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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/2173

of 16 October 2020

amending Annexes I, II and III to Regulation (EU) 2019/631 of the European Parliament and of the Council to update the monitoring parameters and clarify certain aspects relating to the change in the regulatory test procedure

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO₂ emission performance standards for new passenger cars and new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 ⁽¹⁾, and in particular Articles 7(8) and 15(8) thereof,

Whereas:

- (1) In order to calculate a manufacturer's specific emission targets for the period 2021 to 2024 pursuant to Annex I to Regulation (EU) 2019/631, CO₂ emissions data for vehicles registered in calendar year 2020 is required. For manufacturers that place vehicles on the market of the Union for the first time in the period 2021 to 2024, it is necessary to clarify how their specific emission targets as well as derogation targets for that period should be determined, taking into account that CO₂ emissions data will not, or only partially, be available for those manufacturers in calendar year 2020.
- (2) Similarly, a clarification is needed for manufacturers that place only vehicles with zero CO₂ emissions on the market of the Union in the calendar year 2020 as regards how their specific emission targets in the period 2021 to 2024 should be determined.
- (3) From 1 January 2021, the CO₂ emission standards are to be based on CO₂ emissions data determined in accordance with the Worldwide Harmonised Light Vehicle Test Procedure (WLTP) as set out in Commission Implementing Regulation (EU) 2017/1151 ⁽²⁾. It is therefore necessary to amend Annex I to Regulation (EU) 2019/631 in order to adjust the parameters to be monitored and reported and to remove references to data determined on the basis of the New European Driving Cycle (NEDC). However, for the reporting of the data for calendar year 2020, it is appropriate to allow the new and the existing provisions to overlap until 28 February 2021.

⁽¹⁾ OJ L 111, 25.4.2019, p. 13.

⁽²⁾ Commission Implementing Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008 (OJ L 175, 7.7.2017, p. 1).

- (4) The opportunity should also be taken to harmonise, to the extent possible, the monitoring parameters for passenger cars and light commercial vehicles and to align all provisions relating to how the monitoring parameters are to be recorded and reported by Member States as set out in Commission Implementing Regulations (EU) No 1014/2010 ⁽³⁾ and (EU) No 293/2012 ⁽⁴⁾ together with the reporting formats set out in Annexes II and III to Regulation (EU) 2019/631.
- (5) Certain new parameters should be monitored and reported in view of the preparation of a procedure for monitoring of real-world CO₂ emissions and fuel or energy consumption as provided for in Article 12 of Regulation (EU) 2019/631, and for verifying the CO₂ emissions of vehicles in-service as provided for in Article 13 of that Regulation. This includes, in particular, fuel consumption values and, on request from the Commission, the parameters used for the calculation of the CO₂ emission values recorded in the certificates of conformity of the vehicles, i.e. the road load coefficients, frontal area and tyre rolling resistance class.
- (6) Regulation (EU) 2019/631 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, II and III to Regulation (EU) 2019/631 are amended in accordance with the Annex to this Regulation.

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, 16 October 2020.

For the Commission
The President
Ursula VON DER LEYEN

⁽³⁾ Commission Implementing Regulation (EU) No 1014/2010 of 10 November 2010 on monitoring and reporting of data on the registration of new passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 293, 11.11.2010, p. 15).

⁽⁴⁾ Commission Implementing Regulation (EU) No 293/2012 of 3 April 2012 on monitoring and reporting of data on the registration of new light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council (OJ L 98, 4.4.2012, p. 1).

ANNEX

Regulation (EU) 2019/631 is amended as follows:

(1) Annex I is amended as follows:

(a) Part A is amended as follows:

(i) after point 3, the following points 3a, 3b and 3c are inserted:

‘3a. For a manufacturer for which $WLTP_{CO_2}$ or $NEDC_{CO_2}$ is zero, the specific emission reference target in 2021 shall be $NEDC_{2020target}$ as defined in point 3.

3b. For a manufacturer that is placing passenger cars on the market of the Union for the first time in any of the calendar years 2021 to 2024, the specific emission reference target in 2021 shall be the average of the specific emissions reference targets determined for all manufacturers in accordance with point 3, weighted according to the number of new passenger cars that were registered for those manufacturers in the Union in 2020.

3c. Notwithstanding point 3b, where in any of the calendar years 2021 to 2024, a manufacturer is placing passenger cars on the market of the Union for the first time, but that manufacturer was formed by a merger of two or more manufacturers of which at least one was responsible for new passenger cars registered in the Union in 2020, the specific emission reference target in 2021 for the new manufacturer shall be one of the following:

- (a) where two or more of the merging manufacturers were responsible for new passenger cars registered in the Union in 2020, the specific emission reference target in 2021 shall be the average of the specific emission reference targets determined for those manufacturers in accordance with point 3, weighted according to the number of new passenger cars that were registered for those manufacturers in the Union in 2020;
- (b) where only one of the merging manufacturers was responsible for new passenger cars registered in the Union in 2020, the specific emission reference target in 2021 determined in accordance with point 3 for that manufacturer.’;

(ii) point 5 is replaced by the following:

‘5. Derogation targets in accordance with Article 10(3) or 10(4)

- (a) For a manufacturer that has been granted a derogation in accordance with Article 10(3) from its NEDC based specific emissions target in calendar year 2021, or a derogation in accordance with Article 10(4) from its specific emission targets in any of the calendar years 2021 to 2024, the WLTP based derogation target for those years shall be calculated as follows:

$$\text{Derogation target} = WLTP_{CO_2} \cdot \left(\frac{NEDC_{derogationtarget}}{NEDC_{CO_2}} \right)$$

Where:

$WLTP_{CO_2}$ is $WLTP_{CO_2}$ as defined in point 3;

$NEDC_{CO_2}$ is $NEDC_{CO_2}$ as defined in point 3;

$NEDC_{derogationtarget}$ is the derogation target granted by the Commission pursuant to Article 10(3) or 10(4) as the case may be.

- (b) Notwithstanding point (a), where a manufacturer is granted a derogation in accordance with Article 10(4) from the specific emission targets in any of the calendar years 2021 to 2024, but was not responsible for the registration of new passenger cars in the Union prior to 2021, the derogation target for any of those calendar years shall be calculated in accordance with the formula in point (a), where the following definitions shall apply:

WLTP _{CO2}	is the average value across all individual manufacturers, weighted by the number of new passenger cars registered in 2020, of WLTP _{CO2} as defined in point 3;
NEDC _{CO2}	is the average value across all individual manufacturers, weighted by the number of new passenger cars registered in 2020, of NEDC _{CO2} as defined in point 3;
NEDC _{derogationtarget}	is the derogation target calculated in accordance with Article 10(4), in conjunction with Article 6(3) of Regulation (EU) No 63/2011.;

(b) in Part B of Annex I, after point 3, the following points 3a, 3b and 3c are inserted:

- ‘3a. For a manufacturer for which WLTP_{CO2} or NEDC_{CO2} is zero, the specific emission reference target in 2021 shall be NEDC_{2020target} as defined in point 3.
- 3b. For a manufacturer that is placing light commercial vehicles on the market of the Union for the first time in any of the calendar years 2021 to 2024, the specific emission reference target in 2021 shall be the average of the specific emissions reference targets determined for all manufacturers in accordance with point 3, weighted according to the number of new light commercial vehicles that were registered for those manufacturers in the Union in 2020.
- 3c. Notwithstanding point 3b, where in any of the calendar years 2021 to 2024, a manufacturer is placing light commercial vehicles on the market of the Union for the first time, but that manufacturer was formed by a merger of two or more manufacturers of which at least one was responsible for new light commercial vehicles registered in the Union in 2020, the specific emission reference target in 2021 for the new manufacturer shall be one of the following:
 - (a) where two or more of the merging manufacturers were responsible for new light commercial vehicles registered in the Union in 2020, the specific emission reference target in 2021 shall be the average of the specific emission reference targets determined for those manufacturers in accordance with point 3, weighted according to the number of new light commercial vehicles that were registered for those manufacturers in the Union in 2020;
 - (b) where only one of the merging manufacturers was responsible for new light commercial vehicles registered in the Union in 2020, the specific emission reference target in 2021 determined in accordance with point 3 for that manufacturer.’.

(2) Annex II is amended as follows:

(a) Part A is amended as follows:

- (i) point 1 is deleted on 1 March 2021;
- (ii) the following point 1a is inserted:

‘1a. Member States shall, for each calendar year, record the following detailed data for each new passenger car registered as an M₁ vehicle in their territory, with the exception of the data indicated in points (22), (23) and (24) which shall be provided on request from the Commission:

- (1) The manufacturer;
- (2) The type approval number and its extensions;
- (3) The type, variant, and version;
- (4) Make and commercial name;
- (5) Vehicle interpolation family identifier;
- (6) Vehicle identification number;
- (7) Category of vehicle type approved;
- (8) Category of vehicle registered;
- (9) Date of first registration;

- (10) The specific emissions of CO₂;
- (11) Fuel consumption;
- (12) Mass in running order;
- (13) Test mass;
- (14) Fuel type and fuel mode;
- (15) Electric energy consumption;
- (16) Electric range;
- (17) Eco-innovation code(s);
- (18) Eco-innovation CO₂ emission savings;
- (19) Footprint: the wheel base, the track width of the steered axle and the track width other axle;
- (20) Engine capacity;
- (21) Maximum net power;
- (22) Road-load coefficients: f₀, f₁ and f₂;
- (23) Frontal area;
- (24) Tyre rolling resistance class.

In accordance with Article 7, Member States shall make available to the Commission all data listed in this point in the format specified in Section 2 of Part B. The data indicated in points (9) and (11) shall be recorded starting from calendar year 2022 and be made available to the Commission for the first time on 28 February 2023.;

(iii) point 2 is replaced by the following:

‘2. The detailed data referred to in point 1 shall be taken from the certificate of conformity of the relevant passenger car.’;

(iv) after point 2, the following point 2a is inserted:

‘2a. In the case of bi-fuelled vehicles running on petrol and liquefied petroleum gas (LPG) or on petrol and compressed natural gas (CNG), the certificates of conformity of which include specific emissions of CO₂ values for both types of fuels, Member States shall report the value for LPG or CNG as the case may be.

In the case of flex-fuel vehicles using petrol and ethanol (E85) fuel, Member States shall report the specific emissions of CO₂ value for petrol.’;

(b) Part B is amended as follows:

(i) Section 2 is deleted on 1 March 2021;

(ii) the following Section 2a is inserted:

‘Section 2a

Detailed Monitoring Data – one vehicle record

Reference to point 1 and 1a of Part A	Detailed data per vehicle registered	Data sources
		Certificate of conformity (Annex VIII to Commission Implementing Regulation (EU) 2020/683 (*)) unless otherwise indicated
(1)	Manufacturer name (EU standard denomination ⁽¹⁾)	Name assigned by the Commission
	Manufacturer name ⁽²⁾	0.5, or in the case of more than one name of a manufacturer, the name recorded in entry 0.5.1
(2)	Type approval number and its extensions	0.11

(3)	Type	0.2
	Variant	
	Version	
(4)	Make and commercial name	0.1 and 0.2.1
(5)	Vehicle interpolation family identifier	0.2.3.1
(6)	Vehicle identification number	0.10
(7)	Category of vehicle type approved	0.4
(8)	Category of vehicle registered	Registration certificate
(9)	Date of first registration	Registration certificate
(10)	The specific emissions of CO ₂ (g/km)	49.4 combined, or where applicable, weighted combined
(11)	Fuel consumption (l/100 km, or m ³ /100 km or kg/100 km)	49.4 combined, or where applicable, weighted combined
(12)	Mass in running order (kg)	13
(13)	Test mass (kg)	47.1.1
(14)	Fuel type	26
	Fuel mode	26.1
(15)	Electric energy consumption (Wh/km)	PEV: 49.5.1 OVC-HEV: 49.5.2
(16)	Electric range (km)	PEV: 49.5.1 OVC-HEV: 49.5.2
(17)	Eco-innovation code(s)	49.3.1
(18)	Eco-innovation savings (g CO ₂ /km)	49.3.2.2
(19)((19)	Wheelbase (mm)	
	Track width steered axle (Axle 1) (mm) ⁽³⁾	30
	Track width other axle (Axle 2) (mm) ⁽³⁾	30
(20)	Engine capacity (cm ³)	25
(21)	Maximum net power (kW)	27.1 and 27.3
(22)	Road load coefficients ⁽⁴⁾	f0, N
		f1, N/(km/h)
		f2, N/(km/h)
(23)	Frontal area (m ²) ⁽⁴⁾	47.1.2
(24)	Tyre rolling resistance class ⁽⁴⁾	35

Notes:

- (1) List published by the Commission on CIRCABC.
- (2) In the case of national type-approval of small series (NSS) or individual approval (IVA), the manufacturer's name shall be provided in the column "Manufacturer name", whilst in the column "Manufacturer name EU standard denomination" either of the following shall be indicated: "AA-NSS" or "AA-IVA" as the case may be.
- (3) Where a vehicle is equipped with axle tracks of different widths, the maximum axle width shall be reported.
- (4) On request from the Commission.
- (*) Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ L 163, 26.5.2020).

(3) Annex III is amended as follows:

(a) Part A is amended as follows:

- (i) point 1.1 is deleted on 1 March 2021;
- (ii) the following point 1.1a is inserted:

‘1.1a. Complete vehicles registered as N₁

Member States shall, for each calendar year, record the following detailed data for each new light commercial vehicle registered as an N₁ vehicle in their territory, with the exception of the data indicated in points (23), (24) and (25) which shall be provided on request by the Commission:

- (1) The manufacturer;
- (2) The type approval number and its extensions;
- (3) The type, variant, and version;
- (4) Make and, where available, commercial name;
- (5) Vehicle interpolation family identifier;
- (6) Vehicle identification number;
- (7) Category of vehicle type approved;
- (8) Category of vehicle registered;
- (9) Date of first registration;
- (10) The specific emissions of CO₂;
- (11) Fuel consumption;
- (12) Mass in running order;
- (13) Test mass;
- (14) The fuel type and fuel mode;
- (15) Electric energy consumption;
- (16) Electric range;
- (17) Eco-innovation code(s);
- (18) Eco-innovation CO₂ emission savings;
- (19) Footprint: the wheel base, the track width of the steered axle and the track width other axle;
- (20) Engine capacity;
- (21) Maximum net power;
- (22) Technically permissible maximum laden mass;
- (23) Road-load coefficients: f₀, f₁ and f₂;

(24) Frontal area;

(25) Tyre rolling resistance class.

