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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2018/1692 of 5 November 2018 approving an amendment to the specification for a Protected Designation of Origin or a Protected Geographical Indication ('Tacoronte-Acentejo' (PDO))** 1
- ★ **Commission Implementing Regulation (EU) 2018/1693 of 5 November 2018 conferring protection under Article 99 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the name 'Vijlen' (PDO)** 3
- ★ **Commission Implementing Regulation (EU) 2018/1694 of 7 November 2018 conferring protection under Article 99 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the name 'Oolde' (PDO)** 4

DIRECTIVES

- ★ **Council Directive (EU) 2018/1695 of 6 November 2018 amending Directive 2006/112/EC on the common system of value added tax as regards the period of application of the optional reverse charge mechanism in relation to supplies of certain goods and services susceptible to fraud and of the Quick Reaction Mechanism against VAT fraud** 5

DECISIONS

- ★ **Council Implementing Decision (EU) 2018/1696 of 13 July 2018 on the operating rules of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')** 8

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.

- ★ **Council Decision (EU) 2018/1697 of 6 November 2018 on the position to be taken on behalf of the European Union within the European Committee for drawing up standards in the field of inland navigation and within the Central Commission for the Navigation of the Rhine on the adoption of standards concerning technical requirements for inland waterway vessels** 13
- ★ **Commission Implementing Decision (EU) 2018/1698 of 9 November 2018 concerning certain protective measures relating to African swine fever in Bulgaria** *(notified under document C(2018) 7543)*⁽¹⁾ 15

⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1692

of 5 November 2018

approving an amendment to the specification for a Protected Designation of Origin or a Protected Geographical Indication ('Tacoronte-Acentejo' (PDO))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 99 thereof,

Whereas:

- (1) The Commission has examined the application for the approval of an amendment to the specification for the Protected Designation of Origin 'Tacoronte-Acentejo', sent by Spain in accordance with Article 105 of Regulation (EU) No 1308/2013.
- (2) The Commission has published the application for the approval of an amendment to the specification in the *Official Journal of the European Union*, as required by Article 97(3) of Regulation (EU) No 1308/2013 ⁽²⁾.
- (3) No statement of objection has been received by the Commission under Article 98 of Regulation (EU) No 1308/2013.
- (4) The amendment to the specification should therefore be approved in accordance with Article 99 of Regulation (EU) No 1308/2013.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The amendment to the specification published in the *Official Journal of the European Union* regarding the name 'Tacoronte-Acentejo' (PDO) is 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*.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ C 272, 3.8.2018, p. 3.

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

Done at Brussels, 5 November 2018.

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

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1693**of 5 November 2018****conferring protection under Article 99 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the name ‘Vijlen’ (PDO)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 99 thereof,

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

The name ‘Vijlen’ (PDO) is hereby protected.

*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 5 November 2018.

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ C 203, 13.6.2018, p. 2.

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1694**of 7 November 2018****conferring protection under Article 99 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the name ‘Oolde’ (PDO)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 99 thereof,

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

The name ‘Oolde’ (PDO) is hereby protected.

*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 7 November 2018.

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ C 199, 11.6.2018, p. 3.

DIRECTIVES

COUNCIL DIRECTIVE (EU) 2018/1695

of 6 November 2018

amending Directive 2006/112/EC on the common system of value added tax as regards the period of application of the optional reverse charge mechanism in relation to supplies of certain goods and services susceptible to fraud and of the Quick Reaction Mechanism against VAT fraud

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 113 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

Acting in accordance with a special legislative procedure,

Whereas:

