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⁽¹⁾ Text with EEA relevance.

EN

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2023/147**of 20 January 2023****amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for cyromazine, topramezone and triflumizole in or on certain products****(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 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC ⁽¹⁾, and in particular Article 14(1), point (a), and Article 18(1), point (b), thereof,

Whereas:

- (1) For cyromazine, topramezone and triflumizole maximum residue levels ('MRLs') were set in Annex II and Part A of Annex III to Regulation (EC) No 396/2005 depending on the product.
- (2) The approval of cyromazine as active substance for plant protection products expired on 31 December 2019 and no application for its renewal was submitted. However, cyromazine is also a pharmacologically active substance in veterinary medicines and MRLs for that substance in ovine products (except milk) were set based on the recommendations from the European Agency for the Evaluation of Medicinal Products ⁽²⁾ in Commission Regulation (EU) No 37/2010 ⁽³⁾. Those MRLs should be maintained at the existing levels to cover the exposure from use in veterinary medicinal products in ovine animals. For all other products it is appropriate to delete the respective MRLs set out for cyromazine in Annex II of Regulation (EC) No 396/2005 in accordance with Article 14(1)(a) in conjunction with Article 17 of that Regulation.

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ Summary report of the Committee for veterinary medicinal products. The European Agency for the Evaluation of Medicinal Products, Veterinary Medicines and Inspections. EMEA/MRL/606/99-Final. June 1999.

⁽³⁾ Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (OJ L 15, 20.1.2010, p. 1).

- (3) The European Food Safety Authority ('the Authority') performed a pesticide risk assessment of the active substance topramezone for the uses proposed by the applicant in 2014 ⁽⁴⁾. In 2020, all applications for the renewal of the approval of the active substance topramezone were withdrawn and the renewal procedure concluded with the non-approval of topramezone ⁽⁵⁾. All existing authorisations for plant protection products containing topramezone have been revoked. It is therefore appropriate to lower the MRLs set out for topramezone in Part A of Annex III to Regulation (EC) No 396/2005 to the LOD and to list the respective LODs in Annex V to that Regulation in accordance with Article 14(1)(a) in conjunction with Article 17 of that Regulation.
- (4) The approval of triflumizole expired on 30 June 2020 and no application for its renewal was submitted. All existing authorisations for plant protection products containing triflumizole have been revoked. It is therefore appropriate to lower the MRLs set out for triflumizole in Annex II to Regulation (EC) No 396/2005 to the LOD and to list the respective LODs in Annex V to that Regulation in accordance with Article 14(1)(a) in conjunction with Article 17 of that Regulation.
- (5) The Commission consulted the European Union reference laboratories for residues of pesticides as regards the need to adapt certain LODs. For all active substances covered by this Regulation those laboratories proposed product specific LODs that are analytically achievable.
- (6) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.
- (7) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (8) For all active substances covered by this Regulation, to allow for the normal marketing, processing and consumption of products, this Regulation should not apply to products which have been produced in the Union or imported into the Union before the modified MRLs start applying and for which information shows that a high level of consumer protection is maintained.
- (9) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to adapt to meet the requirements that result from the modification of the MRLs.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II, III and V to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

Article 2

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were produced in the Union or imported into the Union before 12 August 2023.

⁽⁴⁾ European Food Safety Authority, 2014. Conclusion on the peer review of the pesticide risk assessment of the active substance topramezone. EFSA Journal 2014;12(2):3540. <https://doi.org/10.2903/j.efsa.2014.3540>.

⁽⁵⁾ Commission Implementing Regulation (EU) 2021/79 of 27 January 2021 concerning the non-approval of the active substance topramezone, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 29, 28.1.2021, p. 8).

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*.

It shall apply 6 months after the date of entry into force of this Regulation.

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

Done at Brussels, 20 January 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes II, III and V to Regulation (EC) No 396/2005 are amended as follows:

(1) Annex II is amended as follows:

(a) the column for cyromazine is replaced by the following:

"Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Cyromazine
(1)	(2)	(3)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	0,01 (*)
0110000	Citrus fruits	
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others (2)	
0120000	Tree nuts	
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts/cobnuts	
0120070	Macadamias	
0120080	Pecans	
0120090	Pine nut kernels	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others (2)	
0130000	Pome fruits	
0130010	Apples	
0130020	Pears	
0130030	Quinces	
0130040	Medlars	
0130050	Loquats/Japanese medlars	
0130990	Others (2)	

(1)	(2)	(3)
0140000	Stone fruits	
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others (2)	
0150000	Berries and small fruits	
0151000	(a) grapes	
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) strawberries	
0153000	(c) cane fruits	
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others (2)	
0154000	(d) other small fruits and berries	
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	
0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others (2)	
0160000	Miscellaneous fruits with	
0161000	(a) edible peel	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	
0161070	Jambuls/jambolans	
0161990	Others (2)	

(1)	(2)	(3)
0162000	(b) inedible peel, small	
0162010	Kiwi fruits (green, red, yellow)	
0162020	Litchis/lychees	
0162030	Passionfruits/maracujas	
0162040	Prickly pears/cactus fruits	
0162050	Star apples/cainitos	
0162060	American persimmons/Virginia kaki	
0162990	Others (2)	
0163000	(c) inedible peel, large	
0163010	Avocados	
0163020	Bananas	
0163030	Mangoes	
0163040	Papayas	
0163050	Granate apples/pomegranates	
0163060	Cherimoyas	
0163070	Guavas	
0163080	Pineapples	
0163090	Breadfruits	
0163100	Durians	
0163110	Soursops/guanabanas	
0163990	Others (2)	
0200000	VEGETABLES, FRESH or FROZEN	0,01 (*)
0210000	Root and tuber vegetables	
0211000	(a) potatoes	
0212000	(b) tropical root and tuber vegetables	
0212010	Cassava roots/manioc	
0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroots	
0212990	Others (2)	
0213000	(c) other root and tuber vegetables except sugar beets	
0213010	Beetroots	
0213020	Carrots	
0213030	Celeriacs/turnip rooted celeries	
0213040	Horseradishes	
0213050	Jerusalem artichokes	
0213060	Parsnips	

(1)	(2)	(3)
0213070	Parsley roots/Hamburg roots parsley	
0213080	Radishes	
0213090	Salsifies	
0213100	Swedes/rutabagas	
0213110	Turnips	
0213990	Others (2)	
0220000	Bulb vegetables	
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others (2)	
0230000	Fruiting vegetables	
0231000	(a) Solanaceae and Malvaceae	
0231010	Tomatoes	
0231020	Sweet peppers/bell peppers	
0231030	Aubergines/eggplants	
0231040	Okra/lady's fingers	
0231990	Others (2)	
0232000	(b) cucurbits with edible peel	
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes	
0232990	Others (2)	
0233000	(c) cucurbits with inedible peel	
0233010	Melons	
0233020	Pumpkins	
0233030	Watermelons	
0233990	Others (2)	
0234000	(d) sweet corn	
0239000	(e) other fruiting vegetables	
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)	
0241000	(a) flowering brassica	
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others (2)	

(1)	(2)	(3)
0242000	(b) head brassica	
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others (2)	
0243000	(c) leafy brassica	
0243010	Chinese cabbages/pe-tsai	
0243020	Kales	
0243990	Others (2)	
0244000	(d) kohlrabies	
0250000	Leaf vegetables, herbs and edible flowers	
0251000	(a) lettuces and salad plants	
0251010	Lamb's lettuces/corn salads	
0251020	Lettuces	
0251030	Escaroles/broad-leaved endives	
0251040	Cresses and other sprouts and shoots	
0251050	Land cresses	
0251060	Roman rocket/rucola	
0251070	Red mustards	
0251080	Baby leaf crops (including brassica species)	
0251990	Others (2)	
0252000	(b) spinaches and similar leaves	
0252010	Spinaches	
0252020	Purslanes	
0252030	Chards/beet leaves	
0252990	Others (2)	
0253000	(c) grape leaves and similar species	
0254000	(d) watercresses	
0255000	(e) witloofs/Belgian endives	
0256000	(f) herbs and edible flowers	
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	

(1)	(2)	(3)
0256080	Basil and edible flowers	
0256090	Laurel/bay leaves	
0256100	Tarragon	
0256990	Others (2)	
0260000	Legume vegetables	
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others (2)	
0270000	Stem vegetables	
0270010	Asparagus	
0270020	Cardoons	
0270030	Celeries	
0270040	Florence fennels	
0270050	Globe artichokes	
0270060	Leeks	
0270070	Rhubarbs	
0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others (2)	
0280000	Fungi, mosses and lichens	
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	Algae and prokaryotes organisms	
0300000	PULSES	0,02 (*)
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others (2)	
0400000	OILSEEDS AND OIL FRUITS	0,01 (*)
0401000	Oilseeds	
0401010	Linseeds	
0401020	Peanuts/groundnuts	
0401030	Poppy seeds	

