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Price: EUR 3

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⁽¹⁾ Text with EEA relevance

I

(Legislative acts)

DECISIONS

COUNCIL DECISION No 252/2013/EU

of 11 March 2013

establishing a Multiannual Framework for 2013-2017 for the European Union Agency for Fundamental Rights

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 352 thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the consent of the European Parliament,

Acting in accordance with a special legislative procedure,

Whereas:

- (1) Bearing in mind the objectives of the foundation of the European Union Agency for Fundamental Rights ('the Agency'), and in order for the Agency to carry out its tasks properly, the precise thematic areas of its activity are to be determined by a Multiannual Framework covering five years as provided for in Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights ⁽¹⁾.
- (2) The first Multiannual Framework was adopted by the Council in Decision 2008/203/EC of 28 February 2008 implementing Regulation (EC) No 168/2007 as regards the adoption of a Multi-annual Framework for the European Union Agency for Fundamental Rights for 2007-2012 ⁽²⁾.
- (3) The Multiannual Framework should be conducted only within the scope of Union law.
- (4) The Multiannual Framework should be in line with the Union's priorities, taking due account of the orientations resulting from the European Parliament resolutions and Council conclusions in the field of fundamental rights.
- (5) The Multiannual Framework should have due regard to the Agency's financial and human resources.
- (6) The Multiannual Framework should include provisions with a view to ensuring complementarity with the remit of other Union bodies, offices and agencies, as well as with the Council of Europe and other international organisations active in the field of fundamental rights. The most relevant Union agencies and bodies in relation to this Multiannual Framework are the European Asylum Support Office (EASO) established by Regulation (EU) No 439/2010 of the European Parliament and of the Council ⁽³⁾, the European Agency for the Management of Operational Cooperation at the External Borders (Frontex) established by Council Regulation (EC) No 2007/2004 ⁽⁴⁾, the European Migration Network established by Council Decision 2008/381/EC ⁽⁵⁾, the European Institute for Gender Equality (EIGE) established by Regulation (EC) No 1922/2006 of the European Parliament and of the Council ⁽⁶⁾, the European Data Protection Supervisor (EDPS) established by Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽⁷⁾, Eurojust, the Union's judicial cooperation unit established by Council Decision 2002/187/JHA ⁽⁸⁾, the European Police Office (Europol) established by Council Decision 2009/371/JHA ⁽⁹⁾, the European Police College (CEPOL) established by Council Decision 2005/681/JHA ⁽¹⁰⁾, the

⁽¹⁾ OJ L 53, 22.2.2007, p. 1.⁽²⁾ OJ L 63, 7.3.2008, p. 14.⁽³⁾ OJ L 132, 29.5.2010, p. 11.⁽⁴⁾ OJ L 349, 25.11.2004, p. 1.⁽⁵⁾ OJ L 131, 21.5.2008, p. 7.⁽⁶⁾ OJ L 403, 30.12.2006, p. 9.⁽⁷⁾ OJ L 8, 12.1.2001, p. 1.⁽⁸⁾ OJ L 63, 6.3.2002, p. 1.⁽⁹⁾ OJ L 121, 15.5.2009, p. 37.⁽¹⁰⁾ OJ L 256, 1.10.2005, p. 63.

European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (IT Agency) established by Regulation (EU) No 1077/2011 of the European Parliament and of the Council ⁽¹⁾ and the European Foundation for the Improvement of Living and Working Conditions (Eurofound) established by Council Regulation (EEC) No 1365/75 ⁽²⁾.

- (7) The Multiannual Framework should include the fight against racism, xenophobia and related intolerance amongst the thematic areas of the Agency's activity.
- (8) In view of the importance of the fight against poverty and social exclusion for the Union, which has made it one of the five targets of the Europe 2020 growth strategy, the Agency should take into consideration the economic and social preconditions enabling an effective enjoyment of fundamental rights when collecting and disseminating data within the thematic areas established by this Decision.
- (9) The Agency, upon a request from the European Parliament, the Council or the Commission, provided its financial and human resources so permit, may work outside the thematic areas determined in the Multiannual Framework, in accordance with Article 5(3) of the Regulation (EC) No 168/2007. In accordance with the Stockholm Programme — An open and secure Europe serving and protecting citizens ⁽³⁾, adopted by the European Council, the institutions should make full use of the expertise of the Agency, and where appropriate consult the Agency, in line with its mandate, on the development of policies and legislation with implications for fundamental rights.
- (10) The Commission, when preparing its proposal, consulted the Management Board of the Agency and received written comments on 18 October 2011,

HAS ADOPTED THIS DECISION:

Article 1

Multiannual Framework

1. A Multiannual Framework for the European Union Agency for Fundamental Rights ('the Agency') for the period 2013-2017 is hereby established.
2. The Agency shall, in accordance with Article 3 of Regulation (EC) No 168/2007, carry out the tasks defined in Article 4(1) of Regulation (EC) No 168/2007 within the thematic areas laid down in Article 2 of this Decision.