- (1) Tax fraud in the field of value added tax (VAT) leads to considerable budget losses and has an impact on the operation of the internal market.
- (2) Article 199a of Council Directive 2006/112/EC ⁽³⁾ allows Member States to provide that the person liable for payment of VAT on supplies listed in that Article is the taxable person to whom the supply is made (the 'reverse charge mechanism') in order to promptly tackle the problem of the missing trader fraud in intra-Community trade (MTIC). Member States may apply this mechanism until 31 December 2018 and for a minimum period of two years.
- (3) The Quick Reaction Mechanism (QRM) special measure set out in Article 199b of Directive 2006/112/EC offers Member States a faster procedure that allows the introduction of the reverse charge mechanism as regards specific supplies of goods and services in order to combat sudden and massive fraud liable to lead to considerable and irreparable financial losses. In accordance with Article 3 of Council Directive 2013/42/EU ⁽⁴⁾, Member States may apply the QRM special measure until 31 December 2018.
- (4) On 8 March 2018, the Commission presented a report to the Council and the European Parliament on the effects of Articles 199a and 199b of Directive 2006/112/EC on combatting fraud (the 'report').
- (5) According to the report, Member States and stakeholders generally consider the reverse charge mechanism set out in Article 199a of Directive 2006/112/EC as an effective and efficient temporary tool in fighting VAT fraud in the given sectors or in preventing the fraud from taking place. The requirement of a minimum period of two years for the application of the measure laid down in Article 199a(1) of Directive 2006/112/EC proved to be an impediment to certain Member States wishing to introduce the reverse charge mechanism and not fulfilling this condition. Consequently, the requirement of a minimum period of two years should be removed from that provision.
- (6) Although the QRM special measure set out in Article 199b of Directive 2006/112/EC has never been used effectively, Member States consider that it should remain a useful tool and a precautionary measure against exceptional cases of VAT fraud.

⁽¹⁾ Opinion of 3 October 2018 (not yet published in the Official Journal).

⁽²⁾ Opinion of 11 July 2018 (not yet published in the Official Journal).

⁽³⁾ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1.).

⁽⁴⁾ Council Directive 2013/42/EU of 22 July 2013 amending Directive 2006/112/EC on the common system of value added tax, as regards a quick Reaction Mechanism against VAT fraud (OJ L 201, 26.7.2013, p. 1).

- (7) Given the findings and the conclusion of the report, it appears that the measures set out in Articles 199a and 199b of Directive 2006/112/EC have proven to be useful temporary and targeted measures to fight VAT fraud. Those measures are to expire on 31 December 2018 and this would deprive Member States of an efficient tool to fight VAT fraud. It is therefore appropriate to prolong the application of those measures for a limited period of time, until the envisaged entry into force of the definitive VAT regime.
- (8) Directive 2006/112/EC should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 2006/112/EC is amended as follows:

- (1) in Article 199a(1), the introductory words are replaced by the following:

‘Until 30 June 2022, Member States may provide that the person liable for the payment of VAT is the taxable person to whom any of the following supplies are made:’;

- (2) Article 199b is replaced by the following:

‘Article 199b

1. A Member State may, in cases of imperative urgency and in accordance with paragraphs 2 and 3, designate the recipient as the person liable to pay VAT on specific supplies of goods and services by derogation from Article 193 as a Quick Reaction Mechanism (QRM) special measure to combat sudden and massive fraud liable to lead to considerable and irreparable financial losses.

The QRM special measure shall be subject to appropriate control measures by the Member State with respect to taxable persons who supply the goods or services to which that measure applies, and shall be for a period not exceeding nine months.

2. A Member State wishing to introduce a QRM special measure as provided for in paragraph 1 shall send a notification to the Commission using the standardised form established in accordance with paragraph 4 and at the same time send it to the other Member States. The Member State shall provide the Commission with the information indicating the sector concerned, the type and the features of the fraud, the existence of imperative grounds of urgency, the sudden and massive character of the fraud and its consequences in terms of considerable and irreparable financial losses. If the Commission considers that it does not have all the necessary information, it shall contact the Member State concerned within two weeks of receipt of the notification and specify what additional information is required. Any additional information provided by the Member State concerned to the Commission shall at the same time be sent to the other Member States. If the additional information provided is not sufficient, the Commission shall inform the Member State concerned thereof within one week.