(1)	(2)	(3)
0401040	Sesame seeds	
0401050	Sunflower seeds	
0401060	Rapeseeds/canola seeds	
0401070	Soyabeans	
0401080	Mustard seeds	
0401090	Cotton seeds	
0401100	Pumpkin seeds	
0401110	Safflower seeds	
0401120	Borage seeds	
0401130	Gold of pleasure seeds	
0401140	Hemp seeds	
0401150	Castor beans	
0401990	Others (2)	
0402000	Oil fruits	
0402010	Olives for oil production	
0402020	Oil palms kernels	
0402030	Oil palms fruits	
0402040	Kapok	
0402990	Others (2)	
0500000	CEREALS	0,02 (*)
0500010	Barley	
0500020	Buckwheat and other pseudocereals	
0500030	Maize/corn	
0500040	Common millet/proso millet	
0500050	Oat	
0500060	Rice	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat	
0500990	Others (2)	
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,1 (*)
0610000	Teas	
0620000	Coffee beans	
0630000	Herbal infusions from	
0631000	(a) flowers	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	

(1)	(2)	(3)
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others (2)	
0632000	(b) leaves and herbs	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others (2)	
0633000	(c) roots	
0633010	Valerian	
0633020	Ginseng	
0633990	Others (2)	
0639000	(d) any other parts of the plant	
0640000	Cocoa beans	
0650000	Carobs/Saint John's breads	
0700000	HOPS	0,1 (*)
0800000	SPICES	
0810000	Seed spices	0,1 (*)
0810010	Anise/aniseed	
0810020	Black caraway/black cumin	
0810030	Celery	
0810040	Coriander	
0810050	Cumin	
0810060	Dill	
0810070	Fennel	
0810080	Fenugreek	
0810090	Nutmeg	
0810990	Others (2)	
0820000	Fruit spices	0,1 (*)
0820010	Allspice/pimento	
0820020	Sichuan pepper	
0820030	Caraway	
0820040	Cardamom	
0820050	Juniper berry	
0820060	Peppercorn (black, green and white)	

(1)	(2)	(3)
0820070	Vanilla	
0820080	Tamarind	
0820990	Others (2)	
0830000	Bark spices	0,1 (*)
0830010	Cinnamon	
0830990	Others (2)	
0840000	Root and rhizome spices	
0840010	Liquorice	0,1 (*)
0840020	Ginger (10)	
0840030	Turmeric/curcuma	0,1 (*)
0840040	Horseradish (11)	
0840990	Others (2)	0,1 (*)
0850000	Bud spices	0,1 (*)
0850010	Cloves	
0850020	Capers	
0850990	Others (2)	
0860000	Flower pistil spices	0,1 (*)
0860010	Saffron	
0860990	Others (2)	
0870000	Aril spices	0,1 (*)
0870010	Mace	
0870990	Others (2)	
0900000	SUGAR PLANTS	0,01 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others (2)	
1000000	PRODUCTS OF ANIMAL ORIGIN - TERRESTRIAL ANIMALS	
1010000	Commodities from	
1011000	(a) swine	
1011010	Muscle	0,01 (*)
1011020	Fat	0,01 (*)
1011030	Liver	0,05 (*)
1011040	Kidney	0,01 (*)
1011050	Edible offals (other than liver and kidney)	0,01 (*)
1011990	Others (2)	0,01 (*)

(1)	(2)	(3)
1012000	(b) bovine	
1012010	Muscle	0,01 (*)
1012020	Fat	0,01 (*)
1012030	Liver	0,05 (*)
1012040	Kidney	0,01 (*)
1012050	Edible offals (other than liver and kidney)	0,01 (*)
1012990	Others (2)	0,01 (*)
1013000	(c) sheep	0,3(+)
1013010	Muscle	(+)
1013020	Fat	(+)
1013030	Liver	(+)
1013040	Kidney	(+)
1013050	Edible offals (other than liver and kidney)	(+)
1013990	Others (2)	(+)
1014000	d) goat	
1014010	Muscle	0,01 (*)
1014020	Fat	0,01 (*)
1014030	Liver	0,05 (*)
1014040	Kidney	0,01 (*)
1014050	Edible offals (other than liver and kidney)	0,01 (*)
1014990	Others (2)	0,01 (*)
1015000	(e) equine	
1015010	Muscle	0,01 (*)
1015020	Fat	0,01 (*)
1015030	Liver	0,05 (*)
1015040	Kidney	0,01 (*)
1015050	Edible offals (other than liver and kidney)	0,01 (*)
1015990	Others (2)	0,01 (*)
1016000	(f) poultry	
1016010	Muscle	0,01 (*)
1016020	Fat	0,01 (*)
1016030	Liver	0,05 (*)
1016040	Kidney	0,01 (*)
1016050	Edible offals (other than liver and kidney)	0,01 (*)
1016990	Others (2)	0,01 (*)
1017000	(g) other farmed terrestrial animals	
1017010	Muscle	0,01 (*)
1017020	Fat	0,01 (*)

(1)	(2)	(3)
1017030	Liver	0,05 (*)
1017040	Kidney	0,01 (*)
1017050	Edible offals (other than liver and kidney)	0,01 (*)
1017990	Others (2)	
1020000	Milk	0,01 (*)
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others (2)	
1030000	Birds eggs	0,05 (*)
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others (2)	
1040000	Honey and other apiculture products (7)	0,05 (*)
1050000	Amphibians and Reptiles	0,01 (*)
1060000	Terrestrial invertebrate animals	0,01 (*)
1070000	Wild terrestrial vertebrate animals	0,01 (*)
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)	
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)	
1300000	PROCESSED FOOD PRODUCTS (9)	

(*) Indicates lower limit of analytical determination

(⁶) For the complete list of products of plant and animal origin to which MRL's apply, reference should be made to Annex I

Cyromazine

veterinary medicinal MRL

1013000 (c) sheep

1013010 Muscle

1013020 Fat

1013030 Liver

1013040 Kidney

1013050 Edible offals (other than liver and kidney)

1013990 Others (2)"

- (b) the column for triflumizole is deleted;
- (2) in Part A of Annex III, the column for topramezone is deleted;
- (3) in Annex V, the following columns for topramezone and triflumizole are added:

“Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ⁽⁴⁾	Topramezone (BAS 670H)	Triflumizole: Triflumizole and metabolite FM-6-1(N-(4-chloro-2-trifluoromethylphenyl)-n-propoxyacetamide), expressed as Triflumizole (R) ^(F)
(1)	(2)	(3)	(4)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	0,005 (*)	0,02 (*)
0110000	Citrus fruits		
0110010	Grapefruits		
0110020	Oranges		
0110030	Lemons		
0110040	Limes		
0110050	Mandarins		
0110990	Others (2)		
0120000	Tree nuts		
0120010	Almonds		
0120020	Brazil nuts		
0120030	Cashew nuts		
0120040	Chestnuts		
0120050	Coconuts		
0120060	Hazelnuts/cobnuts		
0120070	Macadamias		
0120080	Pecans		
0120090	Pine nut kernels		
0120100	Pistachios		
0120110	Walnuts		
0120990	Others (2)		
0130000	Pome fruits		
0130010	Apples		
0130020	Pears		
0130030	Quinces		
0130040	Medlars		

(1)	(2)	(3)	(4)
0130050	Loquats/Japanese medlars		
0130990	Others (2)		
0140000	Stone fruits		
0140010	Apricots		
0140020	Cherries (sweet)		
0140030	Peaches		
0140040	Plums		
0140990	Others (2)		
0150000	Berries and small fruits		
0151000	(a) grapes		
0151010	Table grapes		
0151020	Wine grapes		
0152000	(b) strawberries		
0153000	(c) cane fruits		
0153010	Blackberries		
0153020	Dewberries		
0153030	Raspberries (red and yellow)		
0153990	Others (2)		
0154000	(d) other small fruits and berries		
0154010	Blueberries		
0154020	Cranberries		
0154030	Currants (black, red and white)		
0154040	Gooseberries (green, red and yellow)		
0154050	Rose hips		
0154060	Mulberries (black and white)		
0154070	Azaroles/Mediterranean medlars		
0154080	Elderberries		
0154990	Others (2)		
0160000	Miscellaneous fruits with		
0161000	(a) edible peel		
0161010	Dates		
0161020	Figs		
0161030	Table olives		
0161040	Kumquats		
0161050	Carambolas		
0161060	Kaki/Japanese persimmons		
0161070	Jambuls/jambolans		
0161990	Others (2)		