Article 2

Thematic areas

The thematic areas shall be the following:

- (a) access to justice;

- (b) victims of crime, including compensation to victims of crime;
- (c) information society and, in particular, respect for private life and protection of personal data;
- (d) Roma integration;
- (e) judicial cooperation, except in criminal matters;
- (f) rights of the child;
- (g) discrimination based on sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation;
- (h) immigration and integration of migrants, visa and border control and asylum;
- (i) racism, xenophobia and related intolerance.

Article 3

Complementarity and cooperation with other bodies

1. The Agency shall ensure appropriate cooperation and coordination with relevant Union bodies, offices and agencies, Member States, international organisations and civil society, pursuant to Articles 7, 8 and 10 of Regulation (EC) No 168/2007, for the implementation of the Multiannual Framework.

2. The Agency shall deal with issues relating to discrimination based on sex only as part of, and to the extent relevant to, its work in the context of point (g) of Article 2, taking into account that it is for the European Institute for Gender Equality (EIGE) to collect data on gender equality and sex discrimination. The Agency and EIGE shall cooperate in accordance with the cooperation agreement of 22 November 2010.

3. The Agency shall cooperate with the European Foundation for the Improvement of Living and Working Conditions (Eurofound) in accordance with the cooperation agreement of 8 October 2009, and with the European Agency for the Management of Operational Cooperation at the External Borders (Frontex) in accordance with the cooperation agreement of 26 May 2010. It shall, moreover, cooperate with the European Asylum Support Office (EASO), the European Migration Network, Eurojust, the Union's judicial cooperation unit, the European Police Office (Europol), the European Police College (CEPOL) and the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (IT Agency) in accordance with the future respective cooperation agreements. Cooperation with these bodies shall be limited to activities falling within the scope of the thematic areas laid down in Article 2 of this Decision.

⁽¹⁾ OJ L 286, 1.11.2011, p. 1.

⁽²⁾ OJ L 139, 30.5.1975, p. 1.

⁽³⁾ OJ C 115, 4.5.2010, p. 1.

4. The Agency shall carry out its tasks in the area of information society and, in particular, of the respect for private life and the protection of personal data, without prejudice to the responsibilities of the European Data Protection Supervisor to ensure that the fundamental rights and freedoms of natural persons, and in particular their right to privacy, are respected by Union institutions and bodies in accordance with its duties and powers as provided for in Articles 46 and 47 of Regulation (EC) No 45/2001.

5. The Agency shall coordinate its activities with those of the Council of Europe in accordance with Article 9 of Regulation (EC) No 168/2007 and the Agreement between the European Community and the Council of Europe on cooperation between the European Union Agency for Fundamental Rights and the Council of Europe ⁽¹⁾, referred to in that Article.

Article 4

Entry into force

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

It shall be applicable from 1 January 2013.

Done at Brussels, 11 March 2013.

For the Council

The President

E. GILMORE

⁽¹⁾ OJ L 186, 15.7.2008, p. 7.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters

According to Article 3(2) of the Agreement of 19 October 2005 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽¹⁾ (hereafter the Agreement), concluded by Council Decision 2006/325/EC ⁽²⁾, whenever amendments to Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽³⁾ are adopted, Denmark shall notify the Commission of its decision whether or not to implement the content of such amendments.

Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽⁴⁾ was adopted on 12 December 2012.

In accordance with Article 3(2) of the Agreement, Denmark has by letter of 20 December 2012 notified the Commission of its decision to implement the contents of Regulation (EU) No 1215/2012. This means that the provisions of Regulation (EU) No 1215/2012 will be applied to relations between the Union and Denmark.

In accordance with Article 3(6) of the Agreement, the Danish notification creates mutual obligations between Denmark and the Community. Thus, Regulation (EU) No 1215/2012 constitutes an amendment to the Agreement and is considered annexed thereto.

With reference to Article 3(3) and (4) of the Agreement, implementation of Regulation (EU) No 1215/2012 in Denmark can take place by amending existing legislation by the decision of Danish Parliament. In accordance with Article 3(5)(b) of the Agreement, Denmark shall notify the Commission of the date upon which such implementing legislative measures enter into force.

⁽¹⁾ OJ L 299, 16.11.2005, p. 62.

⁽²⁾ OJ L 120, 5.5.2006, p. 22.

⁽³⁾ OJ L 12, 16.1.2001, p. 1.

⁽⁴⁾ OJ L 351, 20.12.2012, p. 1.

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) No 253/2013

of 15 January 2013

amending Annex II to Regulation (EU) No 692/2011 of the European Parliament and of the Council, as regards adaptations following the revision of the International Standard Classification of Education ISCED in relation to the variables and breakdowns to be submitted

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC ⁽¹⁾, and in particular Article 3(2) thereof,

Whereas:

(1) The introduction of an updated classification system is central to the Commission's ongoing efforts to maintain the relevance of European statistics, by taking into account developments and changes in the area of education.

(2) The United Nations Educational, Scientific and Cultural Organisation (UNESCO) has revised the version of the International Standard Classification of Education (ISCED) used hitherto (ISCED 1997) with the objective of ensuring that it is consistent with developments in the policies and structures of education and training.

