodities:

- (a) day-old chicks that comply with the conditions laid down in of Article 3a(1)(a) and (b);
- (b) hatching eggs that comply with the following conditions:
- (i) they originate from poultry kept on approved establishments located outside the areas listed as protection and surveillance zones in Parts A and B of the Annex;
 - (ii) where a clinical visit of the poultry in all the production units of the approved establishments during the 72 hours preceding the dispatch of the consignment has given a favourable result;
 - (iii) the hatching eggs, as well as their packaging, have been disinfected before dispatch in accordance with the instructions of the official veterinarian.

2. The transport of the consignments of day-old chicks and hatching eggs referred to in paragraph (1) shall be carried out without undue delay in vehicles, containers, boxes, as appropriate, that have been cleaned and disinfected according to the instructions of the official veterinarian.

Article 3d

The concerned Member State shall ensure that the veterinary certificates provided for Article 20 of Directive 2009/158/EC, and set out in Annex IV thereto, accompanying the consignments of day-old chicks and hatching eggs referred to in Articles 3a and 3c of this Decision to be dispatched to other Member States include the following sentence:

“The consignment complies with the animal health conditions laid down in Commission Implementing Decision (EU) 2017/247.”

- (4) in Article 5, the date ‘31 December 2017’ is replaced by the date ‘31 May 2018’;
- (5) the Annex to Implementing Decision (EU) 2017/247 is amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 October 2017.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

The following Part C is added after Part B to the Annex to Implementing Decision (EU) 2017/247:

PART C

Member State:

Further restricted zones in the concerned Member States as referred to in Article 3b:

Member State: area comprising:	Date until measures are to remain applicable in accordance with Article 3b
	xx.xx.201x'

CORRIGENDA**Corrigendum to Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission**

(Official Journal of the European Union L 6 of 11 January 2017)

On page 44, in Article 3, the final sentence:

for: 'The processes related to these principles and activities shall be further detailed in implementing rules.'

read: '8. The processes related to the principles and activities set out in paragraphs 1 to 7 shall be detailed further in implementing rules in accordance with Article 13.'

On page 45, in Article 5, the final sentence:

for: 'The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '8. The processes related to the responsibilities and activities set out in paragraphs 1 to 7 shall be detailed further in implementing rules in accordance with Article 13.'

On page 45, in Article 6, point (7):

for: '(7) develop the related IT security standards and guidelines in relation to Article 6, in close cooperation with the Directorate-General for Informatics.'

read: '(7) develop the related IT security standards and guidelines set out in points (1) to (6), in close cooperation with the Directorate-General for Informatics.'

On page 45, in Article 6, the final sentence:

for: 'The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '(8) The processes related to the responsibilities and activities set out in points (1) to (7) shall be detailed further in implementing rules in accordance with Article 13.'

On page 46, in Article 7, the final sentence:

for: 'The related processes and more detailed responsibilities shall be further defined in implementing rules'

read: '(15) The processes related to the responsibilities and activities set out in points (1) to (14) shall be detailed further in implementing rules in accordance with Article 13.'

On page 46, in Article 8, the final sentence:

for: 'The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '(11) The processes related to the responsibilities and activities set out in points (1) to (10) shall be detailed further in implementing rules in accordance with Article 13.'

On page 47, in Article 9(3), the second subparagraph:

for: 'The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '4. The processes related to the responsibilities and activities set out in paragraphs 1 to 3 shall be detailed further in implementing rules in accordance with Article 13.'

On page 48, in Article 10(3), the second subparagraph:

for: 'The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '4. The processes related to the responsibilities and activities set out in paragraphs 1 to 3 shall be detailed further in implementing rules in accordance with Article 13.'

On page 48, in Article 11:

for: 'In relation to IT security, the LISO shall:

- (a) proactively identify and inform system owners, data owners and other roles with IT security responsibilities in Commission department(s) about the IT security policy;
- (b) liaise on IT-security-related issues in Commission department(s) with the Directorate-General for Informatics as part of the LISO network;
- (c) attend the regular LISO meetings;
- (d) maintain an overview of the information security risk management process and of the development and implementation of information system security plans;
- (e) advise data owners, system owners and heads of Commission departments on IT-security-related issues;
- (f) cooperate with the Directorate-General for Informatics in disseminating good IT security practices and propose specific awareness-raising and training programmes;
- (g) report on IT security, identify shortfalls and improvements to the Head of the Commission department(s).

The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '1. In relation to IT security, the LISO shall:

- (a) proactively identify and inform system owners, data owners and other roles with IT security responsibilities in Commission department(s) about the IT security policy;
- (b) liaise on IT-security-related issues in Commission department(s) with the Directorate-General for Informatics as part of the LISO network;
- (c) attend the regular LISO meetings;
- (d) maintain an overview of the information security risk management process and of the development and implementation of information system security plans;
- (e) advise data owners, system owners and heads of Commission departments on IT-security-related issues;
- (f) cooperate with the Directorate-General for Informatics in disseminating good IT security practices and propose specific awareness-raising and training programmes;
- (g) report on IT security, identify shortfalls and improvements to the Head of the Commission department(s).

2. The processes related to the responsibilities and activities set out in paragraph 1 shall be detailed further in implementing rules in accordance with Article 13.'

On page 48, in Article 12(2), the second subparagraph:

for: 'The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '3. The processes related to the responsibilities and activities set out in paragraphs 1 and 2 shall be detailed further in implementing rules in accordance with Article 13.'

On page 49, in Article 13(1):

for: 'The adoption of the implementing rules on Article 6, and of the related standards and guidelines, will be subject to an empowerment decision by the Commission in favour of the Member of the Commission responsible for security matters'

read: 'The adoption of the implementing rules referred to in point (2) of Article 6 and of related standards and guidelines may be subject to an empowerment decision by the Commission in favour of the Member of the Commission responsible for security matters.'

On page 49, in Article 13(2):

for: 'The adoption of all other implementing rules in relation to this decision, and of the related IT security standards and guidelines, will be subject to an empowerment decision by the Commission in favour of the Member of the Commission responsible for informatics.'

read: 'The adoption of all other implementing rules in relation to this decision, and of the related IT security standards and guidelines, may be subject to an empowerment decision by the Commission in favour of the Member of the Commission responsible for informatics.'

On page 49, in Article 14(5), the second subparagraph:

for: 'The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '6. The processes related to the responsibilities and activities set out in paragraphs 1 to 5 shall be detailed further in implementing rules in accordance with Article 13.'

On page 50, in Article 15(14), the second subparagraph:

for: 'The processes related to these responsibilities and activities shall be further detailed in implementing rules.'

read: '15. The processes related to the responsibilities and activities set out in paragraphs 1 to 14 shall be detailed further in implementing rules in accordance with Article 13.'

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