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Legislation

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⁽¹⁾ Text with EEA relevance.

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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) 2017/712

of 20 April 2017

establishing the reference year and the programme of the statistical data and metadata for population and housing censuses provided for by Regulation (EC) No 763/2008 of the European Parliament and of the Council

(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 763/2008 of the European Parliament and the Council of 9 July 2008 on population and housing censuses ⁽¹⁾, and in particular Article 5(1) and (3) thereof,

Whereas:

- (1) Pursuant to Article 5(1) of Regulation (EC) No 763/2008, the Commission should define a reference year. The reference date selected by each Member State for the population and housing censuses data to be transmitted to the Commission should fall in that year.
- (2) Pursuant to Article 5(3) of Regulation (EC) No 763/2008, the Commission should adopt a programme of the statistical data and of the metadata for the population and housing censuses to be transmitted to the Commission.
- (3) In order to ensure data from the population and housing censuses conducted in the Member States are comparable, and to allow reliable Union-wide overviews to be drawn up, this programme should be the same in all Member States.
- (4) In particular, it is necessary to define the content, format and structure of hypercubes which should be the same in all Member States, the special cell values and flags that the Member States can use in these hypercubes as well as the metadata on the topics.
- (5) Commission Implementing Regulation (EU) 2017/543 ⁽²⁾ lays down the technical specifications for the census topics and their breakdowns to be applied to the data to be sent to the Commission for the reference year 2021.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

⁽¹⁾ OJ L 218, 13.8.2008, p. 14.

⁽²⁾ Commission Implementing Regulation (EU) 2017/543 of 22 March 2017 laying down rules for the application of Regulation (EC) No 763/2008 of the European Parliament and of the Council on population and housing censuses as regards the technical specifications of the topics and of their breakdowns (OJ L 78, 23.3.2017, p. 13).

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes the programme of statistical data and the metadata for the population and housing censuses to be transmitted to the Commission (Eurostat) for the reference year 2021.

Article 2

Definitions

The definitions laid down in Regulation (EC) No 763/2008 and the specifications set out in the Annex to Commission Implementing Regulation (EU) 2017/543 shall apply. The following definitions shall also apply for the purpose of this Regulation:

- (1) 'total population' of a well-defined geographical area means all persons whose usual residence, as defined in Article 2(d) of Regulation (EC) No 763/2008, is located in that geographical area;
- (2) 'hypercube' means a multidimensional cross tabulation of breakdowns which contains a cell value for the measurement of each category of each breakdown cross-tabulated by each category of any other breakdown used in that hypercube;
- (3) 'cell value' means the information provided in a hypercube cell. A cell value can be either a 'numerical cell value' or a 'special cell value';
- (4) 'numerical cell value' means a numerical value that is transmitted in a cell in order to provide the statistical information on the observation for that cell;
- (5) 'confidential cell value' means a numerical cell value which in order to protect the statistical confidentiality of the data must not be divulged, according to the Member States' protective measures against disclosure of statistical data;
- (6) 'non-confidential cell value' means a numerical cell value which is not a confidential cell value;
- (7) 'unreliable cell value' means a numerical cell value which is unreliable according to the Member States' quality control;
- (8) 'special cell value' means a symbol that is transmitted in a hypercube cell instead of a numerical cell value;
- (9) 'flag' means a code that can accompany a particular cell value to describe a specific characteristic of that cell value.

Article 3

Reference date

Each Member State shall determine a reference date falling in 2021 for the population and housing census data to be transmitted to the Commission (Eurostat). Member States shall inform the Commission (Eurostat) by 31 December 2019 of the reference date selected.

Article 4

Programme of the statistical data

1. The programme of the statistical data to be transmitted to the Commission (Eurostat) for the reference year 2021 shall consist of the hypercubes listed in Annex I.

2. Member States shall provide the special cell value 'not applicable' only in the following cases:
 - (a) when a cell refers to the category 'not applicable' of at least one breakdown; or
 - (b) when a cell describes an observation that does not exist in the Member State.
3. Member States shall replace any confidential cell value by the special cell value 'not available'.
4. At the request of a Member State the Commission (Eurostat) shall refrain from making public any unreliable cell value provided by that Member State.

Article 5

Metadata on the cell values

1. Where applicable, Member States shall add the following flags to a hypercube cell:
 - (a) 'confidential';
 - (b) 'unreliable';
 - (c) 'revised after first data transmission';
 - (d) 'see information attached'.
2. Each cell whose confidential cell value has been replaced by the special value 'not available' shall be marked with the flag 'confidential'.
3. Each cell whose numerical cell value is unreliable shall be marked with the flag 'unreliable'.
4. For each cell accompanied by at least one of the flags 'unreliable', 'revised after first data transmission' or 'see information attached' an explanatory text shall be provided.