(1)	(2)	(3)	(4)
0162000	(b) inedible peel, small		
0162010	Kiwi fruits (green, red, yellow)		
0162020	Litchis/lychees		
0162030	Passionfruits/maracujas		
0162040	Prickly pears/cactus fruits		
0162050	Star apples/cainitos		
0162060	American persimmons/Virginia kaki		
0162990	Others (2)		
0163000	(c) inedible peel, large		
0163010	Avocados		
0163020	Bananas		
0163030	Mangoes		
0163040	Papayas		
0163050	Granate apples/pomegranates		
0163060	Cherimoyas		
0163070	Guavas		
0163080	Pineapples		
0163090	Breadfruits		
0163100	Durians		
0163110	Soursops/guanabanas		
0163990	Others (2)		
0200000	VEGETABLES, FRESH or FROZEN		
0210000	Root and tuber vegetables	0,005 (*)	0,02 (*)
0211000	(a) potatoes		
0212000	(b) tropical root and tuber vegetables		
0212010	Cassava roots/manioc		
0212020	Sweet potatoes		
0212030	Yams		
0212040	Arrowroots		
0212990	Others (2)		
0213000	(c) other root and tuber vegetables except sugar beets		
0213010	Beetroots		
0213020	Carrots		
0213030	Celeriacs/turnip rooted celeries		
0213040	Horseradishes		
0213050	Jerusalem artichokes		

(1)	(2)	(3)	(4)
0213060	Parsnips		
0213070	Parsley roots/Hamburg roots parsley		
0213080	Radishes		
0213090	Salsifies		
0213100	Swedes/rutabagas		
0213110	Turnips		
0213990	Others (2)		
0220000	Bulb vegetables	0,005 (*)	0,02 (*)
0220010	Garlic		
0220020	Onions		
0220030	Shallots		
0220040	Spring onions/green onions and Welsh onions		
0220990	Others (2)		
0230000	Fruiting vegetables	0,005 (*)	0,02 (*)
0231000	(a) Solanaceae and Malvaceae		
0231010	Tomatoes		
0231020	Sweet peppers/bell peppers		
0231030	Aubergines/eggplants		
0231040	Okra/lady's fingers		
0231990	Others (2)		
0232000	(b) cucurbits with edible peel		
0232010	Cucumbers		
0232020	Gherkins		
0232030	Courgettes		
0232990	Others (2)		
0233000	(c) cucurbits with inedible peel		
0233010	Melons		
0233020	Pumpkins		
0233030	Watermelons		
0233990	Others (2)		
0234000	(d) sweet corn		
0239000	(e) other fruiting vegetables		
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)	0,005 (*)	0,02 (*)
0241000	(a) flowering brassica		
0241010	Broccoli		
0241020	Cauliflowers		
0241990	Others (2)		

(1)	(2)	(3)	(4)
0242000	(b) head brassica		
0242010	Brussels sprouts		
0242020	Head cabbages		
0242990	Others (2)		
0243000	(c) leafy brassica		
0243010	Chinese cabbages/pe-tsai		
0243020	Kales		
0243990	Others (2)		
0244000	(d) kohlrabies		
0250000	Leaf vegetables, herbs and edible flowers		
0251000	(a) lettuces and salad plants	0,005 (*)	0,02 (*)
0251010	Lamb's lettuces/corn salads		
0251020	Lettuces		
0251030	Escaroles/broad-leaved endives		
0251040	Cresses and other sprouts and shoots		
0251050	Land cresses		
0251060	Roman rocket/rucola		
0251070	Red mustards		
0251080	Baby leaf crops (including brassica species)		
0251990	Others (2)		
0252000	(b) spinaches and similar leaves	0,005 (*)	0,02 (*)
0252010	Spinaches		
0252020	Purslanes		
0252030	Chards/beet leaves		
0252990	Others (2)		
0253000	(c) grape leaves and similar species	0,005 (*)	0,02 (*)
0254000	(d) watercresses	0,005 (*)	0,02 (*)
0255000	(e) witloofs/Belgian endives	0,005 (*)	0,02 (*)
0256000	(f) herbs and edible flowers	0,01 (*)	0,05 (*)
0256010	Chervil		
0256020	Chives		
0256030	Celery leaves		
0256040	Parsley		
0256050	Sage		
0256060	Rosemary		
0256070	Thyme		

(1)	(2)	(3)	(4)
0256080	Basil and edible flowers		
0256090	Laurel/bay leaves		
0256100	Tarragon		
0256990	Others (2)		
0260000	Legume vegetables	0,005 (*)	0,02 (*)
0260010	Beans (with pods)		
0260020	Beans (without pods)		
0260030	Peas (with pods)		
0260040	Peas (without pods)		
0260050	Lentils		
0260990	Others (2)		
0270000	Stem vegetables	0,005 (*)	0,02 (*)
0270010	Asparagus		
0270020	Cardoons		
0270030	Celeries		
0270040	Florence fennels		
0270050	Globe artichokes		
0270060	Leeks		
0270070	Rhubarbs		
0270080	Bamboo shoots		
0270090	Palm hearts		
0270990	Others (2)		
0280000	Fungi, mosses and lichens	0,005 (*)	0,02 (*)
0280010	Cultivated fungi		
0280020	Wild fungi		
0280990	Mosses and lichens		
0290000	Algae and prokaryotes organisms	0,005 (*)	0,02 (*)
0300000	PULSES	0,01 (*)	0,02 (*)
0300010	Beans		
0300020	Lentils		
0300030	Peas		
0300040	Lupins/lupini beans		
0300990	Others (2)		
0400000	OILSEEDS AND OIL FRUITS	0,005 (*)	0,02 (*)
0401000	Oilseeds		
0401010	Linseeds		
0401020	Peanuts/groundnuts		
0401030	Poppy seeds		

(1)	(2)	(3)	(4)
0401040	Sesame seeds		
0401050	Sunflower seeds		
0401060	Rapeseeds/canola seeds		
0401070	Soyabeans		
0401080	Mustard seeds		
0401090	Cotton seeds		
0401100	Pumpkin seeds		
0401110	Safflower seeds		
0401120	Borage seeds		
0401130	Gold of pleasure seeds		
0401140	Hemp seeds		
0401150	Castor beans		
0401990	Others (2)		
0402000	Oil fruits		
0402010	Olives for oil production		
0402020	Oil palms kernels		
0402030	Oil palms fruits		
0402040	Kapok		
0402990	Others (2)		
0500000	CEREALS	0,01 (*)	0,02 (*)
0500010	Barley		
0500020	Buckwheat and other pseudocereals		
0500030	Maize/corn		
0500040	Common millet/proso millet		
0500050	Oat		
0500060	Rice		
0500070	Rye		
0500080	Sorghum		
0500090	Wheat		
0500990	Others (2)		
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,02 (*)	0,1 (*)
0610000	Teas		
0620000	Coffee beans		
0630000	Herbal infusions from		
0631000	(a) flowers		
0631010	Chamomile		
0631020	Hibiscus/roselle		
0631030	Rose		

(1)	(2)	(3)	(4)
0631040	Jasmine		
0631050	Lime/linden		
0631990	Others (2)		
0632000	(b) leaves and herbs		
0632010	Strawberry		
0632020	Rooibos		
0632030	Mate/maté		
0632990	Others (2)		
0633000	(c) roots		
0633010	Valerian		
0633020	Ginseng		
0633990	Others (2)		
0639000	(d) any other parts of the plant		
0640000	Cocoa beans		
0650000	Carobs/Saint John's breads		
0700000	HOPS	0,02 (*)	0,1 (*)
0800000	SPICES		
0810000	Seed spices	0,02 (*)	0,1 (*)
0810010	Anise/aniseed		
0810020	Black caraway/black cumin		
0810030	Celery		
0810040	Coriander		
0810050	Cumin		
0810060	Dill		
0810070	Fennel		
0810080	Fenugreek		
0810090	Nutmeg		
0810990	Others (2)		
0820000	Fruit spices	0,02 (*)	0,1 (*)
0820010	Allspice/pimento		
0820020	Sichuan pepper		
0820030	Caraway		
0820040	Cardamom		
0820050	Juniper berry		
0820060	Peppercorn (black, green and white)		
0820070	Vanilla		
0820080	Tamarind		
0820990	Others (2)		