(3) Annex II to Regulation (EU) No 692/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) No 692/2011 is amended as follows:

(1) Section 1 is amended as follows:

(a) in Socio-demographic breakdowns, Part A, '3. [optional] Educational level' is replaced by '3. [optional] Educational attainment level';

(b) in Socio-demographic breakdowns, Part B, '3. [optional] Educational level' is replaced by '3. [optional] Educational attainment level';

(c) in point (3) of Part C, 'Educational level: lower (ISCED 0, 1 or 2), middle (ISCED 3 or 4), higher (ISCED 5 or 6)' is replaced by 'Educational attainment level: at most lower secondary, upper secondary and post-secondary (non-tertiary), tertiary.';

(2) Section 2, Part A is amended as follows:

(a) in Variables, row 23, '[optional] Profile of the visitor: educational level' is replaced by '[optional] Profile of the visitor: educational attainment level';

(b) in Categories to be transmitted, row 23: '(a) Lower (ISCED 0, 1 or 2)', '(b) Middle (ISCED 3 or 4)' and '(c) Higher (ISCED 5 or 6)' is replaced by the following:

'(a) At most lower secondary

(b) Upper secondary and post-secondary (non-tertiary)

(c) Tertiary';

(3) Section 3 is amended as follows:

(a) in Socio-demographic breakdowns, Part A, '3. Educational level' is replaced by '3. Educational attainment level';

(b) in Socio-demographic breakdowns, Part B, '3. Educational level' is replaced by '3. Educational attainment level'.

⁽¹⁾ OJ L 192, 22.7.2011, p. 17.

Article 2

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2014.

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

Done at Brussels, 15 January 2013.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 254/2013

of 20 March 2013

amending Regulation (EC) No 340/2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

(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 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC⁽¹⁾, and in particular Article 74(1) and Article 132 thereof,

Whereas:

- (1) From the review of Commission Regulation (EC) No 340/2008 of 16 April 2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)⁽²⁾, conducted pursuant to Article 22(2) of that Regulation, it results that that Regulation should be amended in various respects.
- (2) For reasons of legal certainty, it is appropriate to clarify the consequences of late payments to the Agency. The Agency should not refund fees or charges paid before the rejection of the submission concerned. However, fees or charges paid after such rejection should be refunded as undue payments.
- (3) With respect to updates of a registration concerning confidentiality claims, it is appropriate that fees should be applied consistently regardless of when the request is made. With respect to updates of a registration other than tonnage band updates, it is appropriate to provide for the possibility for the registrant to request an extension of the second deadline for payment of the corresponding fee in order to give additional time to the registrant to make the payment.
- (4) For reasons of legal certainty, it is also appropriate to clarify the existing provisions on reduced fees for confidentiality claims in joint submissions or by lead registrants.
- (5) With respect to fees for applications under Article 62 of Regulation (EC) No 1907/2006 and charges for reviews of authorisations under Article 61 of that Regulation, each exposure scenario should no longer automatically be considered as one use since the number of additional uses applied for in an authorisation application or authorisation review report may not necessarily be identical to the number of exposure scenarios included in those submissions.
- (6) It should also be clarified that the Agency should issue one invoice covering the base fee or charge and all additional fees or charges, including in cases of joint authorisation applications and joint review reports.
- (7) The Agency may request evidence that the conditions for a reduction of fees or charges or for a fee waiver apply. In order to be able to verify that those conditions are met, it is necessary to require the submission of such evidence in one of the official languages of the Union or, if it is available only in another language, with a certified translation into one of the official languages of the Union.
- (8) It is also appropriate, following the review of the fees and charges, in line with Article 22(1) of Regulation (EC) No 340/2008, in the light of the applicable average annual inflation rate of 3,1 % for April 2012 published by Eurostat, to adapt the standard fees and charges in line with that rate.
- (9) The existing reduced fees and charges applicable to micro, small and medium-sized enterprises (SMEs) should be further reduced in order to minimise the regulatory burden and the numerous practical challenges faced by SMEs in complying with REACH obligations, in particular with the registration obligation, as identified in the Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions in accordance with Article 117(4) of REACH and Article 46(2) of CLP, and a review of certain elements of REACH in line with Articles 75(2), 138(2), 138(3) and 138(6) of REACH⁽³⁾.
- (10) In order to rebalance the distribution of fees and charges across various company size classes, the standard fees and charges should be further increased by 4 % in the registration area and by 3,5 % in the authorisation area

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ OJ L 107, 17.4.2008, p. 6.

⁽³⁾ COM(2013) 49 final, SWD(2013) 25 final

taking into account, on the one hand, the costs of the Agency and the related costs of the services provided by the competent authorities of the Member States, and, on the other hand, the further reduction of fees and charges for SMEs and the number of SMEs involved.

- (11) The overall adjustment of fees and charges is fixed at such a level that the revenue derived from them when combined with other sources of the Agency's revenue pursuant to Article 96(1) of Regulation (EC) No 1907/2006 is sufficient to cover the cost of the services delivered.
- (12) Regulation (EC) No 340/2008 should therefore be amended accordingly.
- (13) For reasons of legal certainty, this Regulation should not apply to valid submissions which are pending on the date of entry into force of this Regulation.
- (14) Given that the phase-in substances referred to in Article 23(2) of Regulation (EC) No 1907/2006 must be registered by 31 May 2013, this Regulation should enter into force as a matter of urgency.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 340/2008 is amended as follows:

- (1) In Article 3, paragraph 7 is replaced by the following:

'7. Where the registration has been rejected due to the failure of the registrant to submit missing information or due to his failure to pay the fee before expiry of the deadlines, the fees paid in relation to that registration before its rejection shall not be refunded or otherwise credited to the registrant.'