Article 6

Metadata on the topics

Member States shall provide the Commission (Eurostat) with the metadata on the topics as laid out in Annex II.

Article 7

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 April 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

Programme of the statistical data (hypercubes) for the reference year 2021

No	Total	Breakdowns							
	Group 1 Total population	GEO.N.	SEX.	AGE.H.	LMS.H.	HST.H.	FST.H.		
1.1		GEO.N.	SEX.	AGE.H.	LMS.H.				
1.2		GEO.N.	SEX.	AGE.H.		HST.H.			
1.3		GEO.N.	SEX.	AGE.H.			FST.H.		
1.4		GEO.N.	SEX.		LMS.H.	HST.H.			
	Group 2 Total population	GEO.M.	SEX.	AGE.M.	LMS.L.	HST.H.	FST.H.	HAR.	LOC.
2.1		GEO.M.	SEX.	AGE.L.	LMS.L.		FST.H.		
2.2		GEO.M.	SEX.	AGE.L.		HST.H.		HAR.	
2.3		GEO.M.	SEX.	AGE.M.				HAR.	LOC.
	Group 3 Total population	GEO.H.	SEX.	AGE.M.	HST.M.	LMS.L.			
3.1		GEO.H.	SEX.	AGE.M.					
3.2		GEO.H.	SEX.		HST.M.				
3.3		GEO.H.	SEX.			LMS.L.			
	Group 4 Total population	GEO.L.	SEX.	AGE.H.	CAS.H.	OCC.	EDU.		
4.1		GEO.L.	SEX.	AGE.H.	CAS.H.				
4.2		GEO.L.	SEX.	AGE.H.		OCC.			
4.3		GEO.L.	SEX.	AGE.H.			EDU.		
	Group 5 Total population	GEO.L.	SEX.	AGE.M.	OCC.	IND.L.	SIE.	EDU.	
5.1		GEO.L.	SEX.	AGE.M.	OCC.	IND.L.			
5.2		GEO.L.	SEX.	AGE.M.	OCC.		SIE.		
5.3		GEO.L.	SEX.	AGE.M.	OCC.			EDU.	
5.4		GEO.L.	SEX.	AGE.L.			SIE.	EDU.	
5.5		GEO.N.	SEX.		OCC.	IND.L.		EDU.	
5.6		GEO.L.	SEX.	AGE.M.		IND.L.	SIE.		
5.7		GEO.L.	SEX.	AGE.L.		IND.L.		EDU.	
	Group 6 Total population	GEO.L.	SEX.	AGE.M.	LPW.N.	OCC.	IND.L.	SIE.	EDU.
6.1		GEO.L.	SEX.	AGE.M.	LPW.N.	OCC.			
6.2		GEO.L.	SEX.	AGE.M.	LPW.N.				EDU.
6.3		GEO.L.	SEX.		LPW.N.		IND.L.	SIE.	

No	Total	Breakdowns							
	Group 7 Total population	GEO.N.	SEX.	AGEM.	LPW.L.	IND.L.	SIE.		
7.1		GEO.N.	SEX.	AGEM.	LPW.L.	IND.L.			
7.2		GEO.N.	SEX.	AGEM.	LPW.L.		SIE.		
	Group 8 Total population	GEO.H.	SEX.	COCL.	POB.L.				
8.1		GEO.H.	SEX.	COCL.					
8.2		GEO.H.	SEX.		POB.L.				
	Group 9 Total population	GEO.M.	SEX.	AGEM.	COCL.	POB.H.	YAE.H.		
9.1		GEO.N.	SEX.	AGEM.	COCL.	POB.H.			
9.2		GEO.M.	SEX.	AGEM.			YAE.H.		
9.3		GEO.M.	SEX.	AGEM.		POB.H.			
9.4		GEO.M.	SEX.			POB.H.	YAE.H.		
	Group 10 Total population	GEO.M.	SEX.	AGEM.	CAS.L.	COCL.	POB.L.	YAT.	
10.1		GEO.M.	SEX.	AGEM.		COCL.		YAT.	
10.2		GEO.M.	SEX.	AGEM.			POB.L.	YAT.	
10.3		GEO.L.	SEX.	AGEM.	CAS.L.	COCL.		YAT.	
	Group 11 Total population	GEO.M.	SEX.	AGEM.	COCH.	YAE.L.			
11.1		GEO.M.	SEX.	AGEM.	COCH.				
11.2		GEO.M.	SEX.		COCH.	YAE.L.			
	Group 12 Total population	GEO.M.	SEX.	AGEM.	COC.M.	POB.M.	YAE.L.	SIE.	ROY.
12.1		GEO.M.	SEX.	AGEM.			YAE.L.		ROY.
12.2		GEO.M.	SEX.	AGEM.		POB.M.			ROY.
12.3		GEO.L.	SEX.		COC.M.	POB.M.			ROY.
12.4		GEO.L.	SEX.	AGEM.				SIE.	ROY.
	Group 13 Total population	GEO.M.	SEX.	AGEM.	COC.M.	POB.M.	YAE.H.	ROY.	HAR.
13.1		GEO.L.	SEX.			POB.M.	YAE.H.		HAR.
13.2		GEO.M.	SEX.	AGEM.				ROY.	HAR.
13.3		GEO.M.		AGEM.		POB.M.			HAR.
13.4		GEO.M.		AGEM.	COC.M.				HAR.
13.5		GEO.L.			COC.M.	POB.M.	YAE.H.		

