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EN

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

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

- ★ **Corrigendum to Commission Implementing Regulation (EU) 2017/842 of 17 May 2017 renewing the approval of the low-risk active substance *Coniothyrium minitans* strain CON/M/91-08 in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 125, 18.5.2017)** 15

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2018/3

of 4 January 2018

fixing the trigger volumes for the years 2018 and 2019 for the purposes of possible application of additional import duties on certain fruit and vegetables

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular point (b) of the first paragraph of Article 183 thereof,

Whereas:

- (1) Article 39 of Commission Implementing Regulation (EU) 2017/892 ⁽²⁾ provides that an additional import duty as referred to in Article 182(1) of Regulation (EU) No 1308/2013 may be applied to the products and during the periods listed in Annex VII to that Implementing Regulation. That additional import duty has to apply if the quantity of any of the products put into free circulation for any of the periods of application set out in that Annex exceeds the trigger volume of imports in a year for that product. Additional import duties shall not be imposed where the imports are unlikely to disturb the Union market, or where the effects would be disproportionate to the intended objective.
- (2) In accordance with the second subparagraph of Article 182(1) of Regulation (EU) No 1308/2013 the trigger volumes of imports for the possible application of additional import duties on certain fruit and vegetables are based on import data and domestic consumption data for the previous three years. On the basis of the data notified by the Member States for the years 2014, 2015 and 2016, the trigger volumes for certain fruit and vegetables should be fixed for the years 2018 and 2019.
- (3) Taking into account that the period of application of possible additional import duties as set out in Annex VII to Implementing Regulation (EU) 2017/892 starts for a number of products on 1 January, this Regulation should apply from 1 January 2018 and therefore it should enter into force as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

For the years 2018 and 2019, the trigger volumes referred to in point (b) of the first subparagraph of Article 182(1) of Regulation (EU) No 1308/2013 for the products listed in Annex VII to Implementing Regulation (EU) 2017/892 are set out in the Annex to this Regulation.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) 2017/892 of 13 March 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors (OJ L 138, 25.5.2017, p. 57).

Article 2

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

It shall apply from 1 January 2018.

It shall expire on 30 June 2019.

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

Done at Brussels, 4 January 2018.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

Trigger volumes for the products and periods set out in Annex VII to Implementing Regulation (EU) 2017/892, for the possible application of additional import duties

Without prejudice to the rules on the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. For the purposes of this Annex, the scope of the additional import duties is determined by the scope of the CN codes as they stand at the time of adoption of this Regulation.

Order number	CN code	Description of products	Period of application		Trigger volume (tonnes)
			2018	2019	
78.0015	0702 00 00	Tomatoes	From 1 June to 30 September		39 326
78.0020			From 1 October	to 31 May	483 376
78.0065	0707 00 05	Cucumbers	From 1 May to 31 October		26 505
78.0075			From 1 November	to 30 April	20 482
78.0085	0709 91 00	Artichokes	From 1 November	to 30 June	6 587
78.0100	0709 93 10	Courgettes	From 1 January to 31 December		55 037
78.0110	0805 10 22 0805 10 24 0805 10 28	Oranges	From 1 December	to 31 May	302 643
78.0120	0805 22 00	Clementines	From 1 November	to end of February	90 771
78.0130	0805 21 0805 29 00	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	From 1 November	to end of February	86 317
78.0155	0805 50 10	Lemons	From 1 January to 31 May		32 823
78.0160			From 1 June to 31 December		306 804
78.0170	0806 10 10	Table grapes	From 16 July to 16 November		78 324
78.0175	0808 10 80	Apples	From 1 January to 31 August		432 630
78.0180			From 1 September to 31 December		39 724
78.0220	0808 30 90	Pears	From 1 January to 30 April		155 417
78.0235			From 1 July to 31 December		19 187

Order number	CN code	Description of products	Period of application		Trigger volume (tonnes)
			2018	2019	
78.0250	0809 10 00	Apricots	From 1 June to 31 July		4 630
78.0265	0809 29 00	Cherries other than sour	From 16 May to 15 August		33 718
78.0270	0809 30	Peaches, including nectarines	From 16 June to 30 September		3 150
78.0280	0809 40 05	Plums	From 16 June to 30 September		17 254

