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* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

⁽¹⁾ Text with EEA relevance.

EN

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

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

II

(Non-legislative acts)

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2020/980

of 6 July 2020

authorising Germany to derogate from technical requirements of Annexes II and V to Directive (EU) 2016/1629 of the European Parliament and of the Council for passenger vessels Innogy and Alsterwasser

(notified under document C(2020) 4435)

(Only the German text is authentic)

THE EUROPEAN COMMISSION,

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

Having regard to 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 ⁽¹⁾ and in particular Article 25(1)(b) thereof,

After consulting the Committee established pursuant to Article 7 of Council Directive 91/672/EEC of 16 December 1991 on the reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterway ⁽²⁾,

Whereas:

- (1) Germany notified the Commission of its intention to derogate from certain technical requirements of Annexes II and V to Directive (EU) 2016/1629 for passenger vessels Innogy and Alsterwasser.
- (2) The proposed derogation concerns the use of the fuel cell technology with methanol as fuel for passenger vessels 'Innogy' and 'Alsterwasser'.
- (3) Fuel cells are a promising technology in the context of clean power sustainability and alternative fuels for vessels.
- (4) Different specific developments on fuel cells are available today in maritime transport thanks to research and pilot projects under evaluation that have revealed strong potential for further scaled up implementation (FCShip, Felicitas, METHAPU and MC-WAP).
- (5) The proposed derogation encourages innovation and the use of new technology in inland navigation through the pilot implementation of fuel cell technology in inland waterway vessels.
- (6) Such tests are part of the technology deployment, which is the only way to initiate the possible production phase.

⁽¹⁾ OJ L 252, 16.9.2016, p. 118.

⁽²⁾ OJ L 373, 31.12.1991, p. 29.

- (7) Technical specifications for inland navigation vessels are provided in the European Standard laying down Technical Requirements for Inland Navigation vessels (ES-TRIN standard) ⁽³⁾ set up by the CESNI. The currently applicable ES-TRIN standard 2017/1 contains no rules for the use of methanol as fuel for inland waterway vessels.
- (8) In the absence of regulatory provisions for the use of methanol as fuel for inland waterway vessels, it is necessary to ensure an adequate level of safety of the proposed use of methanol as fuel.
- (9) The German authorities explained that an adequate level of safety can be achieved by the means defined in the Annex to this Decision.
- (10) These means were developed taking into account the current provisions of Chapter 30 of ES-TRIN (Special provisions applicable to craft equipped with propulsion or auxiliary systems operating on fuels with a flashpoint equal to or lower than 55 °C) and Annex 8 to ES-TRIN (supplementary provisions applicable to craft equipped with propulsion or auxiliary systems operating on fuels with a flashpoint equal to or lower than 55 °C).
- (11) The Commission assessed the use of the fuel cell technology with methanol as fuel for the passenger vessels and an adequate level of safety of the proposed derogation, based on/on the basis of the technical examination carried out by the Working group on technical requirements of the European Committee for drawing up Standards in Inland Navigation (CESNI). The results of that technical examination are set out in the draft recommendations No 3/2017 and No 4/2017 of 28 September 2019 of CESNI.
- (12) The risk assessment annexed to the draft recommendations identifies and assesses possible hazards as a result of using methanol as fuel and operating a fuel cell system aboard the passenger vessel having regard to existing protection measures. The conclusion of the risk assessment is that the operation, bunkering and maintenance of the system can be safely undertaken having regard to the planned measures and procedures defined in the draft recommendations.
- (13) On the basis of the results of the technical examination carried out by the Working group on technical requirements of CESNI, the Commission is satisfied that an adequate level of safety is ensured, provided that the conditions set out in the draft recommendations of the Working group on technical requirements of CESNI are met. For the sake of clarity and legal certainty those conditions should be set out in the Annex to this Decision.
- (14) The derogation concerns issuance of a Union inland navigation certificate for trial purposes incorporating new technical specifications that derogate from the provisions of Annex 8 to the ES-TRIN standard 2017/1, and it is granted for a limited period until 1 October 2022,

HAS ADOPTED THIS DECISION:

Article 1

Germany may derogate from the technical requirements set out in Annex 8 to ES-TRIN standard 2017/1 in accordance with the conditions set out in the Annex ⁽⁴⁾ to this Decision, for the following passenger vessels:

- Innogy with a Unique European Vessel Identification Number 04804940,
- Alsterwasser with a Unique European Vessel Identification Number 04807190.