No	Total	Breakdowns								
	Group 14 Total population	GEO.L.	SEX.	AGEM.	CAS.H.	COCL.	POB.L.	YAE.L.	ROY.	HAR.
14.1		GEO.L.	SEX.	AGEM.	CAS.H.	COCL.				
14.2		GEO.L.	SEX.	AGEM.	CAS.H.		POB.L.			
14.3		GEO.L.	SEX.	AGEM.	CAS.H.			YAE.L.		
14.4		GEO.L.	SEX.	AGEM.	CAS.H.				ROY.	
14.5		GEO.L.	SEX.	AGE.L.	CAS.L.				ROY.	HAR.
	Group 15 Total population	GEO.L.	SEX.	AGEM.	CAS.L.	EDU.	COCL.	POB.L.	YAE.H.	
15.1		GEO.L.	SEX.	AGE.L.	CAS.L.	EDU.		POB.L.		
15.2		GEO.L.	SEX.		CAS.L.	EDU.			YAE.H.	
15.3		GEO.L.	SEX.		CAS.L.		COCL.		YAE.H.	
15.4		GEO.L.	SEX.	AGEM.	CAS.L.		COCL.	POB.L.		
	Group 16 Total population	GEO.L.	SEX.	AGEM.	OCC.	COCL.	POB.L.	YAE.L.	ROY.	
16.1		GEO.L.	SEX.	AGEM.	OCC.	COCL.				
16.2		GEO.L.	SEX.	AGEM.	OCC.		POB.L.			
16.3		GEO.L.	SEX.	AGEM.	OCC.			YAE.L.		
16.4		GEO.L.	SEX.	AGEM.	OCC.				ROY.	
16.5		GEO.L.	SEX.		OCC.		POB.L.	YAE.L.		
	Group 17 Total population	GEO.L.	SEX.	AGEM.	IND.H.	COCL.	YAE.L.	ROY.		
17.1		GEO.L.	SEX.	AGEM.	IND.H.	COCL.				
17.2		GEO.N.	SEX.	AGEM.	IND.H.		YAE.L.			
17.3		GEO.L.	SEX.	AGEM.	IND.H.			ROY.		
	Group 18 Total population	GEO.L.	SEX.	IND.H.	SIE.	EDU.	COCL.	POB.L.		
18.1		GEO.L.	SEX.	IND.H.	SIE.			POB.L.		
18.2		GEO.L.	SEX.	IND.H.		EDU.		POB.L.		
18.3		GEO.L.	SEX.	IND.L.			COCL.	POB.L.		
	Group 19 Total population	GEO.L.	SEX.	AGEM.	EDU.	POB.L.	YAE.H.			
19.1		GEO.L.	SEX.	AGEM.	EDU.	POB.L.				
19.2		GEO.L.	SEX.	AGEM.	EDU.		YAE.L.			
19.3		GEO.L.	SEX.		EDU.	POB.L.	YAE.H.			
	Group 20 Total population	GEO.L.	SEX.	AGEM.	LPW.N.	COCL.	POB.L.			
20.1		GEO.L.	SEX.	AGEM.	LPW.N.	COCL.				
20.2		GEO.L.	SEX.	AGEM.	LPW.N.		POB.L.			