(1)	(2)	(3)	(4)
0830000	Bark spices	0,02 (*)	0,1 (*)
0830010	Cinnamon		
0830990	Others (2)		
0840000	Root and rhizome spices		
0840010	Liquorice	0,02 (*)	0,1 (*)
0840020	Ginger (10)		
0840030	Turmeric/curcuma	0,02 (*)	0,1 (*)
0840040	Horseradish (11)		
0840990	Others (2)	0,02 (*)	0,1 (*)
0850000	Bud spices	0,02 (*)	0,1 (*)
0850010	Cloves		
0850020	Capers		
0850990	Others (2)		
0860000	Flower pistil spices	0,02 (*)	0,1 (*)
0860010	Saffron		
0860990	Others (2)		
0870000	Aril spices	0,02 (*)	0,1 (*)
0870010	Mace		
0870990	Others (2)		
0900000	SUGAR PLANTS	0,005 (*)	0,02 (*)
0900010	Sugar beet roots		
0900020	Sugar canes		
0900030	Chicory roots		
0900990	Others (2)		
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS		
1010000	Commodities from		0,01 (*)
1011000	(a) swine		
1011010	Muscle	0,01 (*)	
1011020	Fat	0,01 (*)	
1011030	Liver	0,005 (*)	
1011040	Kidney	0,01 (*)	
1011050	Edible offals (other than liver and kidney)	0,01 (*)	
1011990	Others (2)	0,01 (*)	
1012000	(b) bovine		
1012010	Muscle	0,01 (*)	
1012020	Fat	0,01 (*)	
1012030	Liver	0,005 (*)	

(1)	(2)	(3)	(4)
1012040	Kidney	0,01 (*)	
1012050	Edible offals (other than liver and kidney)	0,01 (*)	
1012990	Others (2)	0,01 (*)	
1013000	(c) sheep		
1013010	Muscle	0,01 (*)	
1013020	Fat	0,01 (*)	
1013030	Liver	0,005 (*)	
1013040	Kidney	0,01 (*)	
1013050	Edible offals (other than liver and kidney)	0,01 (*)	
1013990	Others (2)	0,01 (*)	
1014000	d) goat		
1014010	Muscle	0,01 (*)	
1014020	Fat	0,01 (*)	
1014030	Liver	0,005 (*)	
1014040	Kidney	0,01 (*)	
1014050	Edible offals (other than liver and kidney)	0,01 (*)	
1014990	Others (2)	0,01 (*)	
1015000	(e) equine		
1015010	Muscle	0,01 (*)	
1015020	Fat	0,01 (*)	
1015030	Liver	0,005 (*)	
1015040	Kidney	0,01 (*)	
1015050	Edible offals (other than liver and kidney)	0,01 (*)	
1015990	Others (2)	0,01 (*)	
1016000	(f) poultry		
1016010	Muscle	0,01 (*)	
1016020	Fat	0,01 (*)	
1016030	Liver	0,005 (*)	
1016040	Kidney	0,01 (*)	
1016050	Edible offals (other than liver and kidney)	0,01 (*)	
1016990	Others (2)	0,01 (*)	
1017000	(g) other farmed terrestrial animals		
1017010	Muscle	0,01 (*)	
1017020	Fat	0,01 (*)	
1017030	Liver	0,005 (*)	
1017040	Kidney	0,01 (*)	
1017050	Edible offals (other than liver and kidney)	0,01 (*)	
1017990	Others (2)	0,01 (*)	

(1)	(2)	(3)	(4)
1020000	Milk	0,002 (*)	0,01 (*)
1020010	Cattle		
1020020	Sheep		
1020030	Goat		
1020040	Horse		
1020990	Others (2)		
1030000	Birds eggs	0,01 (*)	0,01 (*)
1030010	Chicken		
1030020	Duck		
1030030	Geese		
1030040	Quail		
1030990	Others (2)		
1040000	Honey and other apiculture products (7)	0,01 (*)	0,05 (*)
1050000	Amphibians and Reptiles	0,01 (*)	0,01 (*)
1060000	Terrestrial invertebrate animals	0,01 (*)	0,01 (*)
1070000	Wild terrestrial vertebrate animals	0,01 (*)	0,01 (*)
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)		
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)		
1300000	PROCESSED FOOD PRODUCTS (9)		

(*) Indicates lower limit of analytical determination

(*) For the complete list of products of plant and animal origin to which MRL's apply, reference should be made to Annex I

Triflumizole: Triflumizole and metabolite FM-6-1(N-(4-chloro-2-trifluoromethylphenyl)-n-propoxyacetamidine), expressed as Triflumizole (R) (F)

(R) The residue definition differs for the following combinations pesticide-code number: triflumizole - code 100000 , except 1040000 : triflumizole (F)

(F) Fat soluble"

COMMISSION IMPLEMENTING REGULATION (EU) 2023/148**of 20 January 2023****accepting a request for new exporting producer treatment with regard to the definitive anti-dumping measures imposed on imports of ceramic tableware and kitchenware originating in the People's Republic of China and amending Implementing Regulation (EU) 2019/1198**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'),

Having regard to Commission Implementing Regulation (EU) 2019/1198 of 12 July 2019 imposing a definitive anti-dumping duty on imports of ceramic tableware and kitchenware originating in the People's Republic of China ⁽²⁾, and in particular Article 2 thereof,

Whereas,

A. MEASURES IN FORCE

- (1) On 13 May 2013, the Council imposed a definitive anti-dumping duty on imports into the Union of ceramic tableware and kitchenware originating in the People's Republic of China ('the product concerned') by Council Implementing Regulation (EU) No 412/2013 ⁽³⁾ ('the original Regulation').
- (2) On 12 July 2019, following an expiry review pursuant to Article 11(2) of the basic Regulation, the Commission extended the measures of the original Regulation for another 5 years by Implementing Regulation (EU) 2019/1198.
- (3) On 28 November 2019, following an anti-circumvention investigation pursuant to Articles 13(3) of the basic Regulation, the Commission amended Regulation (EU) 2019/1198 by Implementing Regulation (EU) 2019/2131 ⁽⁴⁾.
- (4) In the original investigation, sampling was applied for investigating the exporting producers in the People's Republic of China ('the PRC') in accordance with Article 17 of the basic Regulation.
- (5) The Commission imposed individual anti-dumping duty rates ranging from 13,1 % to 18,3 % on imports of the product concerned for the sampled exporting producers from the PRC. For the cooperating exporting producers that were not included in the sample, a duty rate of 17,9 % was imposed. The cooperating exporting producers not included in the sample are listed in Annex I to Regulation (EU) 2019/1198, as replaced by Annex 1 to Regulation (EU) 2019/2131. Furthermore, a country-wide duty rate of 36,1 % was imposed on the product concerned from companies in the PRC which either did not make themselves known or did not cooperate with the investigation.
- (6) Pursuant to Article 2 of Regulation (EU) 2019/1198, Annex I of that Regulation can be amended by granting a new exporting producer the duty rate applicable to the cooperating companies not included in the sample, namely the weighted average duty rate of 17,9 %, where that new exporting producer in the PRC provides sufficient evidence to the Commission that:
 - (a) it did not export to the Union the product concerned during the period of investigation on which the measures are based, that is from 1 January 2011 to 31 December 2011 ('the original investigation period');

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ OJ L 189, 15.7.2019, p. 8.

⁽³⁾ OJ L 131, 15.5.2013, p. 1.

⁽⁴⁾ OJ L 321, 12.12.2019, p. 139.

- (b) it is not related to any of the exporters or producers in the PRC which are subject to the anti-dumping measures imposed by the original Regulation; and
- (c) it has actually exported to the Union the product concerned after the end of the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union.

B. REQUEST FOR NEW EXPORTING PRODUCER TREATMENT

- (7) On 30 October 2020, Raoping Jinde Ceramics Co. Ltd ('Jinde' or the 'applicant') submitted a request to the Commission to be granted new exporting producer treatment ('NEPT') and hence be subject to the duty rate applicable to the cooperating companies in the PRC not included in the sample, which is 17,9 %, claiming that it met all three conditions set out in Article 2 of Regulation (EU) 2019/1198 ('the NEPT conditions').
- (8) In order to determine whether the applicant fulfilled the NEPT conditions, the Commission first sent a questionnaire to the applicant requesting evidence showing that it met the NEPT conditions.
- (9) Following the analysis of the questionnaire reply, on 6 April 2021 the Commission requested further information and supporting evidence, which was submitted by the applicant.
- (10) The Commission sought to verify all information it deemed necessary for the purpose of determining whether the applicant met the NEPT conditions. To this end, the Commission analysed the evidence submitted by the applicant and consulted various online databases including Orbis ⁽⁷⁾ and Qichacha ⁽⁸⁾. In parallel, the Commission informed the Union industry about the applicant's request and invited it to provide any comments, if needed. The Union industry submitted comments with regard to the applicant's compliance with the condition set out in Article 2(a) of Regulation (EU) 2019/1198.