Member States shall, in accordance with Article 7, make available to the Commission all data listed in this point in the format specified in Section 2 of Part C. The data indicated in points (9) and (11), shall be recorded starting from calendar year 2022 and be made available to the Commission for the first time on 28 February 2023.;

(iii) in point 1.2.1.2 the point ‘, (q)’ is added;

(iv) points 1.2.1.1 and 1.2.1.2 are deleted from 1 March 2021;

(v) the following point 1.2.1.2a is inserted:

‘1.2.1.2a. Completed vehicles of category N1 type-approved in accordance with Annex XXI to Regulation (EU) 2017/1151

For each new completed vehicle registered in 2021 and subsequent calendar years, Member States shall as a minimum report the data specified in points (1), (5), (6), (8), (10), (11), (12), (17), (18) and (22) of point 1.1a., and for each new vehicle registered in 2022 and subsequent calendar years, the data specified in points (9), (23), (24) and (25) of point 1.1a.’;

(vi) in point 1.2.2., the introductory phrase is replaced by the following:

‘For each new completed vehicle of category N₁, type-approved in accordance with Annex XXI to Regulation (EU) 2017/1151 registered in 2020 and subsequent calendar years, the manufacturer of the related base vehicle shall, starting from 2021, report to the Commission the following data relating to the base vehicle.’;

(vii) point 2 is replaced by the following:

‘2. The detailed data referred to in point 1 shall be taken from the certificate of conformity of the relevant light commercial vehicle. For those details that are not available in the certificate of conformity, details shall be taken from the type-approval documentation or from the information reported by the base vehicle manufacturer pursuant to point 1.2.3.’;

(viii) after point 2, the following point 2a. is inserted:

‘2a. In the case of bi-fuelled vehicles running on petrol and liquefied petroleum gas (LPG) or on petrol and compressed natural gas (CNG), the certificates of conformity of which include specific emissions of CO₂ values for both types of fuels, Member States shall report the value for LPG or CNG as the case may be.

In the case of flex-fuel vehicles using petrol and ethanol (E85) fuel, Member States shall report the specific emissions of CO₂ value for petrol.’;

(b) Part C is amended as follows:

(i) Section 2 is deleted on 1 March 2021;

(ii) the following Section 2a. is inserted:

‘Section 2a.

Detailed Monitoring Data – one vehicle record

Reference to point 1.1 and 1.1a of Part A	Detailed data per vehicle registered	Data sources
		Certificate of conformity (Annex VIII to Implementing Regulation (EU) 2020/683), unless otherwise indicated
(1)	Manufacturer name (EU standard denomination ⁽¹⁾)	Name assigned by the Commission
	Manufacturer name ⁽²⁾	0.5, or in the case of more than one name of a manufacturer, the name recorded in entry 0.5.1

(2)	Type-approval number and its extensions	0.11
(3)	Type	0.2
	Variant	
	Version	
(4)	Make and commercial name	0.1 and 0.2.1
(5)	Vehicle interpolation family identifier	0.2.3.1
(6)	Vehicle identification number	0.10
(7)	Category of vehicle type approved	0.4
(8)	Category of vehicle registered	Registration certificate
(9)	Date of first registration	Registration certificate
(10)	Specific emissions of CO ₂ (g/km)	49.4 combined, or where applicable, weighted combined
(11)	Fuel consumption (l/100 km, or m ³ /100 km or kg/100 km)	49.4 combined, or where applicable, weighted combined
(12)	Mass in running order (complete and completed vehicles) (kg)	13
(13)	Test mass (complete and completed vehicles) (kg)	47.1.1
(14)	Fuel type	26
	Fuel mode	26.1
(15)	Electric energy consumption (Wh/km)	PEV: 49.5.1 OVC-HEV: 49.5.2
(16)	Electric range (km)	PEV: 49.5.1 OVC-HEV: 49.5.2
(17)	Eco-innovation code(s)	49.3.1
(18)	Eco-innovation savings (g CO ₂ /km)	49.3.2.2
(19)	Wheelbase (mm)	4
	Track width steered axle (Axle 1) ⁽³⁾	30
	Track width other axle (Axle 2) ⁽³⁾	30
(20)	Engine capacity (cm ³)	25
(21)	Maximum net power (kW)	27.1 and 27.3
(22)	Technically permissible maximum laden mass (complete and completed vehicle) (kg)	16.1
(23)	Road load coefficients ⁽⁴⁾	f0, N
		f1, N/(km/h)
		f2, N/(km/h)
(24)	Frontal area (m ²) ⁽⁴⁾	47.1.2
(25)	Tyre rolling resistance class ⁽⁴⁾	35

Notes:

- (1) List published by the Commission on CIRCABC.
 - (2) In the case of national type-approval of small series (NSS) or individual approval (IVA), the manufacturer's name shall be provided in the column "Manufacturer name", whilst in the column "Manufacturer name EU standard denomination" either of the following shall be indicated: "AA-NSS" or "AA-IVA" as the case may be.
 - (3) Where a vehicle is equipped with axle tracks of different widths, the maximum axle width shall be reported.
 - (4) On request from the Commission.'
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COMMISSION DELEGATED REGULATION (EU) 2020/2174**of 19 October 2020****amending Annexes IC, III, IIIA, IV, V, VII and VIII to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste****(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 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste ⁽¹⁾, and in particular points (a) and (c) of Article 58(1) thereof,

Whereas:

- (1) The Conference of the Parties to the Basel Convention decided at its fourteenth meeting held in May 2019, by Decision BC-14/12, to include a new entry for hazardous plastics waste (entry A3210) in Annex VIII and two new entries for non-hazardous plastic waste in Annex II (entry Y48) and Annex IX (entry B3011) to the Basel Convention. Those changes will become effective on 1 January 2021.
- (2) It is appropriate for the Union, which is a Party to the Basel Convention, to modify the relevant Annexes to Regulation (EC) No 1013/2006 to take account of changes relating to entries on plastic waste in the Annexes to the Basel Convention.
- (3) The Environment Policy Committee to the OECD adopted changes to Appendix 4 of the OECD Decision ⁽²⁾, relating to hazardous plastic waste and clarifications in Appendices 3 and 4 of the OECD Decision on 7 September 2020. Those changes will become effective on 1 January 2021. It is appropriate for the Union to modify the relevant Annexes to Regulation (EC) No 1013/2006 to take account of these changes.
- (4) This Regulation takes account of the fact that no agreement has been reached within the OECD to incorporate the amendments to the Annexes to the Basel Convention on non-hazardous plastic waste (entries B3011 and Y48) into the Appendices of the OECD Decision.
- (5) With respect to export of plastic waste from the Union to third countries and import of plastic waste into the Union from third countries, Annexes III, IV and V to Regulation (EC) No 1013/2006 should be amended to take account of the changes to Annexes II, VIII and IX to the Basel Convention and of the changes to Appendix 4 to the OECD Decision. As a result, from 1 January 2021, the export from the Union and import into the Union of plastic waste under entries AC300 and Y48 to and from third countries to which the OECD Decision ⁽³⁾ applies will be subject to the procedure of prior written notification and consent. In accordance with points (a) and (b) of Article 36(1) and Annex V of Regulation (EC) No 1013/2006, export of plastic waste under entries A3210 and Y48 will be prohibited to third countries to which the OECD Decision does not apply.
- (6) In view of the fact that the Union has submitted a notification, covering shipment of waste within the Union, to the Secretariat of the Basel Convention under Article 11 of that Convention, there is no requirement for the Union to implement the changes to the Annexes to the Basel Convention relating to non-hazardous plastic waste (entries B3011 and Y48) in Union law, for shipments between Member States. However, to ensure legal clarity, new entries for shipments of non-hazardous plastic waste within the Union should be introduced in Annexes III, IIIA and IV to Regulation (EC) No 1013/2006 which take account of the terminology used in the new entries B3011 and Y48 in the Basel Convention, and by which current controls on such shipments within the Union are largely maintained.
- (7) A number of technical guidelines and guidance documents on the environmentally sound management of various waste streams were adopted at the last meetings of the Conference of the Parties to the Basel Convention. Those technical guidelines and guidance documents provide useful guidance and should therefore be added in Annex VIII to Regulation (EC) No 1013/2006.

⁽¹⁾ OJ L 190, 12.7.2006, p. 1.

⁽²⁾ Decision C(2001)107/Final of the OECD Council concerning the revision of Decision C(92)39/Final on control of transboundary movements of wastes destined for recovery operations.

⁽³⁾ Decision C(2001)107/Final of the OECD Council concerning the revision of Decision C(92)39/Final on control of transboundary movements of wastes destined for recovery operations.

- (8) Regulation (EC) No 1013/2006 should therefore be amended accordingly.
- (9) Since the changes to the Annexes to the Basel Convention and the Appendices to the OECD Decision will become effective on 1 January 2021, the amendments to Regulation (EC) No 1013/2006 that relate to those changes should also become effective on 1 January 2021,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1013/2006 is amended as follows:

- (1) Annexes IC, III, IIIA, IV, V and VII are amended in accordance with Annex I to this Regulation;
- (2) Annex VIII is replaced by the text in Annex II to this Regulation.

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*.

Article 1(1) shall apply from 1 January 2021.

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

Done at Brussels, 19 October 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annexes IC, III, IIIA, IV, V and VII to Regulation (EC) No 1013/2006 are amended as follows:

(1) in Annex IC, the second paragraph of point 25(e) is replaced by the following:

‘Such codes may be included in Annexes IIIA, IIIB, IV (EU48) or IVA of this Regulation. In that case, the Annex number should be stated in front of the codes. As regards Annex IIIA, the relevant code(s) as indicated in Annex IIIA should be used, as appropriate in sequence. Certain Basel entries such as B1100 and B3020 are restricted to particular waste streams only, as indicated in Annex IIIA.’;

(2) Annex III is amended as follows:

(a) the title is replaced by the following:

‘LIST OF WASTES SUBJECT TO THE GENERAL INFORMATION REQUIREMENTS LAID DOWN IN ARTICLE 18 (“GREEN” LISTED WASTE)’;

(b) in part I, point (a) is replaced by the following:

‘(a) Any reference in Annex IX of the Basel Convention to list A shall be understood as a reference to Annex IV to this Regulation’;

(c) in part I, point (g) is replaced by the following:

‘(g) For waste shipped within the Union, Basel entry B3011 does not apply and the following entry applies instead:

EU3011 Plastic waste (note the related entry AC300 in part II of Annex IV, and the related entry EU48 in part I of Annex IV):

Plastic waste listed below, provided it is almost free from contamination and other types of waste *:

— Plastic waste almost exclusively ** consisting of one non-halogenated polymer, including but not limited to the following polymers:

- Polyethylene (PE)
- Polypropylene (PP)
- Polystyrene (PS)
- Acrylonitrile butadiene styrene (ABS)
- Polyethylene terephthalate (PET)
- Polycarbonates (PC)
- Polyethers

— Plastic waste almost exclusively ** consisting of one cured resin or condensation product, including but not limited to the following resins:

- Urea formaldehyde resins
- Phenol formaldehyde resins
- Melamine formaldehyde resins
- Epoxy resins
- Alkyd resins

— Plastic waste almost exclusively ** consisting of one of the following fluorinated polymers ***:

- Perfluoroethylene/propylene (FEP)
- Perfluoroalkoxy alkanes:
 - Tetrafluoroethylene/perfluoroalkyl vinyl ether (PFA)
 - Tetrafluoroethylene/perfluoromethyl vinyl ether (MFA)

- Polyvinylfluoride (PVF)
- Polyvinylidene fluoride (PVDF)
- Polytetrafluoroethylene (PTFE)
- Polyvinyl chloride (PVC).

* In relation to “almost free from contamination and other types of wastes”, international and national specifications may offer a point of reference.

** In relation to “almost exclusively”, international and national specifications may offer a point of reference.

*** Post consumer wastes are excluded;

(d) in part II, the following text is deleted:

‘Solid plastic wastes

GH013 391530 ex 390410—40 Polymers of vinyl chloride’;

(3) Annex IIIA is amended as follows:

(a) in point 3, points (d), (e) and (f) are deleted;

(b) the following point 4 is added:

‘4. The following mixtures of wastes classified under separate indents or sub-indents of one single entry are included in this Annex only for the purposes of shipments within the Union:

- (a) mixtures of wastes classified under entry EU3011 and listed under the indent referring to non-halogenated polymers;
- (b) mixtures of wastes classified under entry EU3011 and listed under the indent referring to cured resins or condensation products;
- (c) mixtures of wastes classified under entry EU3011 and listed under “perfluoroalkoxy alkanes”;

(4) Annex IV is amended as follows:

(a) the title is replaced by the following:

‘LIST OF WASTES SUBJECT TO THE PROCEDURE OF PRIOR WRITTEN NOTIFICATION AND CONSENT (“AMBER” LISTED WASTE)’;

(b) Part I is amended as follows:

(i) the first and second paragraphs are replaced by the following:

‘The following wastes will be subject to the procedure of prior written notification and consent:

Wastes listed in Annexes II and VIII to the Basel Convention *.

* Annex VIII to the Basel Convention is listed in this Regulation in Annex V, Part 1, List A. Annex II to the Basel Convention is listed in this Regulation in Annex V, Part 3, List A.’;

(ii) point (a) is replaced by the following:

‘(a) Any reference in Annex VIII of the Basel Convention to list B shall be understood as a reference to Annex III to this Regulation’.

(iii) the following points (e) and (f) are added:

‘(e) Basel entry A3210 does not apply and entry AC300 in part II applies instead.