No	Total	Breakdowns							
	Group 21 Total population	GEO.L.	SEX.	AGE.M.	LMS.L.	FST.M.	HST.H.	CAS.H.	EDU.
21.1		GEO.L.	SEX.	AGE.M.	LMS.L.			CAS.H.	
21.2		GEO.L.	SEX.	AGE.M.	LMS.L.				EDU.
21.3		GEO.L.	SEX.	AGE.M.		FST.M.		CAS.H.	
21.4		GEO.L.	SEX.	AGE.M.		FST.M.			EDU.
21.5		GEO.L.	SEX.	AGE.M.			HST.H.	CAS.H.	
	Group 22 Total population	GEO.L.	SEX.	AGE.M.	HST.H.	EDU.	SIE.		
22.1		GEO.L.	SEX.	AGE.M.	HST.H.	EDU.			
22.2		GEO.L.	SEX.	AGE.M.	HST.H.		SIE.		
	Group 23 Total population	GEO.L.	SEX.	AGE.M.	FST.L.	HST.L.	CAS.L.	EDU.	
23.1		GEO.N.	SEX.	AGE.M.		HST.L.	CAS.L.	EDU.	
23.2		GEO.L.	SEX.	AGE.M.	FST.L.		CAS.L.	EDU.	
	Group 24 Total population	GEO.L.	SEX.	AGE.M.	LMS.L.	FST.L.	HST.M.	CAS.L.	
24.1		GEO.N.	SEX.	AGE.M.	LMS.L.	FST.L.		CAS.L.	
24.2		GEO.L.	SEX.	AGE.M.	LMS.L.		HST.M.	CAS.L.	
	Group 25 Total population	GEO.M.	SEX.	AGE.M.	LMS.L.	HST.M.	COCL.	POBL.	
25.1		GEO.M.	SEX.	AGE.M.	LMS.L.			POBL.	
25.2		GEO.L.	SEX.	AGE.M.	LMS.L.	HST.M.	COCL.		
25.3		GEO.L.	SEX.	AGE.M.	LMS.L.	HST.M.		POBL.	
	Group 26 Total population	GEO.M.	SEX.	AGE.M.	FST.L.	HST.M.	COCL.	POBL.	
26.1		GEO.M.	SEX.	AGE.M.	FST.L.		COCL.		
26.2		GEO.M.	SEX.	AGE.M.		HST.M.		POBL.	
26.3		GEO.L.	SEX.	AGE.M.		HST.M.	COCL.	POBL.	
	Group 27 Total population	GEO.M.	SEX.	AGE.L.	FST.M.	HST.M.	YAE.L.		
27.1		GEO.M.	SEX.	AGE.L.	FST.M.		YAE.L.		
27.2		GEO.M.	SEX.	AGE.L.		HST.M.	YAE.L.		
	Group 28 Total population	GEO.L.	SEX.	AGE.M.	FST.M.	HST.M.	ROY.		
28.1		GEO.L.	SEX.	AGE.M.	FST.M.		ROY.		
28.2		GEO.L.	SEX.	AGE.M.		HST.M.	ROY.		

No	Total	Breakdowns							
	Group 29 Total population	GEO.L.	SEX.	AGE.M.	LMS.L.	FST.L.	HST.M.	CAS.L.	POB.L.
29.1		GEO.L.	SEX.	AGE.M.	LMS.L.			CAS.L.	POB.L.
29.2		GEO.L.	SEX.	AGE.M.		FST.L.		CAS.L.	POB.L.
29.3		GEO.L.	SEX.	AGE.M.			HST.M.	CAS.L.	POB.L.
	Group 30 Total population	GEO.L.	SEX.	AGE.M.	LMS.L.	FST.L.	HST.M.	CAS.L.	COCL.
30.1		GEO.L.	SEX.	AGE.M.	LMS.L.			CAS.L.	COCL.
30.2		GEO.L.	SEX.	AGE.M.		FST.L.		CAS.L.	COCL.
30.3		GEO.L.	SEX.	AGE.M.			HST.M.	CAS.L.	COCL.
	Group 31 Total population	GEO.L.	SEX.	AGE.M.	FST.L.	HST.M.	SIE.	EDU.	POB.L.
31.1		GEO.L.	SEX.	AGE.M.		HST.M.	SIE.		POB.L.
31.2		GEO.L.	SEX.	AGE.M.	FST.L.		SIE.		POB.L.
31.3		GEO.L.	SEX.			HST.M.		EDU.	POB.L.
	Group 32 Total population	GEO.L.	SEX.	AGE.M.	FST.L.	HST.M.	SIE.	EDU.	COCL.
32.1		GEO.L.	SEX.	AGE.M.		HST.M.	SIE.		COCL.
32.2		GEO.L.	SEX.	AGE.M.	FST.L.		SIE.		COCL.
32.3		GEO.L.	SEX.			HST.M.		EDU.	COCL.
	Group 33 Number of all private households	GEO.M.	TPH.H.	SPH.	TSH.				
33.1		GEO.M.	TPH.H.	SPH.	TSH.				
	Group 34 Number of all families	GEO.M.	TFN.H.	SFN.					
34.1		GEO.M.	TFN.H.	SFN.					
	Group 35 Number of all private households	GEO.H.	TPH.L.	SPH.					
35.1		GEO.H.	TPH.L.						
35.2		GEO.H.		SPH.					
	Group 36 Number of all families	GEO.H.	TFN.L.	SFN.					
36.1		GEO.H.	TFN.L.						
36.2		GEO.H.		SFN.					