C. ANALYSIS OF THE REQUEST

- (11) With regard to the condition set out in Article 2(a) of Regulation (EU) 2019/1198 that the applicant did not export the product concerned to the Union during the original investigation period, during the investigation the Commission established that the applicant indeed did not export to the Union during that period. Jinde was founded in December 1995 and the company has been exporting since its establishment. However, its sales ledger shows no record of export transactions to the Union during the original investigation period. Moreover, Jinde's ledgers during that period were in line with the financial statements provided and there was no trace or further evidence suggesting that the applicant did export the product concerned to the Union before January 2012, that is after the original investigation period. The Union industry stressed in their initial comments the fact that the applicant had been involved in export activities since its establishment in 1995, but did not provide any evidence proving that Jinde was not in compliance with the condition set out in Article 2(a) of Regulation (EU) 2019/1198. Therefore, there is sufficient evidence that the applicant did not export to the Union the product concerned during the original investigation period.
- (12) With regard to the condition set out in Article 2(b) of Regulation (EU) 2019/1198 that the applicant is not related to any exporters or producers which are subject to the anti-dumping measures imposed by Regulation (EU) 2019/1198, during the investigation the Commission established that Jinde is not related to any of the Chinese exporting producers which are subject to the anti-dumping measures. According to Qichacha, Jinde's shareholders hold shares in three companies other than Jinde itself, none of which are subject to the anti-dumping measures imposed by Regulation (EU) 2019/1198. Therefore, the applicant fulfilled this condition.

⁽⁷⁾ Orbis is a global data provider of corporate information covering more than 220 million companies across the globe. It mainly provides standardised information on private companies and corporate structures.

⁽⁸⁾ Qichacha is a private, for-profit Chinese-owned database that delivers business data, credit information, and analytics on China-based private and public companies to consumers/professionals.

- (13) With regard to the condition set out in Article 2(c) of Regulation (EU) 2019/1198, that the applicant has actually exported the product concerned to the Union after the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union, during the investigation the Commission established that the applicant exported the product concerned to the Union in 2019, therefore after the original investigation period. The applicant submitted an invoice, purchase order, customs clearance documents, a bill of lading and a receipt of payment for an order placed in 2019 by a company in France. In addition to this shipment, between 2012 and 2019 there were other shipments of the product concerned to France, for which the applicant also provided supporting documents. Therefore, the applicant fulfilled this condition.
- (14) Accordingly, the applicant fulfils all three conditions to be granted NEPT, as set out in Article 2 of Regulation (EU) 2019/1198 and the request should therefore be accepted. Consequently, the applicant should be subject to an anti-dumping duty of 17,9 % for cooperating companies not included in the sample of the original investigation.

D. DISCLOSURE

- (15) The applicant and the Union industry were informed of the essential facts and considerations based on which it was considered appropriate to grant the anti-dumping duty rate applicable to the cooperating companies not included in the sample of the original investigation to Raoping Jinde Ceramics Co. Ltd.
- (16) The parties were granted the possibility to submit comments and the Union industry provided comments.
- (17) Following disclosure, the Union industry claimed that an audited financial statement is a statutory requirement for foreign invested companies in China, which also includes the applicant. In addition to that, Union industry asked to be provided with the name of the related company in order to provide comments on the business operations of the related company.
- (18) The Commission verified the information provided by the applicant on the issue whether there was a statutory requirement of audited financial statement for foreign investment companies in China. In 2009, Qiandong Taxation Branch of Raoping County State Taxation Bureau in Chaozhou City issued a notice to the applicant, by which it exempted the applicant from the obligation of submitting audited reports. Consequently, the Commission established that there was not a mandatory requirement either before or after the original investigation period. In addition, the Commission provided the Union industry with the name of applicant's related company. No further comments were received.
- (19) The Regulation is in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The following company is added to Annex 1 of Regulation (EU) 2019/1198 as modified by Regulation (EU) 2019/2131 containing the list of cooperating companies not included in the sample:

Company	TARIC additional code
Raoping Jinde Ceramics Co. Ltd	C879

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, 20 January 2023.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2023/149**of 20 January 2023****concerning the non-renewal of the approval of the active substance benfluralin, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011****(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 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 ⁽¹⁾, and in particular Articles 20(1) and 78(2) thereof,

Whereas:

- (1) Commission Directive 2008/108/EC ⁽²⁾ included benfluralin as an active substance in Annex I to Council Directive 91/414/EEC ⁽³⁾.
- (2) Active substances included in Annex I to Directive 91/414/EEC are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁴⁾.
- (3) The approval of the active substance benfluralin, as set out in Part A of the Annex to Implementing Regulation (EU) No 540/2011, expires on 28 February 2023.
- (4) An application for the renewal of the approval of the active substance benfluralin was submitted to Norway, the rapporteur Member State, and the Netherlands, the co-rapporteur Member State, in accordance with Article 1 of Commission Implementing Regulation (EU) No 844/2012 ⁽⁵⁾ within the time period provided for in that Article.
- (5) The applicants submitted the supplementary dossiers required to the rapporteur Member State, the co-rapporteur Member State, the Commission and the European Food Safety Authority ('the Authority') in accordance with Article 6 of Implementing Regulation (EU) No 844/2012. The application was found to be complete by the rapporteur Member State.
- (6) The rapporteur Member State prepared a draft renewal assessment report in consultation with the co-rapporteur Member State and submitted it to the Authority and the Commission on 28 August 2017. In its draft renewal assessment report Norway proposed to not renew the approval of benfluralin.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2008/108/EC of 26 November 2008 amending Council Directive 91/414/EEC to include flutolanil, benfluralin, fluazininam, fuberidazole and mepiquat as active substances (OJ L 317, 27.11.2008, p. 6).

⁽³⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

⁽⁵⁾ Commission Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26). This Regulation was replaced by Regulation (EU) 2020/1740, however, it continues to apply to the procedure for the renewal of the approval of active substances: (1) whose approval period ends before 27 March 2024; (2) for which a Regulation, adopted in accordance with Article 17 of Regulation (EC) No 1107/2009 on or after 27 March 2021, extends the approval period to 27 March 2024 or a later date.

- (7) The Authority made the supplementary summary dossier available to the public. The Authority also circulated the draft renewal assessment report to the applicants and to the Member States for comments and launched a public consultation on it. The Authority forwarded the comments received to the Commission.
- (8) On 27 September 2019, the Authority communicated to the Commission its conclusion ⁽⁶⁾ on whether benfluralin can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009.
- (9) In its conclusion, the Authority identified a number of concerns. In particular it identified a long-term risk to birds and mammals, including the risk from secondary poisoning of earthworm-eating birds and mammals, as a critical area of concern. Furthermore, the Authority identified the presence of a long-term risk to aquatic organisms from benfluralin, even when applying mitigation measures and a long-term risk to aquatic organisms caused by the metabolites 371R and 372R as a critical area of concern. Finally, it stated that the genotoxic potential of an impurity cannot be excluded since the technical specification, including the level of that impurity, was not supported by the toxicological assessment.
- (10) The Commission invited the applicants to submit their comments on the conclusion of the Authority. Furthermore, in accordance with Article 14(1), third subparagraph, of Implementing Regulation (EU) No 844/2012, the Commission invited the applicants to submit comments on the renewal report. The applicants submitted its comments, which were carefully examined.
- (11) On 16 July 2021, the Commission sent a mandate to the Authority with a request to review the exposure and risk assessments as regards birds, mammals and aquatic organisms. The Authority sent to the Commission an updated conclusion on 25 August 2022 ⁽⁷⁾ which confirmed the concerns identified in previous conclusion. The Commission invited the applicants to submit comments on the revised renewal report. The applicants submitted their comments, which have been carefully examined.
- (12) Despite the arguments put forward by the applicants, the concerns regarding the active substance and one of the metabolites could not be eliminated.
- (13) Consequently, it has not been established with respect to one or more representative uses of at least one plant protection product that the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 are satisfied. It is therefore appropriate not to renew the approval of the active substance benfluralin.
- (14) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (15) Member States should be given time to withdraw authorisations for plant protection products containing benfluralin.
- (16) For plant protection products containing benfluralin, where Member States grant any grace period in accordance with Article 46 of Regulation (EC) No 1107/2009, that period should at the latest, expire on 12 May 2024.
- (17) Commission Implementing Regulation (EU) 2021/2068 ⁽⁸⁾ extended until 28 February 2023 the period of approval of benfluralin in order to allow the renewal process to be completed before the expiry of the approval period of that substance. Given that a decision on the non-renewal of the approval has been taken ahead of that extended expiry date, this Regulation should apply earlier than that date.