(f) For waste shipped within the Union, Basel entry Y48 does not apply and the following entry applies instead:

EU48: Plastic waste not covered by entry AC300 in part II or by entry EU3011 in part I of Annex III, as well as mixtures of plastic waste not covered by point 4 of Annex IIIA.’;

(c) In Part II, the following entry is inserted after the entry AC270:

‘AC300 Plastic waste, including mixtures of such wastes, containing or contaminated with Annex I constituents, to an extent that it exhibits an Annex III characteristic (note the related entry EU3011 in part I of Annex III, and the related entry EU48 in part I)’;

(5) Annex V is amended as follows:

(a) Part 1 is amended as follows:

(i) in List A, section A3, the following entry is added:

‘A3210 Plastic waste, including mixtures of such waste, containing or contaminated with Annex I constituents, to an extent that it exhibits an Annex III characteristic (note the related entry B3011, in list B of this Part, and entry Y48, in list A of Part 3)’;

(ii) in List B, section B3 is amended as follows:

— entry B3010 is deleted;

— the following entry is inserted before entry B3020:

‘B3011 Plastic waste (note the related entry A3210, in list A of this Part, and entry Y48, in list A of Part 3)

— Plastic waste listed below, provided it is destined for recycling * in an environmentally sound manner and almost free from contamination and other types of wastes **;

— Plastic waste almost exclusively *** consisting of one non-halogenated polymer, including but not limited to the following polymers:

— Polyethylene (PE)

— Polypropylene (PP)

— Polystyrene (PS)

— Acrylonitrile butadiene styrene (ABS)

— Polyethylene terephthalate (PET)

— Polycarbonates (PC)

— Polyethers

— Plastic waste almost exclusively *** consisting of one cured resin or condensation product, including but not limited to the following resins:

— Urea formaldehyde resins

— Phenol formaldehyde resins

— Melamine formaldehyde resins

— Epoxy resins

— Alkyd resins

— Plastic waste almost exclusively *** consisting of one of the following fluorinated polymers: ****

— Perfluoroethylene/propylene (FEP)

— Perfluoroalkoxy alkanes:

— Tetrafluoroethylene/perfluoroalkyl vinyl ether (PFA)

— Tetrafluoroethylene/perfluoromethyl vinyl ether (MFA)

— Polyvinylfluoride (PVF)

— Polyvinylidene fluoride (PVDF)

- Mixtures of plastic waste, consisting of polyethylene (PE), polypropylene (PP) and/or polyethylene terephthalate (PET), provided they are destined for separate recycling ***** of each material and in an environmentally sound manner, and almost free from contamination and other types of wastes **.

- * Recycling/reclamation of organic substances that are not used as solvents (R3 in Annex IV, sect. B) or, if needed, temporary storage limited to one instance, provided that it is followed by operation R3 and evidenced by contractual or relevant official documentation.
- ** In relation to “almost free from contamination and other types of wastes”, international and national specifications may offer a point of reference.
- *** In relation to “almost free from contamination and other types of wastes”, international and national specifications may offer a point of reference.
- **** Post-consumer wastes are excluded.
- ***** Recycling/reclamation of organic substances that are not used as solvents (R3 in Annex IV, sect. B), with prior sorting and, if needed, temporary storage limited to one instance, provided that it is followed by operation R3 and evidenced by contractual or relevant official documentation.;

(b) in Part 3, List A is replaced by the following:

‘List A (Annex II to the Basel Convention)

Y46 Waste collected from households *

Y47 Residues arising from the incineration of household wastes

Y48 Plastic waste, including mixtures of such waste, with the exception of the following:

- Plastic waste that is hazardous waste (see entry A3210 in part 1 of list A in Annex V)
- Plastic waste listed below, provided it is destined for recycling ** in an environmentally sound manner and almost free from contamination and other types of wastes: ***
 - Plastic waste almost exclusively **** consisting of one non-halogenated polymer, including but not limited to the following polymers:
 - Polyethylene (PE)
 - Polypropylene (PP)
 - Polystyrene (PS)
 - Acrylonitrile butadiene styrene (ABS)
 - Polyethylene terephthalate (PET)
 - Polycarbonates (PC)
 - Polyethers
 - Plastic waste almost exclusively **** consisting of one cured resin or condensation product, including but not limited to the following resins:
 - Urea formaldehyde resins
 - Phenol formaldehyde resins
 - Melamine formaldehyde resins
 - Epoxy resins
 - Alkyd resins
- Plastic waste almost exclusively **** consisting of one of the following fluorinated polymers: *****
 - Perfluoroethylene/propylene (FEP)
 - Perfluoroalkoxy alkanes:
 - Tetrafluoroethylene/perfluoroalkyl vinyl ether (PFA)
 - Tetrafluoroethylene/perfluoromethyl vinyl ether (MFA)

- Polyvinylfluoride (PVF)
- Polyvinylidenefluoride (PVDF)
- Mixtures of plastic waste, consisting of polyethylene (PE), polypropylene (PP) and/or polyethylene terephthalate (PET), provided they are destined for separate recycling ***** of each material and in an environmentally sound manner and almost free from contamination and other types of wastes. ***

* Unless appropriately classified under a single entry in Annex III.

** Recycling/reclamation of organic substances that are not used as solvents (R3 in Annex IV, sect. B) or, if needed, temporary storage limited to one instance, provided that it is followed by operation R3 and evidenced by contractual or relevant official documentation.

*** In relation to “almost free from contamination and other types of wastes”, international and national specifications may offer a point of reference.

**** In relation to “almost exclusively”, international and national specifications may offer a point of reference.

***** Post-consumer wastes are excluded.

***** Recycling/reclamation of organic substances that are not used as solvents (R3 in Annex IV, sect. B), with prior sorting and, if needed, temporary storage limited to one instance, provided that it is followed by operation R3 and evidenced by contractual or relevant official documentation.;

(c) in Part 3, the heading of List B is replaced by the following:

*‘List B (Waste from Appendix 4, Part II of the OECD Decision) **

* The wastes numbered AB130, AC250, AC260 and AC270 have been deleted since they have been considered, in accordance with the procedure laid down in Article 18 of Directive 2006/12/EC of the European Parliament and of the Council of 5 April 2006 on waste (OJ L 114, 27.4.2006, p. 9, as repealed by Directive 2008/98/EC), to be non-hazardous and therefore not subject to the export prohibition in Article 36 of this Regulation. The waste numbered AC300 has been deleted since the waste in question is covered by entry A3210 in List A of part 1.;

(6) Annex VII is amended as follows:

In block 10, the following is added:

‘(vii) Other (please specify):’.

ANNEX II

‘ANNEX VIII

GUIDELINES ON ENVIRONMENTALLY SOUND MANAGEMENT (ARTICLE 49)**I. Guidelines and guidance documents adopted under the Basel Convention:**

1. Technical guidelines on the environmentally sound management of biomedical and health care wastes (Y1; Y3) ⁽¹⁾
2. Technical guidelines on the environmentally sound management of waste lead acid batteries¹
3. Technical guidelines on the environmentally sound management of the full and partial dismantling of ships¹
4. Technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds (R4) ⁽²⁾
5. General technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants ⁽³⁾
6. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with 1,1,1 trichloro 2,2 bis (4 chlorophenyl) ethane (DDT) ⁽⁴⁾
7. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexabromocyclododecane (HBCD) ⁽⁵⁾
8. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF)⁵
9. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with pentachlorophenol and its salts and esters (PCP) ⁽⁶⁾
10. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with the pesticides aldrin, alpha hexachlorocyclohexane, beta hexachlorocyclohexane, chlordane, chlordecone, dieldrin, endrin, heptachlor, hexachlorobenzene, hexachlorobutadiene, lindane, mirex, pentachlorobenzene, pentachlorophenol and its salts, perfluorooctane sulfonic acid, technical endosulfan and its related isomers or toxaphene or with hexachlorobenzene as an industrial chemical (POP Pesticides)⁶
11. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with polychlorinated biphenyls, polychlorinated terphenyls, polychlorinated naphthalenes or polybrominated biphenyls including hexabromobiphenyl (PCBs, PCTs, PCNs or PBBs, including HBB)⁶
12. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexabromodiphenyl ether and heptabromodiphenyl ether, or tetrabromodiphenyl ether and pentabromodiphenyl ether or decabromodiphenyl ether (POP-BDEs)³
13. Technical Guidelines for the Environmentally Sound Management of Wastes Containing or Contaminated with unintentionally produced polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans, hexachlorobenzene, polychlorinated biphenyls, pentachlorobenzene, polychlorinated naphthalenes or hexachlorobutadiene³

⁽¹⁾ Adopted by the sixth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, December 2002.

⁽²⁾ Adopted by the seventh meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, October 2004.

⁽³⁾ Adopted by the fourteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, May 2019.

⁽⁴⁾ Adopted by the eighth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, December 2006.

⁽⁵⁾ Adopted by the twelfth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, May 2015.

⁽⁶⁾ Adopted by the thirteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, May 2017.

14. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexachlorobutadiene³
15. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with short-chain chlorinated paraffins³
16. Technical guidelines for the environmentally sound management of used and waste pneumatic tyres ⁽⁷⁾
17. Technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds⁵
18. Technical guidelines for the environmentally sound co-processing of hazardous wastes in cement kilns⁷
19. Guidance document on the environmentally sound management of used and end-of-life computing equipment⁶
20. Guidance document on environmentally sound management of used and end-of-life mobile phones⁷
21. Framework for the environmentally sound management of hazardous wastes and other wastes ⁽⁸⁾
22. Practical manuals for the promotion of the environmentally sound management of wastes ⁽⁹⁾

II. Guidelines adopted by the OECD:

Technical guidance for the environmentally sound management of specific waste streams:

Used and scrap personal computers ⁽¹⁰⁾

III. Guidelines adopted by the International Maritime Organization (IMO):

Guidelines on ship recycling ⁽¹¹⁾

IV. Guidelines adopted by the International Labour Organization (ILO):

Safety and health in shipbreaking guidelines for Asian countries and Turkey ⁽¹²⁾

⁽⁷⁾ Adopted by the tenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, October 2013.

⁽⁸⁾ Adopted by the eleventh meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, October 2013.

⁽⁹⁾ Adopted by the thirteenth and fourteenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, May 2017 and May 2019.

⁽¹⁰⁾ Adopted by the Environment Policy Committee of the OECD in February 2003 (document ENV/EPOC/WGWPR(2001)3/FINAL).

⁽¹¹⁾ Resolution A 962 adopted by the Assembly of the IMO at its 23rd Regular session, 24 November to 5 December 2003.

⁽¹²⁾ Approved for publication by the Governing Body of the ILO at its 289th session, 11-26 March 2004.'

COMMISSION DELEGATED REGULATION (EU) 2020/2175
of 20 October 2020
amending Delegated Regulation (EU) 2020/256 establishing a multiannual rolling planning

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/1700 of the European Parliament and of the Council of 10 October 2019 establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples, amending Regulations (EC) No 808/2004, (EC) No 452/2008 and (EC) No 1338/2008 of the European Parliament and of the Council, and repealing Regulation (EC) No 1177/2003 of the European Parliament and of the Council and Council Regulation (EC) No 577/98 ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2020/256 ⁽²⁾ established a multiannual rolling planning for the collection of data under Regulation (EU) 2019/1700 from 2021 to 2028.
- (2) To ensure the effectiveness and consistency of the multiannual rolling planning with users' needs, it is necessary to adapt it by specifying the ad-hoc subject to be covered by the ad-hoc module for 2023 under the European Survey for Income and Living conditions as this was not known at the time of adoption of Delegated Regulation (EU) 2020/256.
- (3) The adaptations of the multiannual rolling planning are to enter into force no later than 24 months before the beginning of each data collection period as specified in the planning for annual or infra-annual data collection.
- (4) Delegated Regulation (EU) 2020/256 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Delegated Regulation (EU) 2020/256 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 31 December 2020.

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

Done at Brussels, 20 October 2020.

For the Commission
The President
Ursula VON DER LEYEN

⁽¹⁾ OJ L 261 I, 14.10.2019, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/256 of 16 December 2019 supplementing Regulation (EU) 2019/1700 of the European Parliament and of the Council by establishing a multiannual rolling planning (OJ L 54, 26.2.2020, p. 1).

1. Annex I to Delegated Regulation (EU) 2020/256 is amended as follows:

Part B is replaced by the following:

Part B: Data collection periods for the domains having several periodicities

Domains	Groups (acronyms)	Years of data collection							
		2021	2022	2023	2024	2025	2026	2027	2028
Labour Force	Quarterly (LFQ)	Every quarter	Every quarter	Every quarter	Every quarter	Every quarter	Every quarter	Every quarter	Every quarter
	Yearly (LFY)	X	X	X	X	X	X	X	X
	“Reasons for migration” and “working time arrangements” (LF2YA)	X		X		X		X	
	“Participation in formal and non-formal education and training (12 months)”, “disability and other elements of Minimum European Health Module” and “elements of the Minimum European Health Module” (LF2YB)		X		X		X		X
	Labour market situation of migrants and their immediate descendants (LF8YA)	X							
	Pensions and labour market participation (LF8YB)			X					
	“Young people on the labour market” and “educational attainment – details, including education interrupted or abandoned” (LF8YC)				X				
	Reconciliation of work and family life (LF8YD)					X			
	Work organisation and working time arrangements (LF8YE)							X	
	Accidents at work and work-related health problems (LF8YF)								X
	Ad hoc Subject on job skills		X						
	Ad hoc Subject (to be defined at a later stage)						X		

Income and Living Conditions	Yearly (ILCY)	X	X	X	X	X	X	X	X
	Children (ILC3YA)	X			X			X	
	Health (ILC3YB)		X			X			X
	Labour Market and Housing (ILC3YC)			X			X		
	Quality of life (ILC6YA)		X						X'
	Intergenerational transmission of disadvantages & Housing difficulties (ILC6YB)			X					
	Access to services (ILC6YC)				X				
	Over-indebtedness, consumption and wealth (ILC6YD)						X		
	Ad hoc Subject on Living arrangements and conditions of children within separated or blended families	X							
	Ad hoc Subject on households energy efficiency			X					
	Ad hoc Subject (to be defined at a later stage)					X			
	Ad hoc Subject (to be defined at a later stage)							X	

2. Annex II to Delegated Regulation (EU) 2020/256 is replaced by the following:

‘ANNEX II

Grouping of the detailed topics for the data collection having several periodicities