The Member State wishing to introduce a QRM special measure as provided for in paragraph 1 of this Article shall at the same time also make an application to the Commission in accordance with the procedure laid down in Article 395(2) and (3).

In cases of imperative urgency as set out in paragraph 1 of this Article, the procedure laid down in Article 395(2) and (3) shall be completed within six months of receipt of the application by the Commission.

3. Once the Commission has all the information it considers necessary for appraisal of the notification referred to in the first subparagraph of paragraph 2, it shall notify the Member States thereof. Where it objects to the QRM special measure, it shall produce a negative opinion within one month of that notification, and shall inform the Member State concerned and the VAT Committee thereof. Where the Commission does not object, it shall confirm this in writing to the Member State concerned and to the VAT Committee within the same time period. The Member State may adopt the QRM special measure from the date of receipt of that confirmation. In appraising the notification, the Commission shall take into account the views of any other Member State sent to it in writing.

4. The Commission shall adopt an implementing act establishing a standardised form for the submission of the notification for the QRM special measure referred to in paragraph 2 and of the information referred to in the first subparagraph of paragraph 2. That implementing act shall be adopted in accordance with the examination procedure referred to in paragraph 5.

5. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council (*) shall apply and for this purpose the committee shall be the committee established by Article 58 of Council Regulation (EU) No 904/2010 (**).

6. The QRM special measure as provided for in paragraph 1 shall apply until 30 June 2022.

(*) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

(**) Council Regulation (EU) No 904/2010 of 7 October 2010 on administrative cooperation and combating fraud in the field of value added tax (OJ L 268, 12.10.2010, p. 1).;

(3) in Article 395, paragraph 5 is deleted.

Article 2

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

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 6 November 2018.

For the Council

The President

H. LÖGER

DECISIONS

COUNCIL IMPLEMENTING DECISION (EU) 2018/1696

of 13 July 2018

on the operating rules of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') ⁽¹⁾, and in particular Article 14(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) 2017/1939 provides that the European Parliament and the Council are to appoint the European Chief Prosecutor, by common accord, from a shortlist of qualified candidates drawn up by a selection panel. The selection panel is to be comprised of 12 persons that are to be chosen from former members of the Court of Justice and the Court of Auditors, former national members of Eurojust, members of national supreme courts, high level prosecutors and lawyers of recognised competence. One of the persons chosen is to be proposed by the European Parliament. The Council is to establish the operating rules of the selection panel.
- (2) Regulation (EU) 2017/1939 also provides that the Council is to appoint each European Prosecutor from amongst three candidates nominated by each Member State after having received a reasoned opinion from the selection panel.
- (3) The procedure for the selection of the European Chief Prosecutor and of European Prosecutors should be a key element to ensure their independence.
- (4) The operating rules of the selection panel should ensure that the selection panel has the necessary independence and impartiality to carry out its work.
- (5) The operating rules of the selection panel should therefore be established,

HAS ADOPTED THIS DECISION:

Article 1

The operating rules of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 shall be set out in the Annex to this Decision.

⁽¹⁾ OJ L 283, 31.10.2017, p. 1.

Article 2

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

Done at Brussels, 13 July 2018.

For the Council
The President
H. LÖGER

ANNEX

OPERATING RULES OF THE SELECTION PANEL**I. Mission**

The selection panel shall draw up a shortlist of qualified candidates for the position of European Chief Prosecutor, in accordance with Article 14(3) of Regulation (EU) 2017/1939 ⁽¹⁾, before the appointment of the European Chief Prosecutor by the European Parliament and the Council. It shall also provide a reasoned opinion on the qualifications of candidates nominated for the position of European Prosecutor in accordance with Article 16(2) of Regulation (EU) 2017/1939. The Council shall appoint the European Prosecutors after receipt of the reasoned opinion.