No	Total	Breakdowns					
37.1	Group 37 Number of all conventional dwellings	GEO.M.	TOB.	OCS.	POC.		
		GEO.M.	TOB.	OCS.	POC.		
38.1	Group 38 Number of all conventional dwellings	GEO.H.	TOB.	OCS.			
		GEO.H.	TOB.	OCS.			
39.1 39.2 39.3	Group 39 Number of all occupied conventional dwellings	GEO.M.	TOB.	(UFS.or NOR)	(DFS.or DRM)	OWS.	NOC.
		GEO.L.	TOB.			OWS.	NOC.
		GEO.M.	TOB.	(UFS.or NOR)			NOC.
40.1 40.2 40.3 40.4	Group 40 Number of all occupied conventional dwellings	GEO.L.	WSS.	TOL.	BAT.	TOH.	
		GEO.L.	WSS.				
		GEO.L.		TOL.			
		GEO.L.			BAT.		
41.1	Group 41 Number of all living quarters	GEO.H.	TLQ.				
		GEO.H.	TLQ.				

ANNEX II

Metadata on the topics referred to in Article 6

Member States shall transmit to the Commission (Eurostat) textual metadata on the definitions referring to the census topics.

For each topic, the metadata shall:

- name the data source(s) used to report the statistical data on the topic;
- report on the methodology used to estimate data on the topic;
- report on the reasons for any unreliability of the data on the topic.

In addition, Member States shall provide the following metadata:

Place of usual residence

The metadata shall explain in which way the definition of 'usual residence' of Article 2(d) of Regulation (EC) No 763/2008 has been applied, in particular to what extent the legal or registered residence has been reported as a substitute for the usual residence according to the 12 months criterion, as well as a clear definition of the concept adopted for the resident population.

The metadata shall report if third level students whose term-time address is not the one of their family home have been considered to have their usual residence at their family home.

The metadata shall report on any other country-specific application of the rules for the 'special cases' listed in the technical specifications for the topic 'Place of usual residence' in the Annex to Implementing Regulation (EU) 2017/543.

Homeless

The data on total population shall include all primary homeless persons (persons living in the streets without shelter) and all secondary homeless persons (persons moving frequently between temporary accommodation).

The metadata shall report the number of all homeless persons. The numbers of primary homeless persons (persons living in the streets without shelter) and of secondary homeless persons (persons moving frequently between temporary accommodation) shall be shown where this distinction is possible.

A description of the methodology and data sources used to produce the data on homeless persons shall be provided.

Legal marital status/partnerships

The metadata shall report on the relevant legal basis in the Member State concerning opposite-sex and same-sex marriages, the minimum age for marriages, opposite-sex and same-sex registered partnerships, and the possibility to divorce or legally separate.

Economic topics

The metadata shall report on any country-specific application of the rules listed in the technical specifications for the topic 'Current activity status' in the Annex to Implementing Regulation (EU) 2017/543. The metadata shall report whether the current activity status has been reported on the basis of registers, and, if this is the case, on the relevant definitions used in this register.

The metadata shall report on the national minimum age for economic activity in the country, and the relevant legal basis.

Where the census in the Member State identifies persons doing more than one job, the metadata shall describe the method used to allocate them to their main job (for example, on the basis of time spent on the job, income received).

The metadata shall report on any country-specific application of the rules listed in the technical specifications for the topic 'Status in employment' in the Annex to Implementing Regulation (EU) 2017/543. Where the census in the Member State identifies person who are both, employer and employee, the metadata shall describe the method used to allocate them to one of the two categories.

Country/place of birth

For censuses for which no or incomplete information is available on the country of birth according to international boundaries existing at the time of the census, the metadata shall inform about the methodology used to allocate persons within the breakdown of the topic 'Country/place of birth'.

The metadata shall report if information on the place where the birth took place was used as a substitute for the place of usual residence of the mother at the time of the birth.

Country of citizenship

In countries where a part of the population are persons who are 'Recognised Non-Citizens' (that is persons who are neither citizens of any country nor stateless and who have some but not all of the rights and duties associated with citizenship), the metadata shall provide relevant information.

Place of usual residence one year prior to the census

Where the census in the Member State collects information on the topic 'Previous place of usual residence and date of arrival in the current place', the metadata shall describe any methodology used to report on the place of usual residence one year prior to the census.

Household and family topics

The metadata shall specify whether the census in the Member State applies the 'housekeeping' or the 'household-dwelling' concept to identify private households. The metadata shall report on the method used to generate households and families.

The metadata shall report on the way the relationships between household members are identified (e.g. relationship matrix; relation to reference person). If these data are obtained from administrative registers, it shall be reported whether information on the relationship between household and family members is recorded in and obtained directly from the administrative source(s), or whether this information is based on a statistical model.