Domains	Detailed topics	Groups (acronyms)
Labour Force	Data collection information	Quarterly (LFQ)
	Identification	Quarterly (LFQ)
	Weights	Yearly (LFY) and Quarterly (LFQ)
	Interview characteristics	Quarterly (LFQ)
	Localisation	Quarterly (LFQ)
	Demography	Quarterly (LFQ)

Citizenship and migrant background	Quarterly (LFQ)
Household composition	Yearly (LFY)
Household composition – additional specific details	Yearly (LFY)
Stay in the country	Quarterly (LFQ)
Reason for migration	Every 2 years (LF2YA)
Elements of the Minimum European Health Module	Every 2 years (LF2YB)
Disability and other elements of Minimum European Health Module	Every 2 years (LF2YB)
Accidents at work and other work-related health problems	Every 8 years (LF8YF)
Main activity status (self-defined)	Quarterly (LFQ)
Elementary job characteristics	Quarterly (LFQ)
Employment status	Quarterly (LFQ)
Duration of contract	Quarterly (LFQ)
Details of contract	Yearly (LFY)
Full- or part-time status – reason	Quarterly (LFQ)
Dependent self-employment	Yearly (LFY)
Supervisory responsibilities	Yearly (LFY)
Establishment size	Yearly (LFY)
Workplace	Quarterly (LFQ)
Working at home	Yearly (LFY)
Search for employment	Quarterly (LFQ)
Willingness to work	Quarterly (LFQ)
Availability	Quarterly (LFQ)
Second or multiple job(s)	Quarterly (LFQ)
Search for another job	Yearly (LFY)
Underemployment	Quarterly (LFQ)
Reconciliation of work and family life	Every 8 years (LF8YD)
Young people on the labour market	Every 8 years (LF8YC)
Labour market situation of migrants and their immediate descendants	Every 8 years (LF8YA)
Pension and labour market participation	Every 8 years (LF8YB)
Care needs	Yearly (LFY)
Start of job	Quarterly (LFQ)

	Way job found	Yearly (LFY)
	Career continuity and breaks	Quarterly (LFQ)
	Elementary characteristics of the last job	Yearly (LFY)
	Working hours	Quarterly (LFQ)
	Working time arrangements	Every 2 years (LF2YA)
	Work organisation and working time arrangements	Every 8 years (LF8YE)
	Income from work	Yearly (LFY)
	Income from unemployment allowances	Quarterly (LFQ)
	Educational attainment level	Quarterly (LFQ)
	Educational attainment – details, including education interrupted or abandoned	Yearly (LFY) and every 8 years (LF8YC)
	Participation in formal and non-formal education and training (4 weeks)	Quarterly (LFQ)
	Participation in formal and non-formal education and training (12 months)	Every 2 years (LF2YB)
Income and living conditions	Data collection information	Yearly(ILCY)
	Identification	Yearly(ILCY)
	Weights	Yearly(ILCY)
	Interview characteristics	Yearly(ILCY)
	Localisation	Yearly(ILCY)
	Demography	Yearly (ILCY)
	Citizenship and migrant background	Yearly (ILCY)
	Household composition	Yearly (ILCY)
	Household composition – additional specific details	Yearly (ILCY)
	Duration of stay in the country	Yearly (ILCY)
	Disability and Minimum European Health Module	Yearly (ILCY)
	Details on health status and disability	Every 3 years (ILC3YB)
	Children health	Every 3 years (ILC3YA)
	Access to health care	Yearly (ILCY)
	Health care	Every 3 years (ILC3YB)
	Access to health care (children)	Every 3 years (ILC3YA)
	Health determinants	Every 3 years (ILC3YB)

Main activity status (self-defined)	Yearly (ILCY)
Elementary job characteristics	Yearly (ILCY)
Characteristics of the workplace	Every 3 years (ILC3YC)
Duration of contract	Yearly (ILCY)
Employment status	Every 3 years (ILC3YC)
Detailed labour market situation	Yearly (ILCY)
Supervisory responsibilities	Yearly (ILCY)
Previous work experience	Yearly (ILCY)
Calendar of activities	Yearly (ILCY)
Working hours	Yearly (ILCY)
Educational attainment level	Yearly (ILCY)
Educational attainment – details, including education interrupted or abandoned	Every 3 years (ILC3YC)
Participation in formal education activities (current)	Yearly (ILCY)
Quality of life	Yearly (ILCY)
Social and cultural participation	Every 6 years (ILC6YA)
Well-being	Every 6 years (ILC6YA)
Material deprivation	Yearly (ILCY)
Children-specific deprivation	Every 3 years (ILC3YA)
Main housing characteristics	Yearly (ILCY)
Housing conditions details, incl. deprivation and imputed rent	Every 3 years (ILC3YC)
Housing costs including reduced utility costs	Yearly (ILCY)
Living environment	Every 3 years (ILC3YC)
Housing difficulties (including renting difficulties) and reasons	Every 6 years (ILC6YB)
Use of services, including care services and services for independent living	Every 6 years (ILC6YC)
Affordability of services	Every 6 years (ILC6YC)
Unmet needs and reasons	Every 6 years (ILC6YC)
Childcare	Yearly (ILCY)
Income from work	Yearly (ILCY)
Income from social transfers	Yearly (ILCY)

	Income from pensions	Yearly (ILCY)
	Other incomes, including income from property and capital and inter-household transfers	Yearly (ILCY)
	Taxes and contributions actually paid after reductions	Yearly (ILCY)
	Total annual income at the level of persons and households	Yearly (ILCY)
	Over-indebtedness, including reasons	Every 6 years (ILC6YD)
	Arrears	Yearly (ILCY)
	Elements of wealth, including dwelling ownership	Every 6 years (ILC6YD)
	Elements of consumption	Every 6 years (ILC6YD)
	Intergenerational transmission of advantages and disadvantages	Every 6 years (ILC6YB)
	Assessment of own needs	Every 6 years (ILC6YD)'

COMMISSION DELEGATED REGULATION (EU) 2020/2176**of 12 November 2020****amending Delegated Regulation (EU) No 241/2014 as regards the deduction of software assets from Common Equity Tier 1 items****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 ⁽¹⁾, and in particular the third subparagraph of Article 36(4), thereof,

Whereas:

- (1) The provisions concerning the treatment of prudently valued software assets, the value of which is not materially affected by the resolution, insolvency or liquidation of an institution, were amended by Regulation (EU) 2019/876 of the European Parliament and of the Council ⁽²⁾ to further support the transition towards a more digitalised banking sector. Regulation (EU) 2019/876 also introduced Article 36(4) into Regulation (EU) No 575/2013, which requires the European Banking Authority ('EBA') to develop the draft regulatory technical standards specifying the application of the deductions related to software assets from Common Equity Tier 1 items. To ensure coherence of the provisions related to own funds and to facilitate their application, it is appropriate to incorporate those regulatory technical standards into Commission Delegated Regulation (EU) No 241/2014 ⁽³⁾, which groups all technical standards concerning own funds.
- (2) Competent authorities are not prevented from scrutinising the software assets that an institution includes in capital on a case-by-case basis and from exercising their supervisory powers in accordance with Article 64 of Directive 2013/36/EU of the European Parliament and the Council ⁽⁴⁾, in particular where the stock of investments in software could result in an undesired prudential benefit or where the degree of judgement stemming from the applicable accounting framework is suspected to be used by an institution to circumvent this Regulation.
- (3) Due to the diversity in software used by institutions, it is difficult to assess, in a general way, which software assets could have a recoverable value in case of a resolution, insolvency or liquidation, and, if so, to what extent, or to identify a specific category of software that would preserve its value even in such a scenario.
- (4) Moreover, an assessment by EBA of specific cases of past transactions suggests that all software assets, without a distinction of specific categories, have the same likelihood of being written off. Even in those cases where the value of software assets is at least in part preserved, generally the useful life of such software is revised to take into account that such software will be kept in use by the acquirer of an institution only until the end of a migration process. Such migration process, the collected evidence shows, typically ranges between one and three years. That pattern should be reflected in the prudential treatment of software assets.

⁽¹⁾ OJ L 176, 27.6.2013, p. 1.

⁽²⁾ Regulation (EU) 2019/876 of the European Parliament and of the Council of 20 May 2019 amending Regulation (EU) No 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements, and Regulation (EU) No 648/2012 (OJ L 150, 7.6.2019, p. 1).

⁽³⁾ Commission Delegated Regulation (EU) No 241/2014 of 7 January 2014 supplementing Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to regulatory technical standards for Own Funds requirements for institutions (OJ L 74, 14.3.2014, p. 8).

⁽⁴⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

- (5) Given the limited value software assets appear to have in case of a resolution, insolvency or liquidation of an institution, it is essential that the prudential treatment of such assets strikes an appropriate balance between, on the one hand, prudential concerns, and, on the other hand, the value of those assets from a business and an economic perspective. The prudential treatment of software assets should thus entail a certain margin of conservatism on the relief in Common Equity Tier 1 capital requirements.
- (6) In addition, in order not to introduce additional operational burdens for the institutions and to facilitate supervision by the competent authorities, the prudential treatment of software assets should be simple to implement and applicable to all institutions in a standardised manner. The standardised prudential treatment should not prevent an institution from continuing to fully deduct its software assets from Common Equity Tier 1 items.
- (7) Given the rapid changes in technology, institutions often invest in maintenance, enhancements or upgrades of their software. To mitigate any risk of regulatory arbitrage, those investments should be amortised separately from the software that is maintained, enhanced or upgraded, provided that those investments are recognised as an intangible asset on the balance sheet of the institution under the applicable accounting framework.
- (8) Delegated Regulation (EU) No 241/2014 should therefore be amended accordingly.
- (9) This Regulation is based on the draft regulatory technical standards submitted to the Commission by EBA.
- (10) EBA has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽⁵⁾.
- (11) Given the accelerated uptake of digital services as a consequence of the COVID-19 pandemic, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) No 241/2014

Delegated Regulation (EU) No 241/2014 is amended as follows:

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

‘(f) the application of the deductions from Common Equity Tier 1 items and other deductions for Common Equity Tier 1, Additional Tier 1 and Tier 2 items in accordance with paragraphs 2 and 4 of Article 36 of Regulation (EU) No 575/2013’;

- (2) the following Article 13a is inserted:

‘Article 13a

Deduction of software assets that are classified as intangible assets for accounting purposes for the purposes of Article 36(1), point (b), of Regulation (EU) No 575/2013

1. Software assets that are intangible assets as defined in Article 4(1), point (115), of Regulation (EU) No 575/2013 shall be deducted from Common Equity Tier 1 items in accordance with paragraphs 5 to 8 of this Article. The amount to be deducted shall be determined on the basis of the prudential accumulated amortisation calculated in accordance with paragraphs 2, 3 and 4 of this Article.

⁽⁵⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

2. Institutions shall calculate the amount of the prudential accumulated amortisation of the software assets referred to in paragraph 1 by multiplying the amount obtained from the calculation referred in point (a) by the number of days referred to in point (b):

- (a) the amount at which the software asset has been initially recognised on the balance sheet of the institution under the applicable accounting framework, divided by the lower of:
 - (i) the number of days of useful life of the software asset, as estimated for accounting purposes;
 - (ii) three years, expressed in days, starting from the date referred to in paragraph 3;
- (b) the number of days elapsed since the date referred to in paragraph 3, provided that this does not exceed the period referred in point (a) of this paragraph.

3. The prudential accumulated amortisation referred to in paragraph 1 shall be calculated starting from the date on which the software asset is available for use and begins to be amortised for accounting purposes.

4. By way of derogation from paragraph 3, where a software asset has been acquired from any undertaking, including a non-financial sector entity, that is part of the same group as the institution, the prudential accumulated amortisation referred to in paragraph 1 shall be calculated from the date on which that software asset began to be amortised under the applicable accounting framework on that undertaking's balance sheet.

5. Institutions shall deduct from Common Equity Tier 1 items the amount resulting from the difference, if positive, between the amount in point (a) and the amount in point (b):

- (a) the prudential accumulated amortisation of a software asset calculated in accordance with paragraphs 2, 3 and 4;
- (b) the sum of the accumulated amortisation and any accumulated impairment losses of that software asset recognised on that institution's balance sheet under the applicable accounting framework.

6. By way of derogation from paragraph 5, until the date on which the software asset is available for use and begins to be amortised for accounting purposes, institutions shall deduct from Common Equity Tier 1 items the full amount at which the software asset is recognised on that institution's balance sheet under the applicable accounting framework.

7. The prudential amortisations and deductions set out in this Article shall be made separately for each software asset.

8. Institutions' investments in maintaining, enhancing or upgrading existing software assets shall be treated as assets other than the related software assets, provided that those investments are recognised as an intangible asset on that institution's balance sheet under the applicable accounting framework.

Without prejudice to paragraph 6, the prudential accumulated amortisation of those investments in maintaining, enhancing or upgrading existing software assets shall be calculated from the date on which they begin to be amortised under the applicable accounting framework.

The prudential accumulated amortisation of related existing software assets shall continue to be calculated from the date of their own initial amortisation for accounting purposes and until the end of the period of the prudential amortisation determined in accordance with point (a) of paragraph 2.'