DECISIONS

COUNCIL DECISION (EU) 2018/4

of 18 December 2017

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning amending the rules of procedure of the EEA Joint Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 thereof,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) The Agreement on the participation of the Republic of Bulgaria and Romania in the European Economic Area ⁽³⁾, signed on 25 July 2007, amended Article 129(1) of the EEA Agreement to add Bulgarian and Romanian to the list of languages of the EEA Agreement.
- (3) The Agreement on the participation of the Republic of Croatia in the European Economic Area ⁽⁴⁾ ('the 2014 EEA Enlargement Agreement'), signed on 11 April 2014, amended Article 129(1) of the EEA Agreement to add Croatian to the list of languages of the EEA Agreement.
- (4) The rules of procedure of the EEA Joint Committee, which were adopted by Decision of the EEA Joint Committee No 1/94 of 8 February 1994 ⁽⁵⁾ and amended by Decision of the EEA Joint Committee No 24/2005 of 8 February 2005 ⁽⁶⁾, should therefore be amended accordingly.
- (5) The 2014 EEA Enlargement Agreement has been provisionally applicable to its signatories since 12 April 2014, and the corresponding Decision of the EEA Joint Committee should therefore apply provisionally pending the entry into force of the 2014 EEA Enlargement Agreement.
- (6) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft decisions,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendments to the rules of procedure of the EEA Joint Committee, shall be based on the draft decisions of the EEA Joint Committee attached to this Decision.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ OJ L 221, 25.8.2007, p. 15.

⁽⁴⁾ OJ L 170, 11.6.2014, p. 18.

⁽⁵⁾ OJ L 85, 30.3.1994, p. 60.

⁽⁶⁾ OJ L 161, 23.6.2005, p. 54.

Article 2

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

Done at Brussels, 18 December 2017.

For the Council
The President
K. SIMSON

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No/2017
of ...
amending the rules of procedure of the EEA Joint Committee

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 92(3) thereof,

Whereas:

- (1) The Agreement on the participation of the Republic of Bulgaria and Romania in the European Economic Area ⁽¹⁾, signed on 25 July 2007, amended Article 129(1) of the EEA Agreement to add Bulgarian and Romanian to the list of languages of the EEA Agreement.
- (2) The Agreement on the participation of the Republic of Bulgaria and Romania in the European Economic Area entered into force on 9 November 2011.
- (3) In the rules of procedure of the EEA Joint Committee, which were adopted by Decision of the EEA Joint Committee No 1/94 of 8 February 1994 ⁽²⁾ and amended by Decision of the EEA Joint Committee No 24/2005 of 8 February 2005 ⁽³⁾, Bulgarian and Romanian should be added to the list of languages. Consequently, the list of languages to the rules of procedure of the EEA Joint Committee should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision of the EEA Joint Committee No 1/94 is amended as follows:

- (1) The text of Article 6(2) is replaced by the following:

'The texts of the EC acts to be integrated into Annexes to the Agreement in accordance with Article 102(1) are equally authentic in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages as published in the *Official Journal of the European Union*. They shall be drawn up in the Icelandic and Norwegian languages and shall be authenticated by the EEA Joint Committee together with the relevant decisions referred to in paragraph 1.;

- (2) The text of Article 11(1) is replaced by the following:

'Decisions of the EEA Joint Committee amending Annexes or Protocols to the Agreement shall be published in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages in the EEA Section of the *Official Journal of the European Union* and in the Icelandic and Norwegian languages in the EEA Supplement thereto.'

Article 2

This Decision shall take effect on the date of its adoption.

⁽¹⁾ OJ L 221, 25.8.2007, p. 15.

⁽²⁾ OJ L 85, 30.3.1994, p. 60.

⁽³⁾ OJ L 161, 23.6.2005, p. 54.

Article 3

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

Done at Brussels,

For the EEA Joint Committee
The President
The Secretaries to the EEA Joint Committee

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2017
of ...
amending the rules of procedure of the EEA Joint Committee

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 92(3) thereof,

Whereas:

- (1) The Agreement on the participation of the Republic of Croatia in the European Economic Area ⁽¹⁾ ('the 2014 EEA Enlargement Agreement') signed on 11 April 2014, shall amend Article 129(1) of the EEA Agreement to add Croatian to the list of languages of the EEA Agreement.
- (2) In the rules of procedure of the EEA Joint Committee, which were adopted by Decision of the EEA Joint Committee No 1/94 of 8 February 1994 ⁽²⁾, amended by Decision of the EEA Joint Committee No 24/2005 of 8 February 2005 ⁽³⁾, and further amended by Decision of the EEA Joint Committee No [...] of [...] ⁽⁴⁾, Croatian should be added to the list of languages. Consequently, the list of languages to the rules of procedure of the EEA Joint Committee should therefore be amended accordingly.
- (3) The 2014 EEA Enlargement Agreement has been provisionally applicable to its signatories since 12 April 2014, and this Decision shall therefore apply provisionally pending the entry into force of the 2014 EEA Enlargement Agreement,