- (2) In Article 4, paragraph 7 is replaced by the following:

'7. Where the registration has been rejected due to the failure of the registrant to submit missing information or due to his failure to pay the fee before expiry of the deadlines, the fees paid in relation to that registration before its rejection shall not be refunded or otherwise credited to the registrant.'

- (3) Article 5 is amended as follows:

- (a) In paragraph 2, the following subparagraphs are inserted after the second subparagraph:

'For change in the access granted to information in the registration, the Agency shall levy a fee per item for which an update is made, as set out in Tables 3 and 4 of Annex III.'

In the case of an update concerning study summaries or robust study summaries, the Agency shall levy a fee for each study summary or robust study summary for which the update is made.'

- (b) In paragraph 6, the third subparagraph is replaced by the following:

'Where the payment is not made before the expiry of the second deadline, in the case of other updates, the Agency shall reject the update. Where the applicant so requests, the Agency shall extend the second deadline provided that the request for extension has been submitted before the expiry of the second deadline. Where the payment is not made before the expiry of the extended deadline, the Agency shall reject the update.'

- (c) Paragraph 7 is replaced by the following:

'7. Where the update has been rejected due to the failure of the registrant to submit missing information or due to his failure to pay the fee before expiry of the deadlines, the fees paid in relation to that update before its rejection shall not be refunded or otherwise credited to the registrant.'

- (4) In Article 6, paragraph 3 is replaced by the following:

'3. In the case of a request that refers to a joint submission, the Agency shall levy a reduced fee, as set out in Annex IV. In the case of a request by the lead registrant, the Agency shall levy a reduced fee to the lead registrant only, as set out in Annex IV.'

- (5) In Article 7, paragraph 5 is replaced by the following:

'5. Where a notification or the request for an extension has been rejected due to the failure of the manufacturer, importer, or producer of articles to submit missing information or due to his failure to pay the fee or charges before expiry of the deadlines, the fees or charges paid in relation to that notification or that request for an extension before their respective rejection shall not be refunded or otherwise credited to the person making the notification or the request.'

- (6) In Article 8, the third subparagraph of paragraph 2 is replaced by the following:

'The Agency shall issue one invoice covering the base fee and any applicable additional fees, including in the case of a joint authorisation application.'

- (7) In Article 9, the third subparagraph of paragraph 2 is replaced by the following:

'The Agency shall issue one invoice covering the base charge and any applicable additional charges, including in the case of a joint review report.'

- (8) In Article 13(3), the following subparagraph is inserted after the first subparagraph:

‘Where the evidence to be submitted to the Agency is not in one of the official languages of the Union, it shall be accompanied with a certified translation into any of those official languages.’

- (9) In Article 22, paragraph 2 is replaced by the following:

‘2. The Commission shall also keep this Regulation under continual review in the light of significant information becoming available in relation to underlying assumptions for anticipated income and expenditure of the Agency. By 31 January 2015, the Commission shall review this Regulation with a view to amend it, if appropriate,

taking into account in particular the costs of the Agency and the related costs of the services provided by the competent authorities of the Member States.’

- (10) Annexes I to VIII to Regulation (EC) No 340/2008 are replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall not apply to valid submissions pending on 22 March 2013.

Article 3

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 March 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

‘ANNEX I

Fees for registrations submitted under Articles 6, 7 or 11 of Regulation (EC) No 1907/2006

Table 1

Standard fees

	Individual submission	Joint submission
Fee for substances in the range of 1 to 10 tonnes	EUR 1 714	EUR 1 285
Fee for substances in the range 10 to 100 tonnes	EUR 4 605	EUR 3 454
Fee for substances in the range 100 to 1 000 tonnes	EUR 12 317	EUR 9 237
Fee for substances above 1 000 tonnes	EUR 33 201	EUR 24 901

Table 2

Reduced fees for SMEs

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Fee for substances in the range of 1 to 10 tonnes	EUR 1 114	EUR 835	EUR 600	EUR 450	EUR 86	EUR 64
Fee for substances in the range 10 to 100 tonnes	EUR 2 993	EUR 2 245	EUR 1 612	EUR 1 209	EUR 230	EUR 173
Fee for substances in the range 100 to 1 000 tonnes	EUR 8 006	EUR 6 004	EUR 4 311	EUR 3 233	EUR 616	EUR 462
Fee for substances above 1 000 tonnes	EUR 21 581	EUR 16 185	EUR 11 620	EUR 8 715	EUR 1 660	EUR 1 245

ANNEX II

Fees for registrations submitted under Article 17(2), Article 18(2) and (3) or Article 19 of Regulation (EC) No 1907/2006