Article 2

Entry into force

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 Brussels, 12 November 2020.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/2177**of 15 December 2020****entering a name in the register of protected designations of origin and protected geographical indications ('Haricot de Castelnaudary' (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) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, France's application to register the name 'Haricot de Castelnaudary' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Haricot de Castelnaudary' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Haricot de Castelnaudary' (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.6 – Fruit, vegetables and cereals, fresh or processed, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*Article 2*This Regulation shall enter into force on the seventh 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, 15 December 2020.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 281, 26.8.2020, p. 2.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION IMPLEMENTING REGULATION (EU) 2020/2178**of 15 December 2020****correcting Implementing Regulation (EU) 2020/1433 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications ('Poulligny-Saint-Pierre' (PDO))**

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) On 5 October 2020, the Commission adopted Implementing Regulation (EU) 2020/1433 ⁽²⁾ approving an amendment to the specification of the designation 'Poulligny-Saint-Pierre' (PDO) in accordance with Article 52(2) of Regulation (EU) No 1151/2012. The transitional period granted to certain operators by France under Article 15(4) of Regulation (EU) No 1151/2012 was omitted in error from the aforementioned Regulation (EU) 2020/1433.
- (2) By letter of 20 December 2018, the French authorities had in fact notified the Commission that a transitional period under Article 15(4) of Regulation (EU) No 1151/2012, ending on 30 June 2025, had been granted to eight operators established on their territory who meet the conditions laid down in that Article pursuant to the Order of 22 November 2018 on amendments to the specification for the protected designation of origin 'Poulligny-Saint-Pierre', published on 8 December 2018 in the Official Journal of the French Republic.
- (3) Indeed, during the national opposition procedure, eight objections had been received, all of them concerning the conditions for milk production and, more specifically, the impossibility of complying with the proportion of feed originating in the geographical area as laid down in the specification, which states that 'The feed produced in the geographical area (fodder + supplementary feed) represents at least 75 % of the dry matter of the total annual feed ration of the herd.' Furthermore, these operators have legally marketed 'Poulligny-Saint-Pierre' continuously for at least five years prior to submission of the application, fulfilling the conditions of Article 15(4) of Regulation (EU) No 1151/2012. Transitional periods ending on 30 June 2025 have therefore been granted to them in this context and must now be approved by the Commission.
- (4) The operators involved are: Earl de Vesche (SIRET No 50317689300017); Ferme des Ages (SIRET No 19360598700026); Gaec de Villiers (SIRET No 41293309500017); Jean Barrois (SIRET No 33452601900016); Earl des Grands vents (SIRET No 52325005800014); Earl du Start Chiebe (SIRET No 50979878100019); Gaec de la Custi re (SIRET No 31928251300013); Gaec des Chinets (SIRET No 35328804600017).
- (5) Implementing Regulation (EU) 2020/1433 should therefore be corrected accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article shall be added to Implementing Regulation (EU) 2020/1433:

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2020/1433 of 5 October 2020 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications 'Poulligny-Saint-Pierre' (PDO) (OJ L 331, 12.10.2020, p. 19).

'Article 1a

The protection provided under Article 1 is subject to the transitional period granted by France under Article 15(4) of Regulation (EU) No 1151/2012 to operators meeting the conditions laid down in that Article, pursuant to the Order of 22 November 2018 on amendments to the specification for the protected designation of origin 'Pouigny-St-Pierre' published on 8 December 2018 in the Official Journal of the French Republic.'

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 Brussels, 15 December 2020.

*For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission*

COMMISSION IMPLEMENTING REGULATION (EU) 2020/2179
of 16 December 2020
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Article 57(4) and Article 58(2) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Council Regulation (EEC) No 2658/87 ⁽²⁾, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 34(9) of Regulation (EU) No 952/2013. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 34(9) of Regulation (EU) No 952/2013 for a period of three months from the date of entry into force of this Regulation.

Article 3

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 269, 10.10.2013, p. 1.

⁽²⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

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

Done at Brussels, 16 December 2020.

*For the Commission,
On behalf of the President,
Gerassimos THOMAS
Director-General
Directorate-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A rectangular bag consisting of a moulded silicone elastomer body. It measures approximately 16,5 cm in length, 10 cm in height and 2,5 cm in width. It has an attached loop-handle of the same material and a closing system (zip-fastener). The article is produced in a single step, with integrated parts (loop-handle and zip-fastener), and has no internal fittings. The article is designed to carry and protect various small objects. See images (*).	3926 90 97	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 3926, 3926 90 and 3926 90 97. Classification under heading 4202 is excluded because that heading covers only the articles specifically named therein and similar containers (see also the Harmonised System Explanatory Notes (HSEN) to heading 4202, first paragraph). Given its objective characteristics (in particular, the plain interior and the small size), the article is not considered to be a suitcase, vanity case, executive-case, briefcase, school satchel or similar container of the first part of heading 4202. The article is not considered to be a similar container of the first part of heading 4202 as it is not specially shaped or internally fitted to contain particular tools with or without their accessories (see also the HSEN to heading 4202, third paragraph, and ninth paragraph, point (f)). The article is therefore not covered by the wording of the first part of heading 4202. The articles covered by the second part of heading 4202 must be only of the materials specified therein or must be wholly or mainly covered with such materials or with paper (see also the HSEN to heading 4202, fourth paragraph). Taking into account that the article consists of moulded silicone elastomer, it cannot be considered as a handbag with an outer surface of sheeting of plastics. Therefore, the article is not covered by the wording of the second part of heading 4202. The article is not of the kind normally carried in the pocket or in the handbag, such as spectacle cases, note-cases (bill-folds), wallets, purses, key-cases, cigarette-cases, cigar-cases, pipe-cases and tobacco-pouches (see also the Harmonised System subheading explanatory note to subheadings 4202.31, 4202.32 and 4202.39). Therefore, the article cannot be classified under subheadings 4202.31, 4202.32 and 4202.39.

		Consequently, the article is to be classified under CN code 3926 90 97 as other articles of plastics.
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(*) The images are purely for information.



COMMISSION DELEGATED REGULATION (EU) 2020/2180**of 18 December 2020****extending the reference period of Regulation (EU) 2020/1429 of the European Parliament and of the Council establishing measures for a sustainable rail market in view of the COVID-19 outbreak****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2020/1429 of the European Parliament and of the Council of 7 October 2020 establishing measures for a sustainable rail market in view of the COVID-19 outbreak ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) The COVID-19 pandemic has led to a sharp drop in rail traffic because of a significant fall in demand and direct measures taken by the Member States to contain the pandemic.
- (2) These circumstances are beyond the control of railway undertakings that have continuously faced considerable liquidity problems, major losses and in some cases are risking insolvency.
- (3) In order to counteract the negative economic effects of the COVID-19 pandemic and support railway undertakings, Regulation (EU) 2020/1429 enables Member States to authorise infrastructure managers to reduce, waive or defer charges for accessing rail infrastructure. This possibility had been granted from 1 March 2020 until 31 December 2020 ('the reference period').
- (4) Limitations imposed on mobility during the period of the pandemic had a significant impact on the use of rail passenger services. The pandemic also resulted in many industries slowing down or even ceasing their production thereby reducing the amount of goods carried by rail freight. Based on the data provided by rail infrastructure managers in the EU-27, the pandemic hit harder the passenger service segment and, in particular the commercial passenger service segment, with a significant reduction of its offer across all Member States. Between March and September 2020, passenger services expressed in train-km decreased by 16,9 % compared to the same period of the previous year, freight services by 11,1 %. Between March and September 2020, passenger services under public service obligations expressed in train-km decreased by 12,2 % compared to the same period the previous year, commercial passenger services by 37,3 %. The passenger traffic in passenger-km decreased by 71,2 % in the second quarter of 2020 compared to the same period of 2019, the freight traffic in tonne-km decreased by 15,9 %. This trend may have a huge impact on the competition in the rail passenger markets, the realisation of a truly single European rail area and, ultimately the move towards a more sustainable transport sector with more people and goods moving by rail.
- (5) The World Health Organisation data shows that the number of daily recorded cases in Europe has picked up again with a considerable number of days recording more than 300 000 new cases in October 2020.
- (6) In November 2020, the European Centre for Disease Control (ECDC) estimated that '*Across the European Union/ European Economic Area (EU/EEA) and the United Kingdom (UK) there has been a considerable further increase in COVID-19 infections and the current situation represents a major threat to public health*' and that '*the current epidemiological situation in most countries is a serious concern as it poses an increasing risk of transmission, requiring immediate, targeted public health action*'.

⁽¹⁾ OJ L 333, 12.10.2020, p. 1.

- (7) Following this development, Member States have increasingly taken stricter limitations on mobility starting from October. Therefore, there are no prospects of a rapid recovery of rail traffic in the short term.
- (8) It thus appears that the reduction in the level of rail traffic as compared to the level in the corresponding period in the previous years, for which 2019 provides the reference values in accordance with Article 5(1) and (2) of Regulation (EU) 2020/1429, is persisting and that this situation is the result of the impact of the COVID-19 outbreak.
- (9) The forecasts indicate a very gradual recovery of the economy over the next two years as consumer confidence and economic sentiment indicators turned into negative. Furthermore, in light of the data available for earlier periods, any improvement in respect of public health, for example due to the availability of a vaccine, assuming that such an improvement were to occur in the first half of 2021 is likely to exert appreciable positive effects on rail traffic only with considerable delay. Such positive effects will likely materialise no earlier than from the second half of 2021.
- (10) It appears therefore that the reduction in the level of rail traffic as compared to the level in the corresponding period in the previous years is likely to persist until that time and that this situation is the result of the impact of the COVID-19 outbreak.
- (11) It is therefore necessary to extend the reference period established in Article 1 of the Regulation until the end of June 2021.
- (12) This delegated Regulation is foreseen to enter into force after the end of the reference period currently envisaged in Article 1 of Regulation (EU) 2020/1429. In order to avoid legal uncertainty this Regulation should be adopted under the urgency procedure detailed under Article 7 of the Regulation, and should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EU) 2020/1429 is replaced by the following:

'Article 1

This Regulation lays down temporary rules on the levying of charges for the use of railway infrastructure as set out in Chapter IV of Directive 2012/34/EU. It applies to the use of railway infrastructure for domestic and international rail services covered by that Directive, during the period from 1 March 2020 until 30 June 2021 ("the reference period").'

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 Brussels, 18 December 2020.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2020/2181

of 17 December 2020

determining quantitative limits and allocating quotas for substances controlled under Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer, for the period 1 January to 31 December 2021

(notified under document C(2020) 8996)

(Only the Bulgarian, Croatian, Czech, Dutch, English, French, German, Greek, Hungarian, Italian, Latvian, Maltese, Polish, Portuguese and Spanish texts are authentic)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer ⁽¹⁾, and in particular Articles 10(2) and 16(1) thereof,

Whereas:

- (1) The release for free circulation in the Union of imported controlled substances is subject to quantitative limits.
- (2) The Commission is required to determine those limits and allocate quotas to undertakings.
- (3) Furthermore, the Commission is required to determine the quantities of controlled substances other than hydrochlorofluorocarbons that may be used for essential laboratory and analytical uses, and the undertakings that may use them.
- (4) The determination of the allocated quotas for essential laboratory and analytical uses has to ensure that the quantitative limits set out in Article 10(6) of Regulation (EC) No 1005/2009 are respected, applying Commission Regulation (EU) No 537/2011 ⁽²⁾. As those quantitative limits include quantities of hydrochlorofluorocarbons licensed for laboratory and analytical uses, the production and import of hydrochlorofluorocarbons for those uses should also be covered by that allocation.
- (5) The Commission has published a notice to undertakings intending to import or export controlled substances that deplete the ozone layer to or from the European Union in 2021 and to undertakings intending to produce or import these substances for laboratory and analytical uses in 2021 ⁽³⁾, and has thereby received declarations on intended imports in 2021.
- (6) The quantitative limits and quotas should be determined for the period 1 January to 31 December 2021, in line with the annual reporting cycle under the Montreal Protocol on Substances that Deplete the Ozone Layer.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 25(1) of Regulation (EC) No 1005/2009,

⁽¹⁾ OJ L 286, 31.10.2009, p. 1.

⁽²⁾ Commission Regulation (EU) No 537/2011 of 1 June 2011 on the mechanism for the allocation of quantities of controlled substances allowed for laboratory and analytical uses in the Union under Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer (OJ L 147, 2.6.2011, p. 4).

⁽³⁾ OJ C 115, 7.4.2020, p. 14.

HAS ADOPTED THIS DECISION:

Article 1

Quantitative limits for release for free circulation

The quantities of controlled substances subject to Regulation (EC) No 1005/2009 which may be released for free circulation in the Union in 2021 from sources outside the Union shall be the followings:

Controlled substances	Quantity (in ozone depleting potential (ODP) kilograms)
Group I (chlorofluorocarbons 11, 12, 113, 114 and 115) and group II (other fully halogenated chlorofluorocarbons)	500 550,00
Group III (halons)	25 762 300,00
Group IV (carbon tetrachloride)	24 530 561,00
Group V (1,1,1-trichloroethane)	2 500 000,00
Group VI (methyl bromide)	630 835,20
Group VII (hydrobromofluorocarbons)	4 569,16
Group VIII (hydrochlorofluorocarbons)	4 916 159,75
Group IX (bromochloromethane)	264 024,00

Article 2

Allocation of quotas for release for free circulation

1. The allocation of quotas for chlorofluorocarbons 11, 12, 113, 114 and 115 and other fully halogenated chlorofluorocarbons during the period 1 January to 31 December 2021 shall be for the purposes and to the undertakings indicated in Annex I.
2. The allocation of quotas for halons during the period 1 January to 31 December 2021 shall be for the purposes and to the undertakings indicated in Annex II.
3. The allocation of quotas for carbon tetrachloride during the period 1 January to 31 December 2021 shall be for the purposes and to the undertakings indicated in Annex III.
4. The allocation of quotas for 1,1,1-trichloroethane during the period 1 January to 31 December 2021 shall be for the purposes and to the undertakings indicated in Annex IV.
5. The allocation of quotas for methyl bromide during the period 1 January to 31 December 2021 shall be for the purposes and to the undertakings indicated in Annex V.
6. The allocation of quotas for hydrobromofluorocarbons during the period 1 January to 31 December 2021 shall be for the purposes and to the undertakings indicated in Annex VI.
7. The allocation of quotas for hydrochlorofluorocarbons during the period 1 January to 31 December 2021 shall be for the purposes and to the undertakings indicated in Annex VII.
8. The allocation of quotas for bromochloromethane during the period 1 January to 31 December 2021 shall be for the purposes and to the undertakings indicated in Annex VIII.
9. The individual quotas for undertakings shall be as set out in Annex IX.

*Article 3***Quotas for laboratory and analytical uses**

The quotas for importing and producing controlled substances for laboratory and analytical uses in the year 2021 shall be allocated to the undertakings listed in Annex X.

The maximum quantities that may be produced or imported in 2021 for laboratory and analytical uses allocated to those undertakings are set out in Annex XI.