Type of ownership

The metadata shall explain and provide examples of the ownership types under national property laws or customs that have been classified under 'Dwellings in other types of ownership'.

Useful floor space and/or number of rooms of housing unit, density standard

The metadata shall report on the application of the concept of either 'useful floor space', or 'number of rooms' as appropriate, and on the definition adopted for the corresponding measurement of the density standard.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/713**of 20 April 2017****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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 April 2017.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA

Director-General

Directorate-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	EG	260,5
	MA	103,1
	TR	118,6
	ZZ	160,7
0707 00 05	MA	79,4
	TR	154,7
	ZZ	117,1
0709 93 10	MA	78,6
	TR	144,9
	ZZ	111,8
0805 10 22, 0805 10 24, 0805 10 28	EG	59,5
	IL	80,6
	MA	48,4
	TR	71,4
	ZZ	65,0
0805 50 10	AR	68,9
	TR	67,2
	ZZ	68,1
0808 10 80	AR	96,7
	BR	116,2
	CL	111,4
	CN	147,6
	NZ	157,3
	ZA	114,6
	ZZ	124,0
	ZZ	124,0
0808 30 90	AR	163,2
	CL	170,8
	CN	79,8
	ZA	132,8
	ZZ	136,7
	ZZ	136,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/714**of 20 April 2017****on the minimum selling price for skimmed milk powder for the eighth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) 2016/2080**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Implementing Regulation (EU) 2016/1240 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage ⁽²⁾, and in particular Article 32 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2080 ⁽³⁾ has opened the sale of skimmed milk powder by a tendering procedure.
- (2) In the light of the tenders received for the eighth partial invitation to tender, a minimum selling price should not be fixed.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the eighth partial invitation to tender for the selling of skimmed milk powder within the tendering procedure opened by Implementing Regulation (EU) 2016/2080, in respect of which the period during which tenders were to be submitted ended on 18 April 2017, a minimum selling price has not been fixed.

Article 2

This Regulation shall enter into force on the day 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 April 2017.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General*

Directorate-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 206, 30.7.2016, p. 71.

⁽³⁾ Commission Implementing Regulation (EU) 2016/2080 of 25 November 2016 opening the sale of skimmed milk powder by a tendering procedure (OJ L 321, 29.11.2016, p. 45).

DECISIONS

COUNCIL DECISION (EU) 2017/715

of 27 March 2017

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex II (Technical Regulations, Standards, Testing and Certification) and Annex XVII (Intellectual Property) to the EEA Agreement (Paediatric Regulation)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex II (Technical Regulations, Standards, Testing and Certification) and Annex XVII (Intellectual Property) to the EEA Agreement.
- (3) Regulation (EC) No 1901/2006 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Regulation (EC) No 1902/2006 of the European Parliament and of the Council ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Regulation (EC) No 469/2009 of the European Parliament and of the Council ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Regulation (EU) No 488/2012 ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Regulation (EC) No 469/2009 repeals Council Regulation (EEC) No 1768/92 ⁽⁷⁾, which has been incorporated into the EEA Agreement and which is therefore to be repealed under the EEA Agreement.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004 (OJ L 378, 27.12.2006, p. 1).

⁽⁴⁾ Regulation (EC) No 1902/2006 of the European Parliament and of the Council of 20 December 2006 amending Regulation (EC) No 1901/2006 on medicinal products for paediatric use (OJ L 378, 27.12.2006, p. 20).

⁽⁵⁾ Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (OJ L 152, 16.6.2009, p. 1).

⁽⁶⁾ Commission Regulation (EU) No 488/2012 of 8 June 2012 amending Commission Regulation (EC) No 658/2007 concerning financial penalties for infringement of certain obligations in connection with marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 150, 9.6.2012, p. 68).

⁽⁷⁾ OJ L 182, 2.7.1992, p. 1.

- (8) Commission Regulation (EC) No 658/2007 ⁽¹⁾ lays down rules concerning the application of financial penalties to the holders of marketing authorisations granted under Regulation (EC) No 726/2004. Once the Commission has granted a marketing authorisation, the EFTA States should simultaneously take corresponding decisions within 30 days from the grant. Due to the special circumstances, namely, that the Commission grants marketing authorisations, that the infringements affect the Union and its interests, and the complex and technical nature of the infringement procedures, the EFTA Surveillance Authority should cooperate closely with the Commission and await the Commission's assessment and proposal for action before taking a decision regarding the application of financial penalties to the holders of marketing authorisations established in an EFTA State.
- (9) Annex II (Technical Regulations, Standards, Testing and Certification) and Annex XVII (Intellectual Property) to the EEA Agreement should therefore be amended accordingly.
- (10) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union within the EEA Joint Committee, on the proposed amendment to Annex II (Technical Regulations, Standards, Testing and Certification) and Annex XVII (Intellectual Property) to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 27 March 2017.