HAS ADOPTED THIS DECISION:

Article 1

Decision of the EEA Joint Committee No 1/94 is amended as follows:

- (1) The text of Article 6(2) is replaced by the following:

'The texts of the EC acts to be integrated into Annexes to the Agreement in accordance with Article 102(1) are equally authentic in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages as published in the *Official Journal of the European Union*. They shall be drawn up in the Icelandic and Norwegian languages and shall be authenticated by the EEA Joint Committee together with the relevant decisions referred to in paragraph 1.'

- (2) The text of Article 11(1) is replaced by the following:

'Decisions of the EEA Joint Committee amending Annexes or Protocols to the Agreement shall be published in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages in the EEA Section of the *Official Journal of the European Union* and in the Icelandic and Norwegian languages in the EEA Supplement thereto.'

Article 2

This Decision shall enter into force on [...], or on the day of the entry into force of the 2014 EEA Enlargement Agreement, whichever is the later.

It shall apply provisionally from 12 April 2014.

⁽¹⁾ OJ L 170, 11.6.2014, p. 18.

⁽²⁾ OJ L 85, 30.3.1994, p. 60.

⁽³⁾ OJ L 161, 23.6.2005, p. 54.

⁽⁴⁾ OJ L ...

Article 4

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

Done at Brussels,

For the EEA Joint Committee
The President
The Secretaries to the EEA Joint Committee

COMMISSION IMPLEMENTING DECISION (EU) 2018/5**of 3 January 2018****amending Implementing Decision 2012/270/EU as regards the symptoms of *Epitrix cucumeris* (Harris), *Epitrix papa* sp. n., *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner) and the establishment of relevant demarcated areas***(notified under document C(2017) 8788)*

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular the fourth sentence of Article 16(3) thereof,

Whereas:

- (1) Since the last amendment of Commission Implementing Decision 2012/270/EU ⁽²⁾ by Implementing Decision (EU) 2016/1359 ⁽³⁾, experience has shown that the superficial galleries and the associated small holes dug by the larvae under the epidermis of the potato tubers are reliable signs of infestation by the specified organisms. Therefore, the provisions laid down in Implementing Decision 2012/270/EU, as regards inspection, survey, notification and demarcation measures should not only apply for the presence of the specified organisms on potato tubers but also where these signs have been observed without the specified organisms.
- (2) Implementing Decision 2012/270/EU should therefore be amended accordingly.
- (3) 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***Amendments to Implementing Decision 2012/270/EU**

Implementing Decision 2012/270/EU is amended as follows:

- (1) point (a) of the third subparagraph of Article 3(1) is replaced by the following:

‘(a) intensive monitoring for the presence of the specified organisms and of the signs of infestation by those organisms on potato tubers, through appropriate inspections on potato plants and, where appropriate, other host plants, including fields where those plants are growing, within at least a radius of 100 m of the packing facility;’;

- (2) Article 4 is replaced by the following:

*‘Article 4***Surveys and notifications as regards the specified organisms**

1. Member States shall conduct annual official surveys for the presence of the specified organisms and the signs of infestation by those organisms on potato tubers and, where appropriate, other host plants, including fields where potato tubers are growing, in their territory.

Member States shall notify the results of those surveys to the Commission and the other Member States by 30 April of each year.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ Commission Implementing Decision 2012/270/EU of 16 May 2012 as regards emergency measures to prevent the introduction into and the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix similis* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner) (OJ L 132, 23.5.2012, p. 18).

⁽³⁾ Commission Implementing Decision (EU) 2016/1359 of 8 August 2016 amending Implementing Decision 2012/270/EU as regards emergency measures to prevent the introduction into and the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix similis* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner) (OJ L 215, 10.8.2016, p. 29).