*Article 4***Period of validity**

This Decision shall apply from 1 January 2021 until 31 December 2021.

*Article 5***Addressees**

This Decision is addressed to the following undertakings:

1	Abcr GmbH Im Schleht 10 76187 Karlsruhe Germany	2	Agilent Technologies Manufacturing GmbH & Co. KG Hewlett-Packard-Str. 8 D-76337 Waldbronn Germany
3	Albemarle Europe SPRL Parc Scientifique Einstein, Rue du Bosquet 9 B-1348 Louvain-la-Neuve Belgium	4	ARKEMA FRANCE Rue Estienne d'Orves 420 92705 COLOMBES CEDEX France
5	Arthur Friedrichs Kältemittel GmbH Bei den Kämpen 22 21220 Seevetal Germany	6	ATELIERS BIGATA SASU RUE JEAN-BAPTISTE PERRIN 10 33320 EYSINES France
7	BASF Agri-Production S.A.S. Rue de Verdun 32 76410 Saint-Aubin Les Elbeuf France	8	Bayer AG Alfred-Nobel-Str. 50 40789 Monheim Germany
9	Biovit d.o.o. Varazdinska ulica - Odvojak II 15 HR-42000 Varazdin Croatia	10	Blue Cube Germany Assets GmbH & Co. KG Buetzflether Sand 2 21683 Stade Germany
11	BTC B.V. Albert Thijsstraat 17 6471WX Eijgelshoven Netherlands	12	Ceram Optec SIA Skanstes street 7 K-1 LV-1013 Riga Latvia
13	Chemours Netherlands B.V. Baanhoekweg 22 3313LA Dordrecht Netherlands	14	Daikin Refrigerants Europe GmbH Industriepark Höchst 65926 Frankfurt am Main Germany
15	Dyneon GmbH Industrieparkstr. 1 84508 Burgkirchen Germany	16	EAF protect s.r.o. Karlovarská 131/50 35002 Cheb 2 Czech Republic

17	F-Select GmbH Grosshesseloherstr. 18 81479 Munich Germany	18	FOT LTD Ovcha kupel 13 1618 Sofia Bulgaria
19	Gedeon Richter Plc. Gyömrői út 19-21. H-1103 Budapest Hungary	20	GHC Gerling, Holz & Co. Handels GmbH Ruhrstr. 113 22761 Hamburg Germany
21	GIELLE INDUSTRIES di Luigi Galantucci VIA FERRI ROCCO 32 70022 ALTAMURA Italy	22	Hovione FarmaCiencia SA Quinta de S. Pedro - Sete Casas 2674-506 Loures Portugal
23	Hudson Technologies Europe S.r.l. Via degli Olmetti 39/E 00060 Formello Italy	24	Hugen Maintenance for Aircraft B.V. Marketing 43 6921 Duiven Netherlands
25	Hugen Reprocessing Company Dutch Halonbank bv Marketing 43 6921 RE Duiven Netherlands	26	ICL EUROPE COOPERATIEF U.A. Koningin Wilhelminaplein 30 1062 KR Amsterdam Netherlands
27	INTERGEO LTD INDUSTRIAL PARK OF THERMI 57001 THESSALONIKI Greece	28	L'HOTELLIER SAS Rue Henri Poincaré 4 92160 ANTONY France
29	Labmix24 GmbH Industriestr. 18A 46499 Hamminkeln Germany	30	LABORATORIOS MIRET S.A. Geminis 4 08228 Terrassa Spain
31	LGC Standards GmbH Mercatorstr. 51 46485 Wesel Germany	32	Ludwig-Maximilians-University Butenadtstr. 5-13 (HAUS D) DE-81377 Munich Germany
33	Martec SpA Via dell'industria 1 I-20060 Vignate Italy	34	MEBROM NV INDUSTRIELAAN 9 9990 MALDEGEM Belgium
35	Mebrom Technology NV Antwerpsesteenweg 45 2830 Willebroek Belgium	36	Neochema GmbH Am Kümmerling 37A 55294 Bodenheim Germany
37	P.U. POZ-PLISZKA Sp. z o.o. Mialki Szlak 52 80-717 Gdansk Poland	38	Philipps-Universität Marburg Biegenstrasse 10 35032 Marburg Germany
39	R.P. CHEM s.r.l. Via San Michele 47 31032 Casale sul Sile (TV) Italy	40	Restek GmbH Schaberweg 23 Bad Homburg Germany
41	Safety Hi-Tech srl Via Bellini 22 00198 Roma Italy	42	SANOFI CHIMIE LE BOURG 63480 VERTOLAYE France

43	Savi Technologie sp. z o.o. sp. k. Psary Wolnosci 20 51-180 Wrocław Poland	44	SIGMA ALDRICH CHIMIE sarl Rue de Luzais 80 38070 SAINT QUENTIN FALLAVIER France
45	Sigma-Aldrich Chemie GmbH Riedstraße 2 89555 Steinheim Germany	46	Solvay Fluor GmbH Hans-Boeckler-Allee 20 30173 Hannover Germany
47	Solvay Specialty Polymers France SAS Avenue de la Republique 39501 Tavaux Cedex France	48	Solvay Specialty Polymers Italy SpA Viale Lombardia 20 20021 Bollate Italy
49	Sterling Chemical Malta Limited Hal Far Industrial Estate HF 51 1504 FLORIANA Malta	50	Sterling SpA Via della Carboneria 30 06073 Solomeo - Corciano (PG) Italy
51	Tazzetti SAU Calle Roma 2 28813 Torres de la Alameda Spain	52	Tazzetti SpA Corso Europa 600/A 10088 Volpiano Italy
53	TECHLAB SARL La tannerie 4C 57072 METZ CEDEX 3 France	54	TEGA - Technische Gase und Gasetechnik GmbH Werner-von-Siemens-Str. 18 D-97076 Würzburg Germany
55	ULTRA Scientific Italia srl Via emilia 51/D 40011 Anzola emilia Italy	56	UTM Umwelt-Technik-Metallrecycling GmbH Alt-Herrenwyk 12 23569 Lübeck Germany
57	VALLISCOR EUROPA LIMITED 13-18 City Quay D02 ED70 Dublin Ireland	58	VATRO-SERVIS d.o.o. Dravska 61 42202 Trnovec Bartolovecki Croatia

Done at Brussels, 17 December 2020.

For the Commission
Frans TIMMERMANS
Executive Vice-President

ANNEX I

Groups I and II

Import quotas for chlorofluorocarbons 11, 12, 113, 114 and 115 and other fully halogenated chlorofluorocarbons allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses and process agent uses during the period 1 January to 31 December 2021.

Company

Abcr GmbH (DE)

Solvay Specialty Polymers Italy SpA (IT)

Tazzetti SAU (ES)

Tazzetti SpA (IT)

TEGA – Technische Gase und Gasetechnik GmbH (DE)

ANNEX II

Group III

Import quotas for halons allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses and critical uses during the period 1 January to 31 December 2021.

Company

Abcr GmbH (DE)

Arkema France (FR)

Arthur Friedrichs Kältemittel GmbH (DE)

Ateliers Bigata SASU (FR)

BASF Agri-Production S.A.S. (FR)

BTC B.V. (NL)

EAF protect s.r.o. (CZ)

Gielle Industries di Luigi Galantucci (IT)

Hugen Maintenance for Aircraft B.V. (NL)

Hugen Reprocessing Company Dutch Halonbank bv (NL)

Intergeo LTD (EL)

L'Hotellier SAS (FR)

Martec SpA (IT)

P.U. Poz-Pliszka Sp. z o.o. (PL)

Savi Technologie sp. z o.o. sp. k. (PL)

UTM Umwelt-Technik-Metallrecycling GmbH (DE)

Vatro-Servis d.o.o. (HR)

ANNEX III

Group IV

Import quotas for carbon tetrachloride allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses and process agent uses for the period 1 January to 31 December 2021.

Company

Abcr GmbH (DE)

Arkema France (FR)

Blue Cube Germany Assets GmbH & Co. KG (DE)

Ceram Optec SIA (LV)

ANNEX IV

Group V

Import quotas for 1,1,1-trichloroethane allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2021.

Company

Arkema France (FR)

ANNEX V

Group VI

Import quotas for methyl bromide allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2021.

Company

Abcr GmbH (DE)

GHC Gerling, Holz & Co. Handels GmbH (DE)

ICL Europe Cooperatief U.A. (NL)

Mebrom NV (BE)

Mebrom Technology NV (BE)

Sanofi Chimie (FR)

Sigma-Aldrich Chemie GmbH (DE)

ANNEX VI

Group VII

Import quotas for hydrobromofluorocarbons allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2021.

Company

Abcr GmbH (DE)

Hovione FarmaCiencia SA (PT)

R.P. CHEM s.r.l. (IT)

Sanofi Chimie (FR)

Sterling Chemical Malta Limited (MT)

Sterling SpA (IT)

Valliscor Europa Limited (IE)

ANNEX VII

Group VIII

Import quotas for hydrochlorofluorocarbons allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2021.

Company

Abcr GmbH (DE)

Arkema France (FR)

Bayer AG (DE)

Chemours Netherlands B.V. (NL)

Dyneon GmbH (DE)

Solvay Fluor GmbH (DE)

Solvay Specialty Polymers France SAS (FR)

Solvay Specialty Polymers Italy SpA (IT)

Tazzetti SAU (ES)

Tazzetti SpA (IT)

ANNEX VIII

Group IX

Import quotas for bromochloromethane allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2021.

Company

Albemarle Europe SPRL (BE)

ICL Europe Cooperatief U.A. (NL)

Laboratorios Miret S.A. (ES)

Sigma-Aldrich Chemie GmbH (DE)

Valliscor Europa Limited (IE)

ANNEX IX

(Commercially sensitive – in confidence – not to be published)

ANNEX X

Undertakings entitled to produce or import for laboratory and analytical uses in 2021

The quota of controlled substances which may be used for laboratory and analytical uses, are allocated to:

Company

Abcr GmbH (DE)

Agilent Technologies Manufacturing GmbH & Co. KG (DE)

Arkema France (FR)

Biovit d.o.o. (HR)

Daikin Refrigerants Europe GmbH (DE)

F-Select GmbH (DE)

FOT LTD (BG)

Gedeon Richter Plc. (HU)

Hudson Technologies Europe S.r.l. (IT)

Labmix24 GmbH (DE)

LGC Standards GmbH (DE)

Ludwig-Maximilians-University (DE)

Mebrom NV (BE)

Neochema GmbH (DE)

Philipps-Universität Marburg (DE)

Restek GmbH (DE)

Safety Hi-Tech srl (IT)

Sigma Aldrich Chimie sarl (FR)

Sigma-Aldrich Chemie GmbH (DE)

Solvay Fluor GmbH (DE)

Solvay Specialty Polymers France SAS (FR)

Solvay Specialty Polymers Italy SpA (IT)

Techlab SARL (FR)

Ultra Scientific Italia srl (IT)

Valliscor Europa Limited (IE)

ANNEX XI

(Commercially sensitive – in confidence – not to be published)

COMMISSION IMPLEMENTING DECISION (EU) 2020/2182**of 18 December 2020****laying down the final import response on behalf of the Union concerning the future import of certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council and amending the Commission Implementing Decision of 15 May 2014 adopting Union import decisions for certain chemicals pursuant to that Regulation***(notified under document C(2020) 8977)*

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals ⁽¹⁾, and in particular the second and third subparagraphs of Article 13(1) thereof,After consulting the Committee established by Article 133 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC ⁽²⁾,

Whereas:

- (1) The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade ('the Convention') is implemented by Regulation (EU) No 649/2012. In accordance with that Regulation, the Commission is to provide the Secretariat of the Convention with final or interim import responses on behalf of the Union concerning the future import of all chemicals that are subject to the Prior Informed Consent procedure (the 'PIC procedure').
- (2) At its ninth meeting, held in Geneva from 29 April to 10 May 2019, the Conference of the Parties to the Convention agreed to list certain chemicals in Annex III to the Convention with the effect that they became subject to the PIC procedure. A decision guidance document for each chemical was sent to the Commission on 16 September 2019 with a request for a decision regarding future import of the chemical.
- (3) Phorate has been added to Annex III to the Convention as a pesticide. The placing on the market and use of phorate as a component of plant protection products is prohibited under Regulation (EC) No 1107/2009 of the European Parliament and of the Council ⁽³⁾. Furthermore, the placing on the market and use of phorate as a component of biocidal products is prohibited under Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽⁴⁾. Therefore, consent under the Rotterdam Convention should not be given to the future import of phorate to the Union.
- (4) Hexabromocyclododecane has been added to Annex III to the Convention as an industrial chemical. The manufacturing, placing on the market and use of hexabromocyclododecane are prohibited under Regulation (EU) 2019/1021 of the European Parliament and of the Council ⁽⁵⁾. Therefore, consent under the Rotterdam Convention should not be given to the future import of hexabromocyclododecane to the Union.

⁽¹⁾ OJ L 201, 27.7.2012, p. 60.⁽²⁾ OJ L 396, 30.12.2006, p. 1.⁽³⁾ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).⁽⁴⁾ Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).⁽⁵⁾ Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45).

- (5) Commercial pentabromodiphenyl ether (including tetra- and pentabromodiphenyl ether), commercial octabromodiphenyl ether (including hexa- and heptabromodiphenyl ether) and perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls were added to the PIC procedure as industrial chemicals at the sixth meeting of the Conference of the Parties to the Convention. Import responses for those chemicals have been adopted in the Commission Implementing Decision of 15 May 2014 adopting Union import decisions for certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council ⁽⁶⁾.
- (6) The manufacturing, placing on the market and use of commercial pentabromodiphenyl ether (including tetra- and pentabromodiphenyl ether) and commercial octabromodiphenyl ether (including hexa- and heptabromodiphenyl ether) are, subject to certain exemptions, prohibited under Regulation (EU) 2019/1021. Therefore, consent under the Rotterdam Convention should only be given to the future import of pentabromodiphenyl ether and commercial octabromodiphenyl ether to the Union, if certain conditions are met.
- (7) The manufacturing, placing on the market and use of perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls (PFOS) are, subject to certain exemptions, prohibited under Regulation (EU) 2019/1021. Therefore, consent under the Rotterdam Convention should only be given to the future import of PFOS to the Union, if certain conditions are met.
- (8) Since the regulatory developments in the Union brought about by Regulation (EU) 2019/1021 have taken place after the adoption of the Implementing Decision of 15 May 2014, that Decision should be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

The import responses for phorate and hexabromocyclododecane are set out in Annex I.