Article 2

This Decision shall apply until 1 October 2022.

⁽³⁾ European Standard laying down Technical Requirements for Inland Navigation vessels <http://cesni.eu/en/documents/es-trin-2017/>

⁽⁴⁾ The authentic text of the decision, including its Annexes, can be found at: https://ec.europa.eu/transport/modes/inland/vessels_en

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 6 July 2020.

For the Commission
Adina VĂLEAN
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2020/981**of 7 July 2020**

amending Annex II to Decision 2007/777/EC as regards the entry for Kosovo * in the list of third countries or parts thereof from which the introduction into the Union of meat products and treated stomachs, bladders and intestines is authorised and amending Annex III to that Decision as regards the model certificate for imports of those products from third countries

(notified under document C(2020) 4433)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽¹⁾, and in particular the introductory phrase of Article 8, the first subparagraph of point (1) of Article 8, point (4) of Article 8, Article 9(2)(b) and Article 9(4)(b) and (c) thereof,

Whereas:

- (1) Commission Decision 2007/777/EC ⁽²⁾ lays down animal and public health conditions for the import into the Union of consignments of certain meat products and of treated stomachs, bladders and intestines which have undergone one of the treatments set out in Part 4 of Annex II thereto ('the commodities').
- (2) Part 2 of Annex II to Decision 2007/777/EC sets out a list of third countries or parts thereof from which the introduction into the Union of the commodities is authorised, provided that the commodities have undergone one of the treatments referred to therein. Part 4 of that Annex sets out a non-specific treatment 'A' and specific treatments 'B' to 'F' listed in descending order of severity of the animal health risk they are intended to eliminate.
- (3) Furthermore, Annex III to Decision 2007/777 sets out the model certificate that should accompany consignments of the commodities intended for introduction into the Union.
- (4) Kosovo has requested to be listed in Part 2 of Annex II to Decision 2007/777/EC as third country from which the introduction into the Union of commodities which have been obtained from poultry and farmed feathered game (except ratites) that have undergone specific treatment 'C' or 'D' is authorised and has submitted the relevant information. In particular, Kosovo has provided guarantees in respect of poultry raw material originating either from Member States or from third countries which are approved to export such raw material to the Union and in respect of the treatment that those products will undergo.
- (5) The Commission has carried out an audit in Kosovo to evaluate the control systems in place governing the production of meat products of poultry intended for export to the Union. Given the favourable outcome of that audit and the guarantees provided by Kosovo as regards the origin and treatment of the meat of poultry used for the production of the meat products, it is appropriate to include Kosovo in the table in Part 2 of Annex II to Decision 2007/777/EC for the introduction into the Union of meat products of poultry and farmed feathered game (except ratites) having undergone specific treatment 'C' or 'D'.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ Commission Decision 2007/777/EC of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC (OJ L 312, 30.11.2007, p. 49).

- (6) The model veterinary certificate for imports of meat products, treated stomachs, bladders and intestines, set out in Annex III to Decision 2007/777/EC, refers to meat products prepared from meat of poultry originating in a Member State or satisfying the animal health requirements for import into the Union laid down in Commission Regulation (EC) No 798/2008 ⁽³⁾, and provides that that meat has to undergo the non-specific treatment 'A' set out in Part 4 of Annex II to Decision 2007/777/EC.
- (7) The veterinary certificate requirements do not, however, refer to meat of poultry originating in a Member State or satisfying the animal health requirements for import into the Union laid down in Regulation (EC) No 798/2008 and having to undergo one of the specific treatments set out in Part 4 of Annex II to Decision 2007/777/EC. Given that the specific treatment of the product needs to be applied irrespective of the origin of the fresh meat used in the preparation of the meat products, and the negligible risks for poultry health involved in such practices, the model veterinary certificate for meat products, treated stomachs, bladders and intestines set out in Annex III to Decision 2007/777/EC, should include a certification provision for that specific situation.
- (8) Decision 2007/777/EC should therefore be amended accordingly.
- (9) A reasonable transitional period of four months should be allowed to elapse before the amended model veterinary certificate becomes mandatory in order to allow Member States and the industry to adapt to the new requirements.
- (10) 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

1. Annex II to Decision 2007/777/EC is amended in accordance with Annex I to this Decision.
2. Annex III to Decision 2007/777/EC is amended in accordance with Annex II to this Decision.