Table 1

Standard fees

	Individual submission	Joint submission
Fee	EUR 1 714	EUR 1 285

Table 2

Reduced fees for SMEs

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Fee	EUR 1 114	EUR 835	EUR 600	EUR 450	EUR 86	EUR 64

ANNEX III

Fees for the update of registrations under Article 22 of Regulation (EC) No 1907/2006

Table 1

Standard fees for the update of the tonnage range

	Individual submission	Joint submission
From 1-10 tonnes range to 10-100 tonnes range	EUR 2 892	EUR 2 169
From 1-10 tonnes range to 100-1 000 tonnes range	EUR 10 603	EUR 7 952
From 1-10 tonnes range to over 1 000 tonnes range	EUR 31 487	EUR 23 616
From 10-100 tonnes range to 100-1 000 tonnes range	EUR 7 711	EUR 5 783
From 10-100 tonnes range to over 1 000 tonnes range	EUR 28 596	EUR 21 447
From 100-1 000 tonnes range to over 1 000 tonnes range	EUR 20 885	EUR 15 663

Table 2

Reduced fees for SMEs for the update of the tonnage range

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
From 1-10 tonnes range to 10-100 tonnes range	EUR 1 880	EUR 1 410	EUR 1 012	EUR 759	EUR 145	EUR 108
From 1-10 tonnes range to 100-1 000 tonnes range	EUR 6 892	EUR 5 169	EUR 3 711	EUR 2 783	EUR 530	EUR 398
From 1-10 tonnes range to over 1 000 tonnes range	EUR 20 467	EUR 15 350	EUR 11 021	EUR 8 265	EUR 1 574	EUR 1 181
From 10-100 tonnes range to 100-1 000 tonnes range	EUR 5 012	EUR 3 759	EUR 2 699	EUR 2 024	EUR 386	EUR 289
From 10-100 tonnes range to over 1 000 tonnes range	EUR 18 587	EUR 13 940	EUR 10 008	EUR 7 506	EUR 1 430	EUR 1 072
From 100-1 000 tonnes range to over 1 000 tonnes range	EUR 13 575	EUR 10 181	EUR 7 310	EUR 5 482	EUR 1 044	EUR 783

Table 3

Fees for other updates

Type of update			
Change in identity of the registrant involving a change in legal personality	EUR 1 607		
Type of update		Individual submission	Joint submission
Change in the access granted to information in the submission:	Degree of purity and/or identity of impurities or additives	EUR 4 820	EUR 3 615
	Relevant tonnage band	EUR 1 607	EUR 1 205

Type of update		Individual submission	Joint submission
	A study summary or a robust study summary	EUR 4 820	EUR 3 615
	Information in the safety data sheet	EUR 3 213	EUR 2 410
	Trade name of the substance	EUR 1 607	EUR 1 205
	IUPAC name for non-phase-in substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006	EUR 1 607	EUR 1 205
	IUPAC name for substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006 used as intermediates, in scientific research and development or in product and process orientated research and development	EUR 1 607	EUR 1 205

Table 4

Reduced fees for SMEs for other updates

Type of update		Medium enterprise		Small enterprise		Micro enterprise	
Change in identity of the registrant involving a change in legal personality		EUR 1 044		EUR 562		EUR 80	
Type of update		Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Change in the access granted to information in the submission:	Degree of purity and/or identity of impurities or additives	EUR 3 133	EUR 2 350	EUR 1 687	EUR 1 265	EUR 241	EUR 181
	Relevant tonnage band	EUR 1 044	EUR 783	EUR 562	EUR 422	EUR 80	EUR 60
	A study summary or a robust study summary	EUR 3 133	EUR 2 350	EUR 1 687	EUR 1 265	EUR 241	EUR 181
	Information in the safety data sheet	EUR 2 088	EUR 1 566	EUR 1 125	EUR 843	EUR 161	EUR 120
	Trade name of the substance	EUR 1 044	EUR 783	EUR 562	EUR 422	EUR 80	EUR 60
	IUPAC name for non-phase-in substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006	EUR 1 044	EUR 783	EUR 562	EUR 422	EUR 80	EUR 60
	IUPAC name for substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006 used as intermediates, in scientific research and development or in product and process orientated research and development	EUR 1 044	EUR 783	EUR 562	EUR 422	EUR 80	EUR 60

ANNEX IV

Fees for requests under point (xi) of Article 10(a) of Regulation (EC) No 1907/2006

Table 1

Standard fees

Item for which confidentiality is requested	Individual submission	Joint submission
Degree of purity and/or identity of impurities or additives	EUR 4 820	EUR 3 615
Relevant tonnage band	EUR 1 607	EUR 1 205
A study summary or a robust study summary	EUR 4 820	EUR 3 615
Information in the safety data sheet	EUR 3 213	EUR 2 410
Trade name of the substance	EUR 1 607	EUR 1 205
IUPAC name for non-phase-in substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006	EUR 1 607	EUR 1 205
IUPAC name for substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006 used as intermediates, in scientific research and development or in product and process orientated research and development	EUR 1 607	EUR 1 205