⁽⁶⁾ EFSA. 2019. Conclusion on the peer review of the pesticide risk assessment of the active substance benfluralin. EFSA Journal 2019;17(10):5842. 34 pp. doi:10.2903/j.efsa.2019.5842.

⁽⁷⁾ EFSA. 2022. Conclusion on the peer review of the pesticide risk assessment of the active substance benfluralin. EFSA Journal 2022;20(9):7556, 36 pp. doi:10.2903/j.efsa.2022.7556.

⁽⁸⁾ Commission Implementing Regulation (EU) 2021/2068 of 25 November 2021 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances benfluralin, dimoxystrobin, fluazinam, flutolanil, mecoprop-P, mepiquat, metiram, oxamyl and pyraclostrobin (OJ L 421, 26.11.2021, p. 27).

- (18) This Regulation does not prevent the submission of another application for the approval of benfluralin pursuant to Article 7 of Regulation (EC) No 1107/2009.
- (19) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Non-renewal of the approval of the active substance

The approval of the active substance benfluralin is not renewed.

Article 2

Amendment to Implementing Regulation (EU) No 540/2011

In Part A of the Annex to Implementing Regulation (EU) No 540/2011, row 188 on benfluralin is deleted.

Article 3

Transitional measures

Member States shall withdraw authorisations for plant protection products containing benfluralin as an active substance by 12 August 2023.

Article 4

Grace period

Any grace period granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 shall expire by 12 May 2024.

Article 5

Entry into force

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, 20 January 2023.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2023/150**of 20 January 2023****amending certain Annexes to Implementing Regulation (EU) 2021/620 as regards the approval or withdrawal of the disease-free status of certain Member States or zones or compartments thereof as regards certain listed diseases****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Articles 31(3), 36(4) and 42(4) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down disease-specific rules for the diseases listed in accordance with Article 5(1) thereof and lays down how those rules are to be applied to different categories of listed diseases. Regulation (EU) 2016/429 provides for the Member States to establish compulsory eradication programmes for the listed diseases referred to in Article 9(1), point (b), thereof, and for optional eradication programmes for listed diseases referred to in Article 9(1), point (c), thereof, and for the approval of such programmes by the Commission. That Regulation also provides for the approval or withdrawal by the Commission of the disease-free status of Member States or zones or compartments thereof with regard to certain listed diseases referred to in Article 9(1), points (b) and (c), thereof.
- (2) Commission Delegated Regulation (EU) 2020/689 ⁽²⁾ supplements Regulation (EU) 2016/429 and lays down the criteria for granting, maintaining, suspending and withdrawing disease-free status for Member States or zones or compartments thereof, and the requirements for the approval of compulsory or optional eradication programmes for Member States or zones or compartments thereof.
- (3) Commission Implementing Regulation (EU) 2021/620 ⁽³⁾ lays down implementing rules for the listed diseases referred to in Article 9(1), points (a), (b) and (c), of Regulation (EU) 2016/429 of animals, as regards the disease-free and non-vaccination status of certain Member States or zones or compartments thereof, and the approval of eradication programmes for those listed diseases. More particularly, it lists in the Annexes thereto, the Member States or zones or compartments thereof with disease-free status. The changing epidemiological situation of certain diseases makes it necessary to now amend certain Annexes to Implementing Regulation (EU) 2021/620 in order to list new disease-free Member States or zones thereof and to delete from the lists zones or compartments where disease outbreaks have been confirmed or where the conditions for maintaining the disease-free status are no longer met.
- (4) For infection with *Mycobacterium tuberculosis* complex (*Mycobacterium bovis*, *M. caprae* and *M. tuberculosis*) (MTBC), infection with Aujeszky's disease virus (ADV), infection with bovine viral diarrhoea (BVD), infection with bluetongue virus (serotypes 1-24) (BTV), and infection with viral haemorrhagic septicaemia (VHS), several Member States have recently applied to the Commission to have disease-free status granted for part of their territory. Several Member States have also notified outbreaks of infection with rabies virus (RABV), BTV, and infection with haematopoietic necrosis (IHN) that also need to be reflected in certain Annexes to Implementing Regulation (EU) 2021/620.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases (OJ L 174, 3.6.2020, p. 211).

⁽³⁾ Commission Implementing Regulation (EU) 2021/620 of 15 April 2021 laying down rules for the application of Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the approval of the disease-free and non-vaccination status of certain Member States or zones or compartments thereof as regards certain listed diseases and the approval of eradication programmes for those listed diseases (OJ L 131, 16.4.2021, p. 78).

- (5) For infection with MTBC, Spain has submitted to the Commission information demonstrating that the conditions for recognition of disease-free status from infection with MTBC laid down in Delegated Regulation (EU) 2020/689 are fulfilled in the Autonomous Communities of the Balearic Islands, Catalonia and Murcia. Following the assessment by the Commission, those applications have been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for MTBC. Therefore, those zones should be listed in Part I of Annex II to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with MTBC.
- (6) For infection with ADV, Italy has submitted to the Commission information demonstrating that the conditions for recognition of the disease-free status from ADV laid down in Delegated Regulation (EU) 2020/689 are fulfilled for the regions of Trento and Veneto. Following the assessment by the Commission, those applications have been shown to comply with the criteria of Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for ADV. Therefore, those zones should be listed in Part I of Annex VI to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with ADV.
- (7) For infection with BVD, Germany has submitted to the Commission information demonstrating that the conditions for recognition of disease-free status from BVD laid down in Delegated Regulation (EU) 2020/689 are fulfilled for Dachau, Straubing-Bogen und Günzburg in Bavaria. Following the assessment by the Commission, those applications have been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for BVD. Therefore, those zones should be listed in Annex VII to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with BVD.
- (8) Hungary has notified to the Commission several outbreaks of infection with RABV in Szabolcs-Szatmár-Bereg county. As the whole territory of Hungary has disease-free status from infection with RABV and is listed in Part I of Annex III to Implementing Regulation (EU) 2021/620, the disease-free status for Szabolcs-Szatmár-Bereg county should be withdrawn, and the entry for Hungary in that list should be amended accordingly.
- (9) For infection with RABV, Hungary also has submitted to the Commission an application to have an eradication programme approved for Szabolcs-Szatmár-Bereg county. Following the assessment by the Commission, that application has been shown to comply with the criteria laid down in Part II, Chapter 2, of Delegated Regulation (EU) 2020/689 for approval of eradication programmes for infection with RABV. Therefore, Szabolcs-Szatmár-Bereg county should be listed in Part II of Annex III to Implementing Regulation (EU) 2021/620, as a zone with an approved eradication programme for infection with RABV.
- (10) Portugal has notified to the Commission outbreaks of infection with BTV serotype 4 in Aveiro, Bragança, Coimbra, Guarda and Viseu districts, affecting also the surrounding districts. As those districts have disease-free status and are listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, their disease-free status for infection with BTV should be withdrawn, and the entry for Portugal in that list should be amended accordingly.
- (11) Spain has notified to the Commission outbreaks of infection with BTV serotype 4 in the Toledo province in the Autonomous Community of Castilla-La Mancha, and in the Salamanca province in the Autonomous Community of Castilla y León affecting also areas in the Ávila and Zamora province. As those areas have disease-free status and are listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, their disease-free status for infection with BTV should be withdrawn, and the entry for Spain in that list should be amended accordingly.
- (12) As regards infection with BTV, Spain has also submitted to the Commission information demonstrating that the conditions for recognition of disease-free status from BTV are fulfilled for certain regions of the Autonomous Communities of Aragón and of Navarra and in certain regions in the Basque Autonomous Community. Following the assessment by the Commission, that application has been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for BTV. As infection with BTV has been successfully eradicated from those Autonomous Communities, the whole territory of those Autonomous Communities, should, therefore, be listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with BTV.