Article 2

Annex II to the Implementing Decision of 15 May 2014 adopting Union import decisions for certain chemicals pursuant to Regulation (EU) No 649/2012 is replaced by Annex II to this Decision.

Done at Brussels, 18 December 2020.

For the Commission
Virginijus SINKEVIČIUS
Member of the Commission

⁽⁶⁾ OJ C 152, 20.5.2014, p. 2.

ANNEX I

Import response for phorate



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE



FORM FOR IMPORT RESPONSE

Country:

European Union

Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.
United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 IDENTITY OF CHEMICAL

- 1.1 Common name Phorate
- 1.2 CAS number 298-02-2
- 1.3 Category
- ☒ Pesticide
 - ☐ Industrial
 - ☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

- 2.1 ☒ This is a first time import response for this chemical in the country.
- 2.2 ☐ This is a modification of a previous response.
Date of issue of the previous response:

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

- ☒ Final decision (Fill in section 4 below) OR ☐ Interim response (Fill in section 5 below)

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES**4.1 ☒ No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☒ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☒ Yes ☐ No

4.2 ☐ Consent to import**4.3 ☐ Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ☐ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☐ Yes ☐ No

4.4 National legislative or administrative measure upon which the final decision is based

Description of the national legislative or administrative measure:

In the Union, it is prohibited to place on the market or use plant protection products containing phorate, since that active substance has not been approved under Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

Furthermore, it is prohibited to make available on the market or use biocidal products containing phorate, since that active substance has not been approved pursuant to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L167, 27.6.2012, p.1).

SECTION 5 INTERIM RESPONSE**5.1 ☐ No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

5.2 ☐ Consent to import**5.3 ☐ Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ☐ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports?

☐
Yes

☐
No

5.4 Indication of active consideration in order to reach a final decision

Is a final decision under active consideration?

☐
Yes

☐
No

5.5 Information or assistance requested in order to reach a final decision

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country?

☐ Yes

☒ No

Is this chemical manufactured in the country?

☐ Yes

☒ No

If yes to either one of these questions:

Is this intended for domestic use?

☐ Yes

☐ No

Is this intended for export?

☐ Yes

☐ No

Other remarks

In accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p.1), which implements the UN Globally Harmonised System of Classification and Labelling of Chemicals in the Union, phorate is classified as:

Acute Toxicity 2* - H300 – Fatal if swallowed.

Acute Toxicity 1 – H310 – Fatal in contact with skin.

Aquatic Acute 1 – H 400 - Very toxic to aquatic life.

Aquatic Chronic 1 - H410 - Very toxic to aquatic life with long lasting effects.

(* = This classification is to be considered as a minimum classification)

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution	European Commission, DG Environment
Address	Rue de la Loi 200, B-1049 Brussels, Belgium
Name of person in charge	Dr. Juergen Helbig
Position of person in charge	International Chemicals Policy Coordinator
Telephone	32 2 298 85 21
Telefax	32 2 296 76 16
E-mail address	Juergen.Helbig@ec.europa.eu

Date, signature of DNA and official seal: _____

PLEASE RETURN THE COMPLETED FORM TO:

Secretariat for the Rotterdam Convention
Food and Agriculture Organization
of the United Nations (FAO)
Viale delle Terme di Caracalla
I - 00100 Rome, Italy
Tel: (+39 06) 5705 3441
Fax: (+39 06) 5705 6347
E-mail: pic@pic.int

OR

Secretariat for the Rotterdam Convention
United Nations Environment
Programme (UNEP)
11-13, Chemin des Anémones
CH - 1219 Châtelineau, Geneva, Switzerland
Tel: (+41 22) 917 8177
Fax: (+41 22) 917 8082
E-mail: pic@pic.int

Import response for hexabromocyclododecane**ROTTERDAM CONVENTION**

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE

**FORM FOR IMPORT RESPONSE****Country:****European Union**

Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.
United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 I DENTITY OF CHEMICAL

- 1.1 Common name** Hexabromocyclododecane
- 1.2 CAS number** 134237-50-6, 134237-51-7, 134237-52-8, 25637-99-4, 3194-55-6
- 1.3 Category** ☐ Pesticide
 ☒ Industrial
 ☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

- 2.1** ☒ This is a first time import response for this chemical in the country.
- 2.2** ☐ This is a modification of a previous response.
 Date of issue of the previous response:

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

- ☒ **Final decision (Fill in section 4 below)** **OR** ☐ **Interim response (Fill in section 5 below)**

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES

- 4.1** ☒ **No consent to import**
- Is the import of the chemical from all sources simultaneously prohibited? ☒ ☐
 Yes No
- Is domestic production of the chemical for domestic use simultaneously prohibited? ☒ ☐
 Yes No

- 4.2** ☐ **Consent to import**

- 4.3** ☐ **Consent to import only subject to specified conditions**

The specified conditions are:

--

Are the conditions for import of the chemical the same for all sources of import? ☐ ☐
 Yes No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☐ ☐
 Yes No

- 4.4** **National legislative or administrative measure upon which the final decision is based**

Description of the national legislative or administrative measure:

In the Union, the manufacturing, placing on the market and use of hexabromocyclododecane are prohibited under Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45).
--

SECTION 5 INTERIM RESPONSE**5.1 ☐ No consent to import**

Is the import of the chemical from all sources simultaneously prohibited?

☐

Yes

☐

No

Is domestic production of the chemical for domestic use simultaneously prohibited?

☐

Yes

☐

No

5.2 ☐ Consent to import**5.3 ☐ Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import?

☐

Yes

☐

No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports?

☐

Yes

☐

No

5.4 Indication of active consideration in order to reach a final decision

Is a final decision under active consideration?

☐

Yes

☐

No

5.5 Information or assistance requested in order to reach a final decision

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country?

☐

Yes

☒

No

Is this chemical manufactured in the country?

☐

Yes

☒

No

If yes to either one of these questions:

Is this intended for domestic use?

☐

Yes

☐

No

Is this intended for export?

☐

Yes

☐

No

Other remarks

In accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p.1), which implements the UN Globally Harmonised System of Classification and Labelling of Chemicals in the Union, hexabromocyclododecane is classified as:

Repro. 2 – H361 - Suspected of damaging fertility or the unborn child.

Lact. – H362 - May cause harm to breast-fed children.

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution	European Commission, DG Environment
Address	Rue de la Loi 200, B-1049 Brussels, Belgium
Name of person in charge	Dr. Juergen Helbig
Position of person in charge	International Chemicals Policy Coordinator
Telephone	32 2 298 85 21
Telefax	32 2 296 76 16
E-mail address	Juergen.Helbig@ec.europa.eu

Date, signature of DNA and official seal: _____

PLEASE RETURN THE COMPLETED FORM TO:

Secretariat for the Rotterdam Convention
Food and Agriculture Organization
of the United Nations (FAO)
Viale delle Terme di Caracalla
I - 00100 Rome, Italy
Tel: (+39 06) 5705 3441
Fax: (+39 06) 5705 6347
E-mail: pic@pic.int

OR

Secretariat for the Rotterdam Convention
United Nations Environment
Programme (UNEP)
11-13, Chemin des Anémones
CH - 1219 Châtelaine, Geneva, Switzerland
Tel: (+41 22) 917 8177
Fax: (+41 22) 917 8082
E-mail: pic@pic.int

ANNEX II

Import response for commercial pentabromodiphenyl ether



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE



FORM FOR IMPORT RESPONSE

Country:

European Union

Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.
United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 IDENTITY OF CHEMICAL

- 1.1 Common name** Commercial pentabromodiphenyl ether including:
— Tetrabromodiphenyl ether
- Pentabromodiphenyl ether
- 1.2 CAS number** 40088-47-9 - Tetrabromodiphenyl ether
32534-81-9 - Pentabromodiphenyl ether
- 1.3 Category**
- ☐ Pesticide
 - ☒ Industrial
 - ☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

- 2.1** ☐ This is a first time import response for this chemical in the country.
- 2.2** ☒ This is a modification of a previous response.
Date of issue of the previous response: ...18 June 2014.....

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

- ☒ **Final decision (Fill in section 4 below)** OR ☐ **Interim response (Fill in section 5 below)**

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES**4.1 ☐ No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☒ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☒ Yes ☐ No

4.2 ☐ Consent to import**4.3 ☒ Consent to import only subject to specified conditions**

The specified conditions are:

Pursuant to Regulation (EU) 2019/1021, the placing on the market and use of commercial pentabromodiphenyl ether is only allowed in accordance with Directive 2011/65/EU, where the following provisions apply:

The import of commercial pentabromodiphenyl ether is only allowed for placing on the market and use in cables or spare parts for the repair, the reuse, the updating of functionalities or upgrading of capacity of the following:

- (a) electrical and electronic equipment (EEE) placed on the market before 1 July 2006;
- (b) medical devices placed on the market before 22 July 2014;
- (c) in vitro diagnostic medical devices placed on the market before 22 July 2016;
- (d) monitoring and control instruments placed on the market before 22 July 2014;
- (e) industrial monitoring and control instruments placed on the market before 22 July 2017;
- (f) all other EEE that was outside the scope of Directive 2002/95/EC and which is placed on the market before 22 July 2019;
- (g) EEE which benefited from an exemption and which was placed on the market before that exemption expired as far as that specific exemption is concerned.

Spare parts are defined as a separate part of an EEE that can replace a part of an EEE. The EEE cannot function as intended without that part of the EEE. The functionality of EEE is restored or is upgraded when the part is replaced by a spare part.

Are the conditions for import of the chemical the same for all sources of import? ☒ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☒ Yes ☐ No

4.4 National legislative or administrative measure upon which the final decision is based

Description of the national legislative or administrative measure:

In the Union, the manufacturing, placing on the market and use of tetrabromodiphenyl ether and pentabromodiphenyl ether are, subject to certain exemptions, prohibited pursuant to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.06.2019, p. 45).

SECTION 5 INTERIM RESPONSE**5.1 ☐ No consent to import**

Is the import of the chemical from all sources simultaneously prohibited?

☐

Yes

☐

No

Is domestic production of the chemical for domestic use simultaneously prohibited?

☐

Yes

☐

No

5.2 ☐ Consent to import**5.3 ☐ Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import?

☐

Yes

☐

No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports?

☐

Yes

☐

No

5.4 Indication of active consideration in order to reach a final decision

Is a final decision under active consideration?

☐

Yes

☐

No

5.5 Information or assistance requested in order to reach a final decision

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country?

☐

Yes

☒

No

Is this chemical manufactured in the country?

☐

Yes

☒

No

If yes to either one of these questions:

Is this intended for domestic use?

☐

Yes

☐

No

Is this intended for export?

☐

Yes

☐

No

Other remarks

In accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p.1), which implements the UN Globally Harmonised System of Classification and Labelling of Chemicals in the Union, pentabromodiphenyl ether is classified as:

Lact. – H 362 – May cause harm to breast-fed children.

STOT RE 2 * – H 373 - May cause damage to organs through prolonged or repeated exposure.

Aquatic Acute 1 – H 400 - Very toxic to aquatic life.

Aquatic Chronic 1 – H 410 - Very toxic to aquatic life with long lasting effects.

(* = This classification is to be considered as a minimum classification)

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution	European Commission, DG Environment
Address	Rue de la Loi 200, B-1049 Brussels, Belgium
Name of person in charge	Dr. Juergen Helbig
Position of person in charge	International Chemicals Policy Coordinator
Telephone	32 2 298 85 21
Telefax	32 2 296 76 16
E-mail address	Juergen.Helbig@ec.europa.eu

Date, signature of DNA and official seal: _____

PLEASE RETURN THE COMPLETED FORM TO:

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Viale delle Terme di Caracalla
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Import response for commercial octabromodiphenyl ether



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE



FORM FOR IMPORT RESPONSE

Country:

European Union

Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.
United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 IDENTITY OF CHEMICAL

- 1.1 Common name** Commercial octabromodiphenyl ether including:
— Hexabromodiphenyl ether
— Heptabromodiphenyl ether
- 1.2 CAS number** 36483-60-0 - Hexabromodiphenyl ether
68928-80-3 - Heptabromodiphenyl ether
- 1.3 Category**
- ☐ Pesticide
 - ☒ Industrial
 - ☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

- 2.1** ☐ This is a first time import response for this chemical in the country.
- 2.2** ☒ This is a modification of a previous response.
Date of issue of the previous response: ...18 June 2014.....

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

- ☒ **Final decision (Fill in section 4 below)** OR ☐ **Interim response (Fill in section 5 below)**

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES**4.1 ☐ No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

4.2 ☐ Consent to import**4.3 ☒ Consent to import only subject to specified conditions**

The specified conditions are:

Pursuant to Regulation (EU) 2019/1021, the placing on the market and use of commercial octabromodiphenyl ether is only allowed in accordance with Directive 2011/65/EU, where the following provisions apply:

The import of commercial octabromodiphenyl ether is only allowed for placing on the market and use in cables or spare parts for the repair, the reuse, the updating of functionalities or upgrading of capacity of the following:

- (a) electrical and electronic equipment (EEE) placed on the market before 1 July 2006;
- (b) medical devices placed on the market before 22 July 2014;
- (c) in vitro diagnostic medical devices placed on the market before 22 July 2016;
- (d) monitoring and control instruments placed on the market before 22 July 2014;
- (e) industrial monitoring and control instruments placed on the market before 22 July 2017;
- (f) all other EEE that was outside the scope of Directive 2002/95/EC and which is placed on the market before 22 July 2019;
- (g) EEE which benefited from an exemption and which was placed on the market before that exemption expired as far as that specific exemption is concerned.

Spare parts are defined as a separate part of an EEE that can replace a part of an EEE. The EEE cannot function as intended without that part of the EEE. The functionality of EEE is restored or is upgraded when the part is replaced by a spare part.