II. Composition and term of office

The selection panel shall be comprised of 12 persons who, at the time of their appointment, are former members of the Court of Justice and the Court of Auditors, former national members of Eurojust, members of national supreme courts, high-level prosecutors or lawyers of recognised competence. All members shall meet at least one of the abovementioned criteria at the time of their appointment.

The members of the selection panel shall be appointed by the Council, on a proposal by the Commission, for a period of four years. One of the persons chosen shall be proposed by the European Parliament. A person who is to replace a member before the expiry of that period shall be appointed for the remainder of their predecessor's term of office following the same procedure, as soon as possible after the termination of the membership of his/her predecessor. Members of the selection panel may be reappointed once.

III. Presidency and secretariat

The selection panel shall be chaired by one of its members, elected for that purpose by the members of the selection panel by a majority vote. The Commission shall be responsible for the selection panel's secretariat. The secretariat shall provide the administrative support necessary for the working of the selection panel, including the translation of documents. It shall also transmit the shortlist of qualified candidates for the post of European Chief Prosecutor to the European Parliament and the Council, and, respectively, the reasoned opinions on the candidates' qualifications to perform the duties of European Prosecutors to the Council.

IV. Deliberations and quorum

The deliberations of the selection panel shall be confidential and shall take place *in camera*. The meetings of the selection panel shall be only valid if at least nine members are present.

Decisions of the selection panel shall be taken by consensus. However, if a member asks for a vote, the decision shall be taken by a simple majority of the members present. In the event of a tie in the voting, the chair shall have the casting vote. The same rules shall also apply for the determination of the language regime as set out in Rule X.

V. Referral to the selection panel and requests for additional information

As soon as the applications for the position of European Chief Prosecutor have been received, the secretariat shall send them to all the members of the selection panel. The same applies to nominations for the position of European Prosecutor, including the accompanying documents submitted by the Member States.

The selection panel may ask applicants to provide additional information or other material which the selection panel considers necessary for its deliberations, and, in the case of nominations for the position of European Prosecutor, the selection panel may ask the government of the nominating Member State to provide such information or material.

VI. Review and hearing**1. Procedure for the appointment of the European Chief Prosecutor**

Upon receipt of the candidates' applications, the selection panel shall review the applications with regard to the requirements set out in Article 14(2) of Regulation (EU) 2017/1939, as further specified in the vacancy notice.

⁽¹⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

Candidates who do not meet the eligibility requirements shall be excluded from the next steps of the procedure. The selection panel shall rank candidates who fulfil the requirements according to their qualifications and experience, on the basis of the documentation and information provided in the application or produced following a request pursuant to Rule V. A sufficient number of the highest ranked candidates shall be heard by the selection panel to enable it to establish the shortlist referred to in Rule VII(1). The hearing shall take place in person.

Candidates who do not fulfil the eligibility requirements or who are not invited to be heard by the selection panel shall be informed of the reasons. A candidate may react to this decision stating the reasons why he/she does not agree with the selection panel's assessment. Subsequently, the selection panel will reassess the candidate's application and inform him/her of its conclusion in writing. Candidates who are excluded from the selection procedure may submit a complaint within the meaning of Article 90(2) of the Staff Regulations of Officials laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾ (the 'Staff Regulations') to the Council.

2. Procedure for the appointment of European Prosecutors

Upon receipt of the nominations, the selection panel shall review them with regard to the requirements set out in Article 16(1) of Regulation (EU) 2017/1939. The selection panel shall hear the candidates nominated. The hearing shall take place in person.

In the event that a nominated candidate withdraws his/her nomination before the hearing takes place, the selection panel shall, through its secretariat, request that the Member State concerned nominate a new candidate.