Table 2

Reduced fees for SMEs

Item for which confidentiality is requested	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Degree of purity and/or identity of impurities or additives	EUR 3 133	EUR 2 350	EUR 1 687	EUR 1 265	EUR 241	EUR 181
Relevant tonnage band	EUR 1 044	EUR 783	EUR 562	EUR 422	EUR 80	EUR 60
A study summary or a robust study summary	EUR 3 133	EUR 2 350	EUR 1 687	EUR 1 265	EUR 241	EUR 181
Information in the safety data sheet	EUR 2 088	EUR 1 566	EUR 1 125	EUR 843	EUR 161	EUR 120
Trade name of the substance	EUR 1 044	EUR 783	EUR 562	EUR 422	EUR 80	EUR 60
IUPAC name for non-phase-in substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006	EUR 1 044	EUR 783	EUR 562	EUR 422	EUR 80	EUR 60
IUPAC name for substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006 used as intermediates, in scientific research and development or in product and process orientated research and development	EUR 1 044	EUR 783	EUR 562	EUR 422	EUR 80	EUR 60

ANNEX V

Fees and charges for PPORD notifications under Article 9 of Regulation (EC) No 1907/2006

Table 1

Fees for PPORD notifications

Standard fee	EUR 536
Reduced fee for medium enterprise	EUR 348
Reduced fee for small enterprise	EUR 187
Reduced fee for micro enterprise	EUR 27

Table 2

Charges for the extension of a PPORD exemption

Standard charge	EUR 1 071
Reduced charge for medium enterprise	EUR 696
Reduced charge for small enterprise	EUR 375
Reduced charge for micro enterprise	EUR 54

ANNEX VI

Fees for applications for an authorisation under Article 62 of Regulation (EC) No 1907/2006

Table 1

Standard fees

Base fee	EUR 53 300
Additional fee per substance	EUR 10 660
Additional fee per use	EUR 10 660
Additional fee per applicant	Additional applicant is not an SME: EUR 39 975
	Additional applicant is a medium enterprise: EUR 29 981
	Additional applicant is a small enterprise: EUR 17 989
	Additional applicant is a micro enterprise: EUR 3 998

Table 2

Reduced fees for medium enterprises

Base fee	EUR 39 975
Additional fee per substance	EUR 7 995
Additional fee per use	EUR 7 995
Additional fee per applicant	Additional applicant is a medium enterprise: EUR 29 981
	Additional applicant is a small enterprise: EUR 17 989
	Additional applicant is a micro enterprise: EUR 3 998

Table 3

Reduced fees for small enterprises

Base fee	EUR 23 985
Additional fee per substance	EUR 4 797
Additional fee per use	EUR 4 797
Additional fee per applicant	Additional applicant is a small enterprise: EUR 17 989
	Additional applicant is a micro enterprise: EUR 3 998

Table 4

Reduced fees for micro enterprises

Base fee	EUR 5 330
Additional fee per substance	EUR 1 066
Additional fee per use	EUR 1 066
Additional fee per applicant	Additional applicant: EUR 3 998

ANNEX VII

Charges for the review of an authorisation under Article 61 of Regulation (EC) No 1907/2006

Table 1

Standard charges

Base charge	EUR 53 300
Additional charge per use	EUR 10 660
Additional charge per substance	EUR 10 660
Additional charge per applicant	Additional applicant is not an SME: EUR 39 975
	Additional applicant is a medium enterprise: EUR 29 981
	Additional applicant is a small enterprise: EUR 17 989
	Additional applicant is a micro enterprise: EUR 3 998

Table 2

Reduced charges for medium enterprises

Base charge	EUR 39 975
Additional charge per use	EUR 7 995
Additional charge per substance	EUR 7 995
Additional charge per applicant	Additional applicant is a medium enterprise: EUR 29 981
	Additional applicant is a small enterprise: EUR 17 989
	Additional applicant is a micro enterprise: EUR 3 998

Table 3

Reduced charges for small enterprises

Base charge	EUR 23 985
Additional charge per use	EUR 4 797
Additional charge per substance	EUR 4 797
Additional charge per applicant	Additional applicant is a small enterprise: EUR 17 989
	Additional applicant is a micro enterprise: EUR 3 998

Table 4

Reduced charges for micro enterprises

Base charge	EUR 5 330
Additional charge per use	EUR 1 066
Additional charge per substance	EUR 1 066
Additional charge per applicant	Additional applicant is a micro enterprise: EUR 3 998

ANNEX VIII

Fees for appeals under Article 92 of Regulation (EC) NO 1907/2006

Table 1

Standard fees

Appeal against decision taken under:	Fee
Article 9 or 20 of Regulation (EC) No 1907/2006	EUR 2 356
Article 27 or 30 of Regulation (EC) No 1907/2006	EUR 4 712
Article 51 of Regulation (EC) No 1907/2006	EUR 7 069

Table 2

Reduced fees for SMEs

Appeal against decision taken under:	Fee
Article 9 or 20 of Regulation (EC) No 1907/2006	EUR 1 767
Article 27 or 30 of Regulation (EC) No 1907/2006	EUR 3 534
Article 51 of Regulation (EC) No 1907/2006	EUR 5 301'