2. Any presence or suspected occurrence of a specified organism, or of the signs of infestation by that organism on potato tubers, shall immediately be notified to the responsible official bodies.’;

(3) Article 5(1) is replaced by the following:

‘1. Where based on the results of the surveys referred to in Article 4(1) or other evidence, a Member State confirms the presence of a specified organism or of the signs of infestation by that organism on potato tubers in a part of its territory, that Member State shall without delay establish a demarcated area consisting of an infested zone and a buffer zone, as set out in Section 1 of Annex II.

It shall take measures, as laid down in Section 2 of Annex II.’;

(4) Annexes I and II are amended in accordance with the Annex to this Decision.

Article 2

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 3 January 2018.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

Annexes I and II to Implementing Decision 2012/270/EU are amended as follows:

(1) in Annex I, Section 1, point (3)(a) is replaced by the following:

‘(a) it shall include the information that the potato tubers have been found free from the specified organisms concerned and from the signs of infestation by those organisms on potato tubers, and do not contain more than 0,1 % of soil in an official examination carried out immediately prior to export;’;

(2) Annex II is amended as follows:

(a) Section 1 is amended as follows:

(i) point (1)(a) is replaced by the following:

‘(a) an infested zone which includes at least the fields where the presence of the specified organism or of the signs of infestation by that organism on potato tubers has been confirmed, as well as fields where infested potato tubers have been grown; and’;

(ii) points (3), (4) and (5) are replaced by the following:

‘(3) When establishing the infested zone and the buffer zone, Member States shall take into account the following elements: the biology of the specified organisms, the level of infestation, the distribution of host plants, the evidence of establishment of the specified organisms and the capacity of the specified organisms to spread naturally.

(4) If the presence of a specified organism or of the signs of infestation by that organism on potato tubers is confirmed outside the infested zone, the delimitation of the infested zone and buffer zone shall be reviewed and changed accordingly.

(5) Where as regards a demarcated area, based on the surveys referred to in Article 4(1), neither the specified organism concerned nor the signs of infestation by that organism on potato tubers have been detected for a period of two years, the Member State concerned shall confirm that that organism is no longer present in that area and that the area ceases to be demarcated. It shall notify the Commission and the other Member States.’;

(b) in Section 2, point (2) is replaced by the following:

‘(2) intensive monitoring for the presence of the specified organisms or of the signs of infestation by those organisms on potato tubers through appropriate inspections’;

CORRIGENDA

Corrigendum to 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

(Official Journal of the European Union L 125 of 18 May 2017)

On the cover, in the table of contents, and on page 12, in the title:

for: ‘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’,

read: ‘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, isoxaflutole, laminarin, metalaxyl-m, methoxyfenozide, milbemectin, oxasulfuron, pendimethalin, phenmedipham, pymetrozine, s-metolachlor, and trifloxystrobin’;

on page 12, in recital 4:

for: ‘The approval periods of the active substances alpha-cypermethrin, *Ampelomyces quisqualis* strain: aq 10, benalaxyl, bifenazate, bromoxynil, chlorpropham, desmedipham, etoxazole, *Gliocladium catenulatum* strain: j1446, imazosulfuron, laminarin, methoxyfenozide, milbemectin, phenmedipham, and s-metolachlor were extended by Commission Implementing Regulation (EU) No 1197/2012 (?). The approval of those substances will expire on 31 July 2017.’,

read: ‘The approval periods of the active substances alpha-cypermethrin, *Ampelomyces quisqualis* strain: aq 10, benalaxyl, bifenazate, bromoxynil, chlorpropham, desmedipham, etoxazole, *Gliocladium catenulatum* strain: j1446, laminarin, methoxyfenozide, milbemectin, phenmedipham, and s-metolachlor were extended by Commission Implementing Regulation (EU) No 1197/2012 (?). The approval of those substances will expire on 31 July 2017.’.

Corrigendum to Commission Implementing Regulation (EU) 2017/842 of 17 May 2017 renewing the approval of the low-risk active substance *Coniothyrium minitans* strain CON/M/91-08 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

(Official Journal of the European Union L 125 of 18 May 2017)

On page 19, in Annex I, in the third column of the table:

for: 'Minimum content of viable spores: 1×10^{12} CFU/kg';

read: 'Minimum content of viable spores: $1,17 \times 10^{12}$ CFU/kg';

on page 20, in Annex II, in the amendments to Part D of the Annex to Implementing Regulation (EU) No 540/2011, in the fourth column of the table:

for: 'Minimum content of viable spores: 1×10^{12} CFU/kg';

read: 'Minimum content of viable spores: $1,17 \times 10^{12}$ CFU/kg'.