For the Council
The President
C. ABELA

⁽¹⁾ Commission Regulation (EC) No 658/2007 of 14 June 2007 concerning financial penalties for infringement of certain obligations in connection with marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 155, 15.6.2007, p. 10).

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2017

of ...

amending Annex II (Technical Regulations, Standards, Testing and Certification) and Annex XVII (Intellectual Property) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EC) No 1902/2006 of the European Parliament and of the Council of 20 December 2006 amending Regulation (EC) No 1901/2006 on medicinal products for paediatric use ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (Codified version) ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Regulation (EU) No 488/2012 of 8 June 2012 amending Commission Regulation (EC) No 658/2007 concerning financial penalties for infringement of certain obligations in connection with marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council ⁽⁴⁾, as corrected by OJ L 338, 12.12.2012, p. 44, is to be incorporated into the EEA Agreement.
- (5) Regulation (EC) No 469/2009 repeals Council Regulation (EEC) No 1768/92 ⁽⁵⁾, which has been incorporated into the EEA Agreement and which is therefore to be repealed under the EEA Agreement.
- (6) Commission Regulation (EC) No 658/2007 lays down rules concerning the application of financial penalties to the holders of marketing authorisations granted under Regulation (EC) No 726/2004. Once the Commission has granted a marketing authorisation, the EFTA States should simultaneously take corresponding decisions within 30 days from the grant. Due to the special circumstances, notably that the Commission grants marketing authorisations, that the infringements affect the Union and its interests and the complex and technical nature of the infringement procedures, the EFTA Surveillance Authority should cooperate closely with the Commission and await the Commission's assessment and proposal for action before taking a decision regarding financial penalties to the holders of marketing authorisations established in an EFTA State.
- (7) Annexes II and XVII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Chapter XIII of Annex II to the EEA Agreement shall be amended as follows:

1. The following text is inserted after the words 'Committee on Orphan Medicinal Products (COMP)' in the 13th paragraph of the introductory text:

‘, the Paediatric Committee’

⁽¹⁾ OJ L 378, 27.12.2006, p. 1.

⁽²⁾ OJ L 378, 27.12.2006, p. 20.

⁽³⁾ OJ L 152, 16.6.2009, p. 1.

⁽⁴⁾ OJ L 150, 9.6.2012, p. 68.

⁽⁵⁾ OJ L 182, 2.7.1992, p. 1.

2. The following indent is added in points 15q (Directive 2001/83/EC of the European Parliament and of the Council) and 15zb (Regulation (EC) No 726/2004 of the European Parliament and of the Council):

‘— **32006 R 1901**: Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 (OJ L 378, 27.12.2006, p. 1).’

3. The adaptation text of point 15zb (Regulation (EC) No 726/2004 of the European Parliament and of the Council) is replaced by the following:

‘The powers vested in the European Commission in relation to the infringement procedure foreseen in Article 84(3), including the power to impose financial penalties on the holders of marketing authorisations, shall, in the cases where the marketing authorisation holder is established in an EFTA State, be carried out by the EFTA Surveillance Authority in close cooperation with the Commission. Before the EFTA Surveillance Authority takes a decision regarding financial penalties, the Commission shall provide it with its assessment and a proposal on how to act.’

4. The text of point 15zj (Commission Regulation (EC) No 658/2007) is replaced by the following:

‘**32007 R 0658**: Commission Regulation (EC) No 658/2007 of 14 June 2007 concerning financial penalties for infringement of certain obligations in connection with marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 155, 15.6.2007, p. 10), as amended by:

— **32012 R 0488**: Commission Regulation (EU) No 488/2012 of 8 June 2012 (OJ L 150, 9.6.2012, p. 68), as corrected by OJ L 338, 12.12.2012, p. 44.

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

The powers vested in the European Commission in relation to the infringement procedure, including the power to impose financial penalties on the holders of marketing authorisations, shall, in the cases where the marketing authorisation holder is established in an EFTA State, be carried out by the EFTA Surveillance Authority in close cooperation with the Commission. Before the EFTA Surveillance Authority takes a decision regarding financial penalties, the Commission shall provide it with its assessment and a proposal on how to act.’