Article 2

For a transitional period until 10 November 2020, Member States shall continue to authorise the introduction into the Union of consignments of meat products, treated stomachs, bladders and intestines, accompanied by a model certificate issued in accordance with the model set out in Annex III to Decision 2007/777/EC, as applicable before the amendments made by this Decision, provided that the certificate was issued no later than 10 October 2020.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 7 July 2020.

For the Commission
Stella KYRIAKIDES
Member of the Commission

⁽³⁾ Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements (OJ L 226, 23.8.2008, p. 1).

Part 2 of Annex II to Decision 2007/777/EC is amended as follows:

(1) the following entry for Kosovo is inserted between the entry for Uruguay and the entry for South Africa:

ISO code	Country of origin or part thereof	1. Domestic bovine 2. Farmed cloven-hoofed game (excluding swine)	Domes-tic ovine/caprine	1. Domestic porcine 2. Farmed cloven-hoofed game (swine)	Domestic soliped	1. Poultry 2. Farmed feathered game (except ratites)	Farmed ratites	Domestic rabbit and farmed leporidae	Wild cloven-hoofed game (excluding swine)	Wild swine	Wild soliped	Wild leporidae (rabbits and hares)	Wild game birds	Wild land mammalian (excluding ungulates, solipeds and leporidae)
'XK	Kosovo (****)(⁴)	XXX	XXX	XXX	XXX	C or D	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX'

(2) the following footnote is added at the end of the table between footnote (³) and footnote (*):

'(4) For meat products and treated stomachs, bladders and intestines prepared from fresh meat either from a Member State of the European Union satisfying the requirements of Article 3 of Directive 2002/99/EC or from a third country listed in Part 1 of Annex I to Regulation (EC) No 798/2008 for the import into the Union of meat of poultry.'

(3) the following footnote is added at the end of the table between footnote (****) and footnote XXX:

'(****) This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.'

ANNEX II

Annex III to Decision 2007/777/EC is amended as follows:

The following text is inserted after the third option in point II.1.3 of Part II.1 of the model animal health and public health certificate for certain meat products, treated stomachs, bladders and intestines intended for consignment to the European Union from third countries:

- '⁽²⁾ or [II.1.3.1. has undergone the specific treatment referred to in points B, C or D in Part 4 of Annex II to Decision 2007/777/EC laid down for the third country of origin or part thereof for the meat of the species concerned in Parts 2 or 3, as appropriate, of Annex II to Decision 2007/777/EC and:
- ⁽²⁾ either [II.1.3.1.1. originates in a Member State of the European Union satisfying the requirements of Article 3 of Directive 2002/99/EC;]
- ⁽²⁾ or [II.1.3.1.1. originates in a third country listed in Part 1 of Annex I to Regulation (EC) No 798/2008 for the import into the Union of meat of poultry and comes from holdings or in the case of wild game-birds killed in territories, where within a 10km radius, including where appropriate the territory of a neighbouring country, there has been no outbreak of highly pathogenic avian influenza or Newcastle disease for at least the previous 30 days.]'
-

III

(Other acts)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY DECISION No 30/20/COL

of 1 April 2020

amending, for the one hundred and sixth time, the procedural and substantive rules in the field of state aid by replacing the Annex to the Guidelines on short-term export-credit insurance [2020/982]

THE EFTA SURVEILLANCE AUTHORITY ('ESA'),

HAVING regard to:

the Agreement on the European Economic Area ('the EEA Agreement'), in particular to Articles 61 to 63 and Protocol 26,

the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice ('the Surveillance and Court Agreement'), in particular to Article 24 and Article 5(2)(b).

WHEREAS:

Under Article 24 of the Surveillance and Court Agreement, ESA shall give effect to the provisions of the EEA Agreement concerning state aid.

Under Article 5(2)(b) of the Surveillance and Court Agreement, ESA shall issue notices or guidelines on matters dealt with in the EEA Agreement, if that Agreement or the Surveillance and Court Agreement expressly so provides or if ESA considers it necessary.