- (13) As regards infection with BTV, Germany has submitted to the Commission information demonstrating that the conditions for recognition of disease-free status from BTV are fulfilled for Bundesland Saarland and for certain parts of Bundesland Rhineland-Palatinate. Following the assessment by the Commission, that application has been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for BTV. Therefore, that zone should be listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with BTV.
- (14) As regards VHS, Finland has provided information which demonstrates that the conditions for the recognition of disease-free status from VHS are fulfilled for the province of Åland. That information complies with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for VHS. As VHS has been successfully eradicated from the province of Åland, the whole territory of Finland should, therefore, be listed in Part I of Annex XII to Implementing Regulation (EU) 2021/620, as having disease-free status for VHS.
- (15) In addition, Finland has notified to the Commission an outbreak of IHN in the province of Åland, in an area which is listed as having disease-free status in Annex XIII to Implementing Regulation (EU) 2021/620. The disease-free status of the infected area should therefore be withdrawn and that compartment should be deleted from Part I of that Annex, and the entry for that Member State in that list should be amended accordingly.
- (16) Annexes II, III, VI, VII, VIII, XII and XIII to Implementing Regulation (EU) 2021/620 should therefore be amended accordingly.
- (17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II, III, VI, VII, VIII, XII and XIII to Implementing Regulation (EU) 2021/620 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 20 January 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes II, III, VI, VII, VIII, XII and XIII to Implementing Regulation (EU) 2021/620 are amended as follows:

(1) Annex II is amended as follows:

(a) In Part I, the entry for Spain is replaced by the following:

Member State	Territory
'Spain	Comunidad Autónoma de Canarias Comunidad Autónoma de Cataluña Comunidad Autónoma de Galicia Comunidad Autónoma de Islas Baleares Comunidad Autónoma de Murcia Comunidad Autónoma del País Vasco Comunidad Autónoma del Principado de Asturias'

(b) In Part II, the entry for Spain is replaced by the following:

Member State	Territory
'Spain	Comunidad Autónoma de Andalucía Comunidad Autónoma de Aragón Comunidad Autónoma de Cantabria Comunidad Autónoma de Castilla-La Mancha Comunidad Autónoma de Castilla y León Comunidad Autónoma de Extremadura Comunidad Autónoma de La Rioja Comunidad Autónoma de Madrid Comunidad Autónoma de Navarra Comunidad Autónoma de Valencia'

(2) Annex III is amended as follows:

(a) In Part I, the entry for Hungary is replaced by the following:

Member State	Territory
'Hungary	Whole territory except Szabolcs-Szatmár-Bereg megye'

(b) In Part II, the following entry for Hungary is inserted before the entry for Poland:

Member State	Territory
'Hungary	Szabolcs-Szatmár-Bereg megye'

(3) Annex VI is amended as follows

(a) in Part I, the entry for Italy is replaced by the following:

Member State	Territory
'Italy	Regione Friuli Venezia Giulia Regione Trentino – Alto Adige Regione Veneto'

(b) in Part II, the entry for Italy is replaced by the following:

Member State	Territory	Date of initial approval as referred to in Article 15, point 2, of Delegated Regulation (EU) 2020/689
'Italy	Regione Abruzzo Regione Apulia Regione Basilicata Regione Calabria Regione Campania Regione Emilia-Romagna Regione Lazio Regione Liguria Regione Lombardia Regione Marche Regione Molise Regione Piemonte Regione Sicilia Regione Toscana Regione Valle d'Aosta Regione Umbria	21 April 2021'

(4) Annex VII is amended as follows:

(a) in Part I, the entry for Germany is replaced by the following:

Member State	Territory
'Germany	Bundesland Baden-Württemberg Bundesland Bayern: Regierungsbezirk Oberbayern The following cities and Landkreis in Regierungsbezirk Niederbayern: Stadt Landshut, Stadt Passau, Stadt Straubing, Freyung-Grafenau, Kelheim, Lkr. Landshut, Lkr. Passau, Regen, Rottal-Inn, Lkr. Straubing-Bogen, The following cities and Landkreis in Regierungsbezirk Oberpfalz: Stadt Amberg, Stadt Regensburg, Weiden in der Oberpfalz, Lkr. Amberg-Weizbach, Cham, Neumarkt in der Oberpfalz, Neustadt an der Waldnaab, Lkr. Regensburg, Schwandorf, Tirschenreuth The following cities and Landkreis in Regierungsbezirk Oberfranken: Stadt Bamberg, Stadt Bayreuth, Stadt Coburg, Stadt Hof, Lkr. Bamberg, Lkr. Bayreuth, Lkr. Coburg, Forchheim, Lkr. Hof, Kronach, Kulmbach, Lichtenfels, Wunsiedel im Fichtelgebirge The following cities and Landkreis in Regierungsbezirk Mittelfranken: Stadt Ansbach, Stadt Erlangen, Stadt Fürth, Nürnberg, Schwabach, Lkr. Ansbach, Lkr. Erlangen-Höchstädt, Lkr. Fürth, Nürnberger Land, Neustadt an der Aisch-Bad Windsheim, Roth, Weißenburg-Gunzenhausen The following cities and Landkreis in Regierungsbezirk Unterfranken: Stadt Aschaffenburg, Stadt Schweinfurt, Stadt Würzburg, Lkr. Aschaffenburg, Bad Kissingen, Röhn-Grabfeld, Haßberge, Kitzingen, Miltenberg, Main-Spessart, Lkr. Schweinfurt, Lkr. Würzburg

	The following cities and Landkreis in Regierungsbezirk Schwaben: Stadt Augsburg, Kaufbeuren, Kempten im Allgäu, Memmingen, Aichach-Friedberg, Dillingen an der Donau, Günzburg, Neu-Ulm, Lindau, Oberallgäu, Unterallgäu, Donau-Ries Bundesland Brandenburg Bundesland Bremen Bundesland Hamburg Bundesland Hessen Bundesland Mecklenburg-Vorpommern Bundesland Rheinland-Pfalz Bundesland Saarland Bundesland Sachsen Bundesland Sachsen-Anhalt Bundesland Thüringen'
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(b) in Part II, the entry for Germany is replaced by the following:

Member State	Territory	Date of initial approval as referred to in Article 15, point 2, of Delegated Regulation (EU) 2020/689
'Germany	Bundesland Bayern: The following cities and Landkreis in Regierungsbezirk Niederbayern: Deggendorf, Dingolfing-Landau The following cities and Landkreis in Regierungsbezirk Schwaben: Lkr. Augsburg, Ostallgäu Bundesland Berlin Bundesland Niedersachsen Bundesland Nordrhein-Westfalen Bundesland Schleswig-Holstein	21 February 2022'

(5) In Annex VIII, Part I is amended as follows:

(a) the entry for Germany is replaced by the following:

Member State	Territory
'Germany	Bundesland Baden-Württemberg Bundesland Bayern Bundesland Berlin Bundesland Brandenburg Bundesland Bremen Bundesland Hamburg Bundesland Hessen Bundesland Mecklenburg-Vorpommern Bundesland Niedersachsen Bundesland Nordrhein-Westfalen Bundesland Rheinland-Pfalz: The following Landkreis: Ahrweiler, Altenkirchen, Alzey-Worms, Bad Dürkheim, Bad Kreuznach, Birkenfeld, Cochem-Zell, Donnersbergkreis, Germersheim, Kaiserslautern, Kusel, Mainz-Bingen, Mayen-Koblenz, Neuwied, Rhein-Hunsrück-Kreis, Rhein-Lahn-Kreis, Rhein-Pfalz-Kreis, Südliche Weinstraße, Südwestpfalz, Westerwaldkreis

	The following cities: Frankenthal (Pfalz), Kaiserslautern, Koblenz, Landau in der Pfalz, Ludwigshafen am Rhein, Mainz, Neustadt an der Weinstraße, Pirmasens, Speyer, Worms, Zweibrücken Bundesland Saarland Bundesland Sachsen Bundesland Sachsen-Anhalt Bundesland Schleswig-Holstein Bundesland Thüringen'
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(b) the entry for Spain is replaced by the following:

Member State	Territory
'Spain	Comunidad Autónoma de Andalucía: Province of Almería Province of Granada, the following regions: Alhama de Granada (Alhama/Temple), Baza (Altiplanicie Sur), Guadix (Hoya-Altiplanicie de Guadix), Huescar (Altiplanicie Norte), Iznalloz (Montes Orientales), Loja (Vega/Montes Occ.), Orgiva (Alpujarra/Valle de Lecrin), Santa Fe (Vega de Granada) Comunidad Autónoma de Aragón Comunidad Autónoma de Asturias Comunidad Autónoma de Canarias Comunidad Autónoma de Cantabria Comunidad Autónoma de Castilla-La Mancha, except the following regions: Almadén, Almodóvar del Campo, Piedrabuena in the Province of Ciudad Real Belvis de la Jara, Gálvez, Los Navalmorales, Oropesa, Talavera de la Reina, Toledo, Torrijos in the Province of Toledo Comunidad Autónoma de Castilla y León, except the following regions: the Province of Salamanca Ávila, Arenas de San Pedro, Candeleda, Cebrero, El Barco de Ávila, El Barraco, Navaluenga, Navarredonda de Gredos, Piedrahíta, San Pedro del Arroyo, Sotillo de la Adrada in the Province of Ávila Bermillo de Sayago in the Province of Zamora Comunidad Autónoma de Cataluña Comunidad Autónoma de Galicia Comunidad Autónoma de La Rioja Comunidad Autónoma de Madrid, except the following regions: Navalcarnero, San Martín de Valdeiglesias Comunidad Autónoma de Murcia Comunidad Autónoma de Navarra Comunidad Autónoma de País Vasco Comunidad Autónoma de Valencia'