COMMISSION REGULATION (EU) No 255/2013

of 20 March 2013

amending, for the purposes of adaptation to scientific and technical progress, Annexes IC, VII and VIII to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste ⁽¹⁾, and in particular Article 58(1) thereof,

Whereas:

(1) Regulation (EC) No 1013/2006 specifies under which conditions the shipment of wastes listed in either Annex IIIA or IIIB to that Regulation is subject to the procedure of prior written notification and consent. The submission of a notification requires completion of the notification and movement documents as set out in Annexes IA and IB to that Regulation. Wastes listed in Annex IIIA, IIIB or IVA to Regulation (EC) No 1013/2006 can be identified in Block 14 of Annex IA or Annex IB, under subheading (vi) 'Other (specify)'. Annex IC to that Regulation, providing specific instructions for completing either Annex IA or IB needs to be amended in order to clarify how those wastes should be indicated in Annex IA or IB.

(2) Regulation (EC) No 1013/2006 also specifies under which conditions wastes listed in Annexes IIIA and IIIB to that Regulation need to be accompanied by the document contained in Annex VII to that Regulation when these wastes are intended for shipment. As Block 10 of Annex VII does not provide the option to identify wastes listed in Annexes IIIA and IIIB, such wastes cannot be properly identified in Annex VII. The inclusion of wastes in Annexes IIIA and IIIB necessitates the expansion of the options listed in Block 10 of Annex VII.

(3) At the tenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal which took place from 17 to 21 October 2011, technical guidelines and guidance documents on environmentally sound management were adopted. Following their adoptions, Annex VIII to Regulation (EC) No 1013/2006 needs to be updated accordingly.

(4) Regulation (EC) No 1013/2006 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) Annex IC is amended in accordance with Annex I to this Regulation;
- (2) Annex VII is replaced by the text set out in Annex II to this Regulation;
- (3) Annex VIII is replaced by the text set out in Annex III to this Regulation.

Article 2

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

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

Done at Brussels, 20 March 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 190, 12.7.2006, p. 1.

⁽²⁾ OJ L 312, 22.11.2008, p. 3.

ANNEX I

Annex IC to Regulation (EC) No 1013/2006 is amended as follows:

- (a) In point 25(c), the second sentence is deleted.
- (b) In point 25(d), the second sentence is deleted.
- (c) In point 25(e), the following paragraph is added:

‘Such codes may be included in Annexes IIIA, IIIB or IVA of this Regulation. In that case, the Annex number should be stated in front of the codes. As regards Annex IIIA, the relevant code(s) as indicated in Annex IIIA should be used, as appropriate in sequence. Certain Basel entries such as B1100, B3010 and B3020 are restricted to particular waste streams only, as indicated in Annex IIIA.’

ANNEX II

ANNEX VII

INFORMATION ACCOMPANYING SHIPMENTS OF WASTE AS REFERRED TO IN ARTICLE 3(2) AND (4)

Consignment information ⁽¹⁾

1. Person who arranges the shipment Name: Address: Contact person: Tel. Fax E-mail:		2. Importer/consignee Name: Address: Contact person: Tel. Fax E-mail:	
3. Actual quantity: Tonnes (Mg): m ³ :		4. Actual date of shipment:	
5.(a) First carrier ⁽²⁾ Name: Address: Contact person: Tel. Fax E-mail: Means of transport: Date of transfer: Signature:	5.(b) Second carrier Name: Address: Contact person: Tel. Fax E-mail: Means of transport: Date of transfer: Signature:	5.(c) Third carrier Name: Address: Contact person: Tel. Fax E-mail: Means of transport: Date of transfer: Signature:	
6. Waste generator ⁽³⁾ Original producer(s), new producer(s) or collector: Name: Address: Contact person: Tel. Fax E-mail:		8. Recovery operation (or if appropriate disposal operation in the case of waste referred to in Article 3(4)): R-code/D-code:	
		9. Usual description of the waste:	
7. Recovery facility ☐ Laboratory ☐ Name: Address: Contact person: Tel. Fax E-mail:		10. Waste identification (fill in relevant codes): (i) Basel Annex IX: (ii) OECD (if different from (i)): (iii) Annex IIIA ⁽⁴⁾ : (iv) Annex IIIB ⁽⁵⁾ : (v) EC list of wastes: (vi) National code:	
11. Countries/states concerned:			
Export/dispatch		Transit	
12. Declaration of the person who arranges the shipment: I certify that the above information is complete and correct to my best knowledge. I also certify that effective written contractual obligations have been entered into with the consignee <i>(not required in the case of waste referred to in Article 3(4))</i> : Name: Date: Signature:			
13. Signature upon receipt of the waste by the consignee: Name: Date: Signature:			
TO BE COMPLETED BY THE RECOVERY FACILITY OR BY THE LABORATORY:			
14. Shipment received at recovery facility ☐ or laboratory ☐		Quantity received: Tonnes(Mg): m ³ :	
Name: Date: Signature:			

⁽¹⁾ Information accompanying shipments of green listed waste and destined for recovery or waste destined for laboratory analysis pursuant to Regulation (EC) No 1013/2006. For completing this document, see also the corresponding specific instructions as contained in Annex IC of Regulation (EC) No 1013/2006.