On 27 March 2020, the European Commission ('the Commission') adopted a Communication amending the Annex to the Communication from the Commission to the Member States on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to short-term export-credit insurance ('the Communication'). ⁽¹⁾

In order to assist the EU economy in the context of the COVID-19 outbreak, the Commission adopted a Temporary Framework, ⁽²⁾ which enables Member States to provide additional support measures using the full flexibility of the current state aid rules. In the field of short-term export-credit insurance, the Framework introduced further flexibility in confirming the temporary non-marketability of certain risks due to a shortage of export-credit insurance pursuant to point 18(d) of the Communication. That flexibility may be insufficient to address rapidly the difficulties that undertakings are currently and will likely encounter in the very near future. Instead, a more rapid response is required to mitigate all the negative consequences following an abrupt withdrawal of private insurers from the short-term export-credit market. Taking into account the outcome of the public consultation, as well as the overall signs of disruptive impact of COVID-19 on the economy of the Union as a whole, the Commission considers that there is a general lack of sufficient private capacity to cover all economically justifiable risks for exports to countries currently classified as marketable risk countries. At the same time, in view of the current information available regarding the future developments of the COVID-19 outbreak, it may occur that private insurers resume increasing their exposure in short-term export-credit insurance before the one year period provided in point 36 of the Communication.

⁽¹⁾ Not yet published.⁽²⁾ Communication from the Commission – Temporary framework for State aid measures to support the economy in the current COVID-19 outbreak of 19 March 2020, (OJ C 911, 20.3.2020, p. 1).

In those circumstances, the Commission has decided to consider all commercial and political risks associated with exports to the countries listed in the Annex to the Communication as temporarily non-marketable until 31 December 2020, in line with the duration of Temporary Framework. In accordance with point 36 of the Communication, the Commission will assess whether to prolong the temporary exception three months before the end of 2020.

This amendment to the Communication is also of relevance for the European Economic Area.

Uniform application of the EEA state aid rules is to be ensured throughout the European Economic Area in line with the objective of homogeneity established in Article 1 of the EEA Agreement.

According to point II under the heading 'GENERAL' on page 11 of Annex XV to the EEA Agreement, ESA, after consultation with the Commission, is to adopt acts corresponding to those adopted by the European Commission.

HAVING consulted the European Commission,

HAVING consulted the EFTA States,

HAS ADOPTED THIS DECISION:

Article 1

The procedural and substantive rules in the field of state aid shall be amended by replacing the Annex to the Guidelines on short-term export-credit insurance. The new Annex is attached to this Decision and forms an integral part of it.

Article 2

Only the English language version of this decision is authentic.

Done in Brussels, 1 April 2020.

For the EFTA Surveillance Authority

Yours faithfully,

Bente ANGELL-HANSEN
President
Responsible College Member

Frank J. BÜCHEL
College Member

Högni KRISTJÁNSSON
College Member

Carsten ZATSCHLER
Countersigning as Director,
Legal and Executive Affairs

ANNEX ⁽¹⁾**List of Marketable Risk Countries**

The Authority considers all commercial and political risks associated with exports to the countries listed below as temporarily non-marketable until 31 December 2020.

Belgium	Latvia	Finland
Bulgaria	Liechtenstein	Sweden
Czechia	Lithuania	United Kingdom
Denmark	Luxembourg	Australia
Germany	Hungary	Canada
Estonia	Malta	Iceland
Ireland	Netherlands	Japan
Greece	Austria	New Zealand
Spain	Poland	Norway
France	Portugal	Switzerland
Croatia	Romania	United States of America
Italy	Slovenia	
Cyprus	Slovakia	

⁽¹⁾ Replaced by Decision No 30/20/COL.

CORRIGENDA**Corrigendum to Commission Delegated Regulation (EU) 2020/784 of 8 April 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the listing of perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds**

(Official Journal of the European Union L 188 I of 15 June 2020)

On page 5, in the Annex, fourth column, point 9, the introductory sentence:

for: 'By way of derogation, the use of PFOA, its salts and/or PFOA-related compounds shall be allowed until 3 December 2020 in the following articles:'.

read: 'By way of derogation, the manufacturing, placing on the market and use of PFOA, its salts and PFOA-related compounds shall be allowed until 3 December 2020 for the following purposes:'.

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