Are the conditions for import of the chemical the same for all sources of import? ☒ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☒ Yes ☐ No

4.4 National legislative or administrative measure upon which the final decision is based

Description of the national legislative or administrative measure:

In the Union, the manufacturing, placing on the market and use of hexabromodiphenyl ether and heptabromodiphenyl ether are prohibited pursuant to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.06.2019, p. 45).

SECTION 5 INTERIM RESPONSE**5.1 ☐ No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited?

☐ Yes

☐ No

5.2 ☐ Consent to import

5.3 ☐ Consent to import only subject to specified conditions

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import?

☐ Yes

☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports?

☐ Yes

☐ No

5.4 Indication of active consideration in order to reach a final decision

Is a final decision under active consideration?

☐ Yes

☐ No

5.5 Information or assistance requested in order to reach a final decision

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country?

☐ Yes

☒ No

Is this chemical manufactured in the country?

☐ Yes

☒ No

If yes to either one of these questions:

Is this intended for domestic use?

☐ Yes

☐ No

Is this intended for export?

☐ Yes

☐ No

Other remarks

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution

European Commission, DG Environment

Address

Rue de la Loi 200, B-1049 Brussels, Belgium

Name of person in charge	Dr. Juergen Helbig
Position of person in charge	International Chemicals Policy Coordinator
Telephone	32 2 298 85 21
Telefax	32 2 296 76 16
E-mail address	Juergen.Helbig@ec.europa.eu

Date, signature of DNA and official seal: _____

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Import response for perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides
and perfluorooctane sulfonyls



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE



FORM FOR IMPORT RESPONSE

Country:

European Union

Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.
United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 IDENTITY OF CHEMICAL

- 1.1 Common name** Perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls
- 1.2 CAS number** Relevant CAS numbers are:
 1763-23-1 - Perfluorooctane sulfonic acid
 2795-39-3 - Potassium perfluorooctane sulfonate
 29457-72-5 - Lithium perfluorooctane sulfonate
 29081-56-9 - Ammonium perfluorooctane sulfonate
 70225-14-8 - Diethanolamine perfluorooctane sulfonate
 56773-42-3 - Tetraethylammonium perfluorooctane sulfonate
 251099-16-8 - Didecyldimethylammonium perfluorooctane sulfonate
 4151-50-2 - N-Ethylperfluorooctane sulfonamide
 31506-32-8 - N-Methylperfluorooctane sulfonamide
 1691-99-2 - N-Ethyl-N-(2-hydroxyethyl) perfluorooctane sulfonamide
 24448-09-7 - N-(2-hydroxyethyl)-N-methylperfluorooctane sulfonamide
 307-35-7 - Perfluorooctane sulfonyl fluoride
- 1.3 Category** ☐ Pesticide
☒ Industrial
☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

- 2.1** ☐ This is a first time import response for this chemical in the country.
- 2.2** ☒ This is a modification of a previous response.
 Date of issue of the previous response: ...18 June 2014

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

- ☒ **Final decision (Fill in section 4 below)** OR ☐ **Interim response (Fill in section 5 below)**

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES

- 4.1** ☐ **No consent to import**
- | | | |
|--|--------------------------|--------------------------|
| Is the import of the chemical from all sources simultaneously prohibited? | ☐ | ☐ |
| | Yes | No |
| Is domestic production of the chemical for domestic use simultaneously prohibited? | ☐ | ☐ |
| | Yes | No |
- 4.2** ☐ **Consent to import**
- 4.3** ☒ **Consent to import only subject to specified conditions**
- The specified conditions are:

Imports of perfluorooctane sulfonic acid and its derivatives (PFOS) must be in compliance with Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.06.2019, p. 45), which sets out the following:

1. The production, placing on the market and use of PFOS, whether on their own, in mixtures or as constituents of articles, shall be prohibited.
2. The prohibition shall not apply to PFOS occurring as an unintentional trace contaminant in substances, mixtures or articles, provided that
 - (a) concentrations of PFOS are equal to or below 10 mg/kg (0,001 % by weight) when it occurs in substances or in mixtures or
 - (b) concentrations of PFOS in semi-finished products or articles, or parts thereof, are lower than 0,1 % by weight calculated with reference to the mass of structurally or micro-structurally distinct parts that contain PFOS or, for textiles or other coated materials, if the amount of PFOS is lower than 1 µg/m² of the coated material.
3. If the quantity of PFOS released into the environment is minimised, production and placing on the market is allowed for the following specific uses provided that Member States report to the Commission every four years on progress made to eliminate PFOS:
 - mist suppressants for non-decorative hard chromium (VI) plating in closed loop systems.

Are the conditions for import of the chemical the same for all sources of import?

☒

Yes

☐

No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports?

☒

Yes

☐

No

4.4 National legislative or administrative measure upon which the final decision is based

Description of the national legislative or administrative measure:

In the Union, the manufacturing, placing on the market and use of perfluorooctane sulfonic acid and its derivatives (PFOS) are prohibited pursuant to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.06.2019, p. 45). However, that Regulation allows for specific exemptions, which are outlined in section 4.3.

SECTION 5 INTERIM RESPONSE

5.1 ☐ No consent to import

Is the import of the chemical from all sources simultaneously prohibited?

☐

Yes

☐

No

Is domestic production of the chemical for domestic use simultaneously prohibited?

☐

Yes

☐

No

5.2 ☐ Consent to import

5.3 ☐ Consent to import only subject to specified conditions

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import?

☐

Yes

☐

No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports?

☐

Yes

☐

No

5.4 Indication of active consideration in order to reach a final decision

Is a final decision under active consideration?

☐
Yes☐
No**5.5 Information or assistance requested in order to reach a final decision**

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country?

☒ Yes ☐ No

Is this chemical manufactured in the country?

☒ Yes ☐ No**If yes to either one of these questions:**

Is this intended for domestic use?

☒ Yes ☐ No

Is this intended for export?

☒ Yes ☐ No**Other remarks**

In accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p.1), which implements the UN Globally Harmonised System of Classification and Labelling of Chemicals in the Union, perfluorooctane sulfonic acid (CAS number 1763-23-1) is classified as:

Acute Tox. 4 * - H302 - Harmful if swallowed.

Acute Tox. 4 * - H332 – Harmful if inhaled.

Carc. 2 - H351 – Suspected of causing cancer.

Lact. - H362 – May cause harm to breast-fed children.

STOT RE 1 - H372 - Causes damage to organs through prolonged or repeated exposure.

Aquatic Chronic 2 - H411 - Toxic to aquatic life with long lasting effects.

Repr. 1B - H360D - May damage the unborn child.

(* = This classification is to be considered as a minimum classification)

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution	European Commission, DG Environment
Address	Rue de la Loi 200, B-1049 Brussels, Belgium
Name of person in charge	Dr. Juergen Helbig
Position of person in charge	International Chemicals Policy Coordinator
Telephone	32 2 298 85 21
Telefax	32 2 296 76 16
E-mail address	Juergen.Helbig@ec.europa.eu

Date, signature of DNA and official seal: _____

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COMMISSION IMPLEMENTING DECISION (EU) 2020/2183**of 21 December 2020****concerning certain protective measures in relation to reporting infection with SARS-CoV-2 in minks and other animals of the family *Mustelidae* and in raccoon dogs***(notified under document C(2020) 9531)***(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) Infections with the SARS-CoV-2 virus in minks has been reported in 2020 and it has been established that human-to-mink and mink-to-human transmission can occur. Infections in minks with SARS-CoV-2 have been reported in certain Member States and third countries. Furthermore, a Member State reported human COVID-19 cases infected with SARS-CoV-2 virus variants related to mink. Studies from the Centers for Disease Control and Prevention of December 2020 indicate that raccoon dogs (*Nyctereutes procyonoides*) are also susceptible to SARS-CoV-2.
- (2) On 12 November 2020, the European Centre for Disease Prevention and Control (ECDC) published a Rapid Risk Assessment on the detection of new SARS-CoV-2 variants related to mink.
- (3) The ECDC Rapid Risk Assessment concluded that the overall level of risk to human health posed by SARS-CoV-2 mink-related variants can be determined as ranging from low for the general population up to very high for medically vulnerable individuals with occupational exposure. The Rapid Risk Assessment also indicated that further investigations are needed to assess whether SARS-CoV-2 mink-related variants may have any impact on the risk of reinfection, reduced vaccine efficacy or reduced benefit from treatment.
- (4) The World Organisation for Animal Health (OIE) issued on 12 November 2020 a statement on COVID-19 and mink, indicating that the risk of susceptible animals, such as mink, becoming a SARS-CoV-2 reservoir generates worldwide concern, as any spill over to humans could have public health implications.
- (5) Raccoon dogs are considered susceptible to SARS-CoV-2 infection and the OIE has called on countries to monitor susceptible animals for SARS-CoV-2 infection, such as mink and raccoon dogs, adopting a One Health approach.
- (6) In accordance with Directive 2003/99/EC of the European Parliament and of the Council ⁽³⁾, Member States are to ensure that data on the occurrence of zoonoses and zoonotic agents are collected.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC (OJ L 325, 12.12.2003, p. 31).

- (7) In accordance with Article 10(1) of Directive 90/425/EEC, each Member State is to immediately notify other Member States and the Commission of outbreaks in its territory, of any zoonoses, diseases or other cause likely to constitute a serious hazard to animals or to human health.
- (8) In accordance with Article 9(1) of Directive 89/662/EEC, each Member State is to immediately notify other Member States and the Commission of outbreaks in its territory, of any zoonoses, diseases or other cause likely to constitute a serious hazard to animals or to human health.
- (9) In addition to those immediate notification requirements, in order to enable a risk assessment under the One Health approach and to inform and identify possible risk-management options as regards the risks arising from the circulation of SARS-CoV-2 mink-related variants in animals of the family *Mustelidae* and in raccoon dogs, it is necessary to establish an efficient, harmonised reporting system allowing the exchange of all relevant information without delay.
- (10) Given the urgency to assess the risk posed by the epidemiological situation in the Union as regards the occurrence of SARS-CoV-2 in minks and other animals of the family *Mustelidae* and in raccoon dogs, Member States should submit to the Commission regular reports on the occurrence of that infection in kept or wild animals of the family *Mustelidae* and in raccoon dogs. To ensure proper risk communication within the Union, the Commission is to share with the Member States a summary of the information collected. It is appropriate to set out the model report in this Decision structuring the data by outbreak and by species susceptible to SARS-CoV-2 virus. This decision should take effect as soon as possible within the legal framework set by Directive 90/425/EEC and Directive 89/662/EEC. The data collected and submitted is subjected to Regulation (EU) 2016/679 ⁽⁴⁾ of the European Parliament and of the Council.
- (11) 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. Member States shall submit a report to the Commission within three days after the first confirmation within their territory of the infection of minks, and other animals of the family *Mustelidae* and of raccoon dogs (*Nyctereutes procyonoides*) with SARS-CoV-2.
2. In case of further occurrences or outbreak of new infections with SARS-CoV-2 in animals referred to in paragraph 1 after the first confirmation referred to in paragraph 1, Member States shall submit, on a weekly basis, a follow-up report. Member States shall also submit the follow-up report when there are relevant updates on the epidemiology of the disease and its zoonotic implications.
3. The reports referred to in paragraphs 1 and 2 shall include for each infection occurrence or outbreak the information indicated in the Annex to this Decision.
4. The reports referred to in paragraphs 1 and 2 shall be communicated in an electronic format to be determined by the Commission in the framework of the Standing Committee on Plants, Animals, Food and Feed.

Article 2

1. The Commission shall inform the Member States in the framework of the Standing Committee on Plants, Animals, Food and Feed of the reports submitted by the Member States in accordance with Article 1.

⁽⁴⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).

2. The Commission shall publish on its website, for information purposes only, an updated summary of the information contained in the reports submitted by the Member States in accordance with Article 1.

Article 3

This Decision shall apply until 20 April 2021.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 21 December 2020.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

Information to be contained in the reports referred to in Article 1 in relation to the occurrences of infection with SARS-CoV-2 in minks and other animals of the family *Mustelidae* and in raccoon dogs ('susceptible species')

1. Date of reporting;
 2. Member State;
 3. Type of report (first confirmation report/weekly follow-up report);
 4. Total number of outbreaks/occurrences in the Member State included in the report;
 5. For each outbreak/occurrence provide:
 - (a) Serial number of each outbreak/occurrence in the Member State;
 - (b) Region and approximate geographical location of the establishment or other place where animals were kept or located;
 - (c) Date of suspicion;
 - (d) Date of confirmation;
 - (e) Diagnostic method(s);
 - (f) Date of estimation of introduction of the virus in the establishment or place;
 - (g) Possible source of the virus;
 - (h) Control measures taken (details ⁽¹⁾);
 - (i) Number of susceptible animals on establishment or at the place (by susceptible species);
 - (j) Number of animals clinically or subclinically affected on establishment or at the place (by susceptible species; in case an exact figure is not available, provide an estimate);
 - (k) Morbidity: number of animals (by susceptible species) clinically affected, with signs resembling COVID-19, on establishment or at the place in relation to the number of susceptible animals with a summary description of the clinical signs (in case an exact figure is not available, provide an estimate);
 - (l) Mortality: number of animals (by susceptible species) that have died on establishment or at the place (in case an exact figure is not available, provide an estimate);
 6. Data on molecular epidemiology, significant mutations;
 7. Relevant data on human cases in the Member State directly related to animal outbreaks/occurrences referred to in Article 1(1) and (2);
 8. Other relevant information.
-

⁽¹⁾ Movement control inside the country; surveillance within containment or protection zone; traceability; quarantine; official disposal of carcasses, by-products and waste; stamping out; control of wildlife reservoirs; zoning; disinfection; vaccination permitted (if a vaccine exists); no treatment of affected animals and other relevant measures.

CORRIGENDA

Corrigendum to Commission Delegated Regulation (EU) 2020/2153 of 7 October 2020 amending Council Regulation (EU) 2017/1939 as regards the categories of operational personal data and the categories of data subjects whose operational personal data may be processed in the index of case files by the European Public Prosecutor's Office

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On page 1, in the title and concluding formula:

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read: '14 October 2020'.

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