(c) the entry for Portugal is replaced by the following:

Member State	Territory
'Portugal	Região Autónoma dos Açores Região Autónoma da Madeira'

(6) In Annex VIII, Part II is replaced by the following:

PART II

Member States or zones thereof with an approved eradication programme for infection with BTV

Member State	Territory	Date of initial approval as referred to in Article 15, point 2, of Delegated Regulation (EU) 2020/689
Spain	Comunidad Autónoma de Andalucía: Province of Cádiz, Córdoba, Huelva, Jaén, Málaga, Sevilla Province of Granada: Motril (Costa de Granada) Comunidad Autónoma de Castilla-La Mancha: Province of Ciudad Real, the following regions: Almadén, Almodóvar del Campo and Piedrabuena Comunidad Autónoma de Extremadura: Comunidad Autónoma de Islas Baleares	21 February 2022'

(7) In Annex XII, Part I, the entry for Finland is replaced by the following:

Member State	Territory
Finland	Whole territory'

(8) In Annex XIII, Part I, the entry for Finland is replaced by the following:

Member State	Territory
Finland	Whole territory, except for the following: 1) the coastal compartment comprised of the parts of Föglö, Lumparland, Lemland, Vårdö municipalities that are contained within a circle of radius 19,331 km, centered on WGS84 coordinates Lat 59.975253701°, Lon 20.454027317° 2) the coastal compartment comprised of the parts of Eckerö and Hammarland municipalities that are contained within a circle of radius 10 km, centered on WGS84 coordinates Lat 60.207175390°, Lon 19.507907780°

DECISIONS

COUNCIL DECISION (EU) 2023/151

of 17 January 2023

on the position to be taken on behalf of the European Union in the EPA Committee established under the Interim Agreement in view of an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part as regards the establishment of the EPA Subcommittee on Agriculture and Rural Development

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Interim Agreement with a view to an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part, (the 'Agreement') ⁽¹⁾, was signed in Brussels on 22 January 2009 pursuant to Council Decision 2009/152/EC ⁽²⁾, and has been applied on a provisional basis since 4 August 2014.
- (2) Under the terms of the Agreement, the Central Africa Party is composed of the Republic of Cameroon.
- (3) Pursuant to Article 92 of the Agreement, an EU-Central Africa EPA Committee is established, which is to be responsible for the administration of all areas covered by the Agreement and for the completion of all tasks referred to therein.
- (4) Pursuant to Article 5 of the Rules of Procedure of the EU-Central Africa EPA Committee, adopted on 15 December 2016 by Decision No 1/2016 of the EPA Committee ⁽³⁾, for the effective performance of its tasks the EU-Central Africa EPA Committee may set up under its authority sub-committees responsible for dealing with specific subjects under the Agreement. Accordingly, the EU-Central Africa EPA Committee can establish an EPA Subcommittee on Agriculture and Rural development in order to achieve the objectives of the Agreement.
- (5) It is appropriate to establish the position to be taken on the Union's behalf concerning the establishment of an EPA Subcommittee on Agriculture and Rural Development as this will have legal effects in the Union.
- (6) The position of the Union as regards the establishment of the Subcommittee on Agriculture and Rural Development should therefore be based on the attached draft Decision,

⁽¹⁾ OJ L 57, 28.2.2009, p. 2.

⁽²⁾ Council Decision 2009/152/EC of 20 November 2008 on the signature and provisional application of the interim Agreement with a view to an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part (OJ L 57, 28.2.2009, p. 1).

⁽³⁾ OJ L 17, 21.1.2017, p. 46.

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the EPA Committee established under the Interim Agreement for an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part, regarding the establishment of a Subcommittee on Agriculture and Rural Development, shall be based on the draft Decision of the EPA Committee attached to this Decision.

Article 2

After its adoption, the Decision of the EPA Committee shall be published in the *Official Journal of the European Union*.

Article 3

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

Done at Brussels, 17 January 2023.

For the Council
The President
E. SVANTESSON

DRAFT**DECISION No.../2023 OF THE EPA COMMITTEE established under the INTERIM AGREEMENT IN VIEW OF AN ECONOMIC PARTNERSHIP AGREEMENT between THE EUROPEAN COMMUNITY and ITS MEMBER STATES, of the one part, and THE CENTRAL AFRICA PARTY, of the other part,****of ...****on the establishment of the EPA Subcommittee on Agriculture and Rural Development**

THE EPA COMMITTEE,

Having regard to the Interim Agreement in view of an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part, and in particular Article 92 thereof,

Having regard to Decision No 1/2016 of the EPA Committee of 15 December 2016 concerning the adoption of its Rules of Procedure, and in particular Article 5 thereof,

Whereas:

- (1) Article 92 of the Interim Agreement in view of an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part (the 'Agreement') ⁽¹⁾, provides that the EPA Committee is to be responsible for the administration of all areas covered by the Agreement and for the completion of all tasks referred to therein.
- (2) Article 5 of Decision No 1/2016 of the EPA Committee of 15 December 2016 concerning the adoption of its Rules of Procedure ⁽²⁾ provides that the EPA Committee is able to set up under its authority sub-committees responsible for dealing with specific subjects under the Agreement.
- (3) It is necessary to establish an EPA Subcommittee on Agriculture and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

1. The EPA Subcommittee on Agriculture and Rural Development for the partnership between the European Community and the Central Africa Party is hereby established to carry out the tasks set out in Article 2.
2. The main objective of the EPA Subcommittee on Agriculture and Rural Development is to facilitate exchanges on agricultural, pastoral, and rural development issues.

Article 2

1. The EPA Subcommittee on Agriculture and Rural Development shall be responsible for studying documents in order to elaborate on opinions, as well as developing, issuing opinions and making suggestions on agricultural, pastoral and rural development issues. It shall enable the Parties to exchange their experiences, information and best practices and to consult each other on all matters related to the general and specific objectives defined in Article 2 of Title I of the Agreement, and falling within the scope of the subcommittee as described below.

⁽¹⁾ OJ L 57, 28.2.2009, p. 2.

⁽²⁾ OJ L 17, 21.1.2017, p. 46.

2. The EPA Subcommittee on Agriculture and Rural Development shall be responsible, under the authority of the EPA Committee, for:
 - (a) monitoring all aspects of Titles II, III and V of the Agreement relating to trade in agricultural and livestock products, sanitary and phytosanitary matters, food security and rural development, as well as intellectual property and sustainable development issues, as they apply to agricultural and livestock products;
 - (b) engaging in policy dialogue on agriculture, livestock and rural development in the following areas:
 - (i) production, consumption, trade promotion and respective market developments of agricultural and livestock products;
 - (ii) promotion of investment in the agricultural and pastoral sectors, including small-scale activities;
 - (iii) agricultural and rural development policies, legislation and regulations, including policies on geographical indications and organic farming;
 - (iv) new technologies, research and innovation, and knowledge transfer to the agricultural sectors as well as actions needed to promote the transition to sustainable food systems.
3. The EPA Subcommittee on Agriculture and Rural Development shall also be responsible for monitoring the implementation of the recommendations of the EPA Committee insofar as they relate to the area of competence defined in paragraph 2.
4. The EPA Subcommittee shall submit its opinions to the EPA Committee.

Article 3

The EPA Subcommittee on Agriculture and Rural Development shall be composed, on the one hand, of representatives of the European Commission and, on the other hand, of representatives of the Central Africa Party. The parties represented may jointly decide to invite other participants, in particular representatives of stakeholders concerned by the subcommittee's field of competence.

Article 4

The EPA Subcommittee shall meet either in person or by any other appropriate means established by mutual agreement between the Parties. The agenda and the frequency of meetings of the subcommittee shall be determined by a consensus between the parties.

Article 5

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

Done at ..., ...

For the Republic of Cameroon

For the European Union

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