5. The following point is inserted after point 15zo (Commission Implementing Regulation (EU) No 198/2013):

‘15zp. **32006 R 1901**: Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004 (OJ L 378, 27.12.2006, p. 1), as amended by:

— **32006 R 1902**: Regulation (EC) No 1902/2006 of the European Parliament and of the Council of 20 December 2006 (OJ L 378, 27.12.2006, p. 20).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) The application of Article 36(3) shall not be made dependent on an authorisation of the medicinal product in Liechtenstein.
- (b) The powers vested in the European Commission in relation to the infringement procedure foreseen in Article 49(3), including the power to impose financial penalties on the holders of marketing authorisations, shall, in the cases where the marketing authorisation holder is established in an EFTA State, be carried out by the EFTA Surveillance Authority in close cooperation with the Commission. Before the EFTA Surveillance Authority takes a decision regarding financial penalties, the Commission shall provide it with its assessment and a proposal on how to act.’

Article 2

The text of point 6 (Council Regulation (EEC) No 1768/92) of Annex XVII to the EEA Agreement is replaced by the following:

‘32009 R 0469: Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (Codified version) (OJ L 152, 16.6.2009, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) The following paragraphs shall be added to Article 7:

‘6. Paragraph 5 shall not apply to the EFTA States.

7. Notwithstanding paragraph 4, for five years following the entry into force of Regulation (EC) No 1901/2006 in the EFTA State concerned, the application for an extension of the duration of a certificate already granted shall be lodged not later than six months before the expiry of the certificate.’;

(b) The following paragraphs shall be added to Article 21:

‘3. An application for an extension of the duration of a certificate can only be granted in an EFTA State where the certificate expires less than 6 months prior to the entry into force of Regulation (EC) No 1901/2006 in the EFTA state concerned. In cases where the certificate expires prior to the entry into force of Regulation (EC) No 1901/2006 in the EFTA state concerned, the extension shall take effect only with respect to the time following after both such entry into force in the EFTA state concerned and the date of the publication of the application for the extension. However, paragraph 3 of Article 13 shall apply as to the calculation of the duration of the extension.

4. Notwithstanding paragraph 7 of Article 7, in cases where a certificate expires earlier than seven months after the entry into force of Regulation (EC) No 1901/2006 in the EFTA state concerned, the application for an extension of the duration of a certificate shall be lodged no later than one month after such entry into force in the EFTA state concerned. In these cases the extension takes effect only with respect to the time following the date of publication of the application for an extension. However, paragraph 3 of Article 13 shall apply as to the calculation of the duration of the extension.

5. An application for an extension of the duration of a certificate lodged in accordance with paragraphs 3 and 4 shall not prevent any third party who, between the expiry of the certificate and the publication of the application for an extension of the duration of the certificate, in good faith has commercially used the invention or made serious preparation for such use, to continue such use.’;

(c) In view of the patent union between Liechtenstein and Switzerland, Liechtenstein shall not deliver any supplementary protection certificates for medicinal products as laid down in this Regulation.’.

Article 3

The texts of Regulations (EC) No 1901/2006, (EC) No 1902/2006, (EC) No 469/2009 and Commission Regulation (EU) No 488/2012, as corrected by OJ L 338, 12.12.2012, p. 44, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 4

This Decision shall enter into force on ..., provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

(*) [Constitutional requirements indicated.]

Article 5

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

Done at Brussels,

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

CORRIGENDA

Corrigendum to Commission Implementing Decision (EU) 2017/302 of 15 February 2017 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the intensive rearing of poultry or pigs

(Official Journal of the European Union L 43 of 21 February 2017)

On page 257, point 2.1 Ammonia emissions from pig houses:

for:

'10. Littered pens with combined manure generation (slurry and solid manure).	Farrowing sows	Not applicable to existing plants without solid concrete floors.'
11. Feeding/lying boxes on solid floor (in case of litter-based pens).	Mating and gestating sows	

read:

'10. Littered pens with combined manure generation (slurry and solid manure).	Farrowing sows	May not be generally applicable to existing plants due to technical and/or economic considerations.
11. Feeding/lying boxes on solid floor (in case of litter-based pens).	Mating and gestating sows	Not applicable to existing plants without solid concrete floors.'

on page 277, point 4.13.1 Techniques for reducing ammonia emissions from houses for laying hens, broiler breeders or pullets:

for:

'Manure removal by belts (in case of enriched or un-enriched cage systems) with at least: — one removal per week with air drying; or — two removals per week without air drying.	Belts are placed under the cages for manure removal. The frequency of removal can be once every week (with air drying) or more (without air drying). The collection belt may be ventilated for drying the manure. Whisk-forced air drying in the manure belt can be also used.'
--	---

read:

Technique	Description
Manure removal by belts (in case of enriched or un-enriched cage systems) with at least: — one removal per week with air drying; or — two removals per week without air drying.	Belts are placed under the cages for manure removal. The frequency of removal can be once every week (with air drying) or more (without air drying). The collection belt may be ventilated for drying the manure. Whisk-forced air drying in the manure belt can be also used.'

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