VII. Findings and statement of reasons

1. European Chief Prosecutor

Based on its findings during the review and hearing, the selection panel shall draw up a shortlist of three to five candidates to be submitted to the European Parliament and to the Council. It shall provide reasons for selecting the candidates on the shortlist. Candidates who are not placed on the shortlist shall be informed of the reasons.

The selection panel shall rank the candidates according to their qualifications and experience. The ranking shall indicate the selection panel's order of preference and shall not be binding on the European Parliament and the Council. Candidates who are not included in the shortlist of qualified candidates drawn up by the selection panel may submit a complaint within the meaning of Article 90(2) of the Staff Regulations to the Council.

2. European Prosecutors

Based on its findings during the review and hearing, the selection panel shall formulate an opinion on the candidates' qualifications to perform the duties of European Prosecutors and shall expressly state whether or not a candidate fulfils the conditions in Article 16(1) of Regulation (EU) 2017/1939. The selection panel shall provide reasons for its opinion.

In the event that nominated candidates do not fulfil the conditions set out in Article 16(1) of Regulation (EU) 2017/1939, the selection panel shall, through its secretariat, request that the Member State concerned nominate a corresponding number of new candidates.

The selection panel shall rank the candidates according to their qualifications and experience. The ranking shall indicate the selection panel's order of preference and shall not be binding on the Council.

VIII. Financial provisions

Members of the selection panel required to travel away from their place of residence in order to carry out their duties shall be entitled to reimbursement of their expenses and an allowance in accordance with Article 9 of Council Regulation (EU) 2016/300 ⁽²⁾.

The corresponding expenditure shall be borne by the Council.

⁽¹⁾ Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1).

⁽²⁾ Council Regulation (EU) 2016/300 of 29 February 2016 determining the emoluments of EU high-level public office holders (OJ L 58, 4.3.2016, p. 1).

IX. Personal data

The processing of personal data in the context of the work of the selection panel shall take place under the responsibility of the Commission in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽¹⁾. The rules applicable to the security of and access to information processed in the context of the work of the selection panel shall be those applicable to the Commission.

X. Language regime

Upon the proposal of its chairperson, the selection panel shall determine the working language(s) of the selection panel in view of the common languages spoken by its members.

⁽¹⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

COUNCIL DECISION (EU) 2018/1697**of 6 November 2018**

on the position to be taken on behalf of the European Union within the European Committee for drawing up standards in the field of inland navigation and within the Central Commission for the Navigation of the Rhine on the adoption of standards concerning technical requirements for inland waterway vessels

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Action by the Union in the sector of inland navigation should aim to ensure uniformity in the development of technical requirements for inland waterway vessels to be applied in the Union.
- (2) The European Committee for drawing up standards in the field of inland navigation (CESNI) was created on 3 June 2015 in the framework of the Central Commission for the Navigation of the Rhine (CCNR) in order to develop technical standards for inland waterways in various fields, in particular as regards vessels, information technology and crew.
- (3) For efficient transport on the inland waterways, it is important that the technical requirements for vessels be compatible and as harmonised as possible under different legal regimes in Europe. In particular, Member States which are also members of the CCNR should be authorised to support decisions harmonising the CCNR rules with those applied in the Union.
- (4) CESNI is expected to adopt the European Standard laying down Technical Requirements for Inland Navigation vessels (ES-TRIN) 2019/1 at its meeting on 8 November 2018.
- (5) ES-TRIN 2019/1 lays down uniform technical requirements necessary to ensure the safety of inland waterway vessels. It includes: provisions regarding shipbuilding, fitting-out and equipment for inland waterway vessels; special provisions regarding specific categories of vessels, such as passenger vessels, pushed convoys and container vessels; provisions regarding the automatic identification system equipment; provisions regarding vessel identification; models of certificates and register; transitional provisions; and instructions for the application of the technical standard.
- (6) Annex II to Directive (EU) 2016/1629 of the European Parliament and of the Council ⁽¹⁾ directly refers to technical requirements for craft as being those set out in ES-TRIN 2017/1. The Commission is empowered to update that reference to the most recent version of ES-TRIN and to set the date of its application.
- (7) Therefore, ES-TRIN 2019/1 will affect Directive (EU) 2016/1629.
- (8) The Union is a member of neither the CCNR nor CESNI. It is therefore necessary for the Council to authorise the Member States to express within those bodies the position of the Union as regards the adoption of ES-TRIN 2019/1,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union within the European Committee for drawing up standards in the field of inland navigation (CESNI) on 8 November 2018 shall be to agree to the adoption of the European Standard laying down Technical Requirements for Inland Navigation vessels (ES-TRIN) 2019/1.

2. The position to be taken on behalf of the Union at the meeting of the plenary session of the Central Commission for the Navigation of the Rhine (CCNR) where technical requirements for inland navigation vessels are decided upon shall be to support all proposals aligning the technical requirements with those of ES-TRIN 2019/1.

⁽¹⁾ Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC (OJ L 252, 16.9.2016, p. 118).

Article 2

1. The position of the Union as set out in Article 1(1) shall be expressed by the Member States that are members of CESNI, acting jointly.
2. The position of the Union as set out in Article 1(2) shall be expressed by the Member States that are members of the CCNR, acting jointly.

Article 3

Minor technical changes to the positions set out in Article 1 may be agreed upon without a further decision of the Council.

Article 4

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

Done at Brussels, 6 November 2018.

For the Council
The President
H. LÖGER

COMMISSION IMPLEMENTING DECISION (EU) 2018/1698**of 9 November 2018****concerning certain protective measures relating to African swine fever in Bulgaria***(notified under document C(2018) 7543)***(Only the Bulgarian text is authentic)****(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 checks applicable in intra-Union 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) African swine fever is an infectious viral disease affecting domestic and feral pig populations and can have a severe impact on the profitability of pig farming causing disturbance to trade within the Union and exports to third countries.
- (2) In the event of a case of African swine fever in feral pigs, there is a risk that the disease agent may spread to other feral pig populations and to pig holdings. As a result, it may spread from one Member State to another Member State and to third countries through trade in live pigs or their products.
- (3) Council Directive 2002/60/EC ⁽³⁾ lays down minimum measures to be applied within the Union for the control of African swine fever. In particular, Article 15 of Directive 2002/60/EC provides for certain measures to be taken following the confirmation of one or more cases of African swine fever in feral pigs.
- (4) Bulgaria has informed the Commission of the current African swine fever situation on its territory, and in accordance with Article 15 of Directive 2002/60/EC, has taken a number of measures including the establishment of an infected area, where the measures referred to in Article 15 of that Directive are applied, in order to prevent the spread of that disease.
- (5) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, it is necessary to identify at Union level the infected area for African swine fever in Bulgaria in collaboration with that Member State.
- (6) Accordingly, the infected area in Bulgaria should be listed in the Annex to this Decision and the duration of that regionalisation fixed. The duration of the regionalisation was established considering the epidemiology of the disease and the time required to implement the measures in line with Directive 2002/60/EC.
- (7) 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

Bulgaria shall ensure that the infected area established by that Member State, where the measures provided for in Article 15 of Directive 2002/60/EC apply, comprises at least the areas listed in the Annex to this Decision.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever (OJ L 192, 20.7.2002, p. 27).

Article 2

This Decision shall apply until 10 February 2019.

Article 3

This Decision is addressed to the Republic of Bulgaria.

Done at Brussels, 9 November 2018.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

Areas established as the infected area in Bulgaria as referred to in Article 1	Date until applicable
In the Dobrich region: — within the municipality of Kavarna: — Balgarevo, — Kavarna, — Sveti Nikola, — Kamen Bryag, — Hadzhi Dimitar, — Poruchik Chunchevo, — within the municipality of Shabla: — Gorun, — Tiulenovo.	10 February 2019