⁽²⁾ If more than three carriers, attach information as required in blocks 5 (a), (b), (c).

⁽³⁾ When the person who arranges the shipment is not the producer or collector, information about the producer or collector shall be provided.

⁽⁴⁾ The relevant code(s) as indicated in Annex IIIA to Regulation (EC) No 1013/2006 are to be used, as appropriate in sequence. Certain Basel entries such as B1100, B3010 and B3020 are restricted to particular waste streams only, as indicated in Annex IIIA.

⁽⁵⁾ The BEU codes listed in Annex IIIB to Regulation (EC) No 1013/2006 are to be used.

ANNEX III

ANNEX VIII

GUIDELINES ON ENVIRONMENTALLY SOUND MANAGEMENT (ARTICLE 49)

I. Guidelines and guidance documents adopted under the Basel Convention:

1. Technical Guidelines on the Environmentally Sound Management of Biomedical and Health Care Wastes (Y1; Y3) ⁽¹⁾
2. Technical Guidelines on the Environmentally Sound Management of Waste Lead Acid Batteries ⁽¹⁾
3. Technical Guidelines on the Environmentally Sound Management of the Full and Partial Dismantling of Ships ⁽¹⁾
4. Technical Guidelines on the Environmentally Sound Recycling/Reclamation of Metals and Metal Compounds (R4) ⁽²⁾
5. Updated General Technical Guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing or Contaminated with Persistent Organic Pollutants (POPs) ⁽³⁾
6. Updated Technical Guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing or Contaminated with Polychlorinated Biphenyls (PCBs), Polychlorinated Terphenyls (PCTs) or Polybrominated Biphenyls (PBBs) ⁽³⁾
7. Technical Guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing or Contaminated with the Pesticides Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Hexachlorobenzene (HCB), Mirex or Toxaphene or with HCB as an Industrial Chemical ⁽³⁾
8. Technical Guidelines for the Environmentally Sound Management of Wastes Consisting of, Containing or Contaminated with 1,1,1-trichloro-2,2-bis (4 chlorophenyl)ethane (DDT) ⁽³⁾
9. Technical Guidelines for the Environmentally Sound Management of Wastes Containing or Contaminated with Unintentionally Produced Polychlorinated Dibenzo-p-dioxins (PCDDs), Polychlorinated Dibenzofurans (PCDFs), Hexachlorobenzene (HCB) or Polychlorinated Biphenyls (PCBs) ⁽³⁾
10. Technical Guidelines for the Environmentally Sound Management of Used and Waste Pneumatic Tyres ⁽⁴⁾
11. Technical Guidelines for the Environmentally Sound Management of Wastes Consisting of Elemental Mercury and Wastes Containing or Contaminated with Mercury ⁽⁴⁾
12. Technical Guidelines for the Environmentally Sound Co-processing of Hazardous Wastes in Cement Kilns ⁽⁴⁾
13. Guidance Document on the Environmentally Sound Management of Used and End-of-life Mobile Phones ⁽⁴⁾
14. Guidance Document on Environmentally Sound Management of Used and End-of-life Computing Equipment, Sections 1, 2, 4 and 5 ⁽⁴⁾

II. Guidelines adopted by the OECD:

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

Used and scrap personal computers ⁽⁵⁾

⁽¹⁾ Adopted by the sixth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and Their Disposal, 9-13 December 2002.

⁽²⁾ Adopted by the seventh meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 25-29 October 2004.

⁽³⁾ Adopted by the eighth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 27 November-1 December 2006.

⁽⁴⁾ Adopted by the tenth meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 17-21 October 2011.

⁽⁵⁾ Adopted by the Environment Policy Committee of the OECD in February 2003 (document ENV/EPOC/WGWPR(2001)3/FINAL).

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

Guidelines on ship recycling ⁽¹⁾

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

Safety and health in shipbreaking: guidelines for Asian countries and Turkey ⁽²⁾

⁽¹⁾ Resolution A.962 adopted by the Assembly of the IMO at its 23rd Regular session, 24 November to 5 December 2003.

⁽²⁾ Approved for publication by the Governing Body of the ILO at its 289th session, 11-26 March 2004.

COMMISSION REGULATION (EU) No 256/2013

of 20 March 2013

amending Annex III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of Sodium ascorbate (E 301) in vitamin D preparations intended for use in foods for infants and young children

(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 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Articles 10(3) and 30(5) thereof,

Whereas:

- (1) Annex III to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in food additives, food enzymes, food flavourings, nutrients and their conditions of use.
- (2) That list may be amended in accordance with the procedure referred to in Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽²⁾.
- (3) Pursuant to Article 3(1) of Regulation (EC) No 1331/2008, the Union list of food additives may be updated either on the initiative of the Commission or following an application.
- (4) An application for the authorisation of use of Sodium ascorbate (E 301) as an antioxidant in vitamin D preparations intended for use in infant formulae and follow-on formulae as defined by Commission Directive 2006/141/EC of 22 December 2006 on infant formulae and follow-on formulae and amending Directive 1999/21/EC ⁽³⁾, was submitted on 15 December 2009 and has been made available to the Member States.
- (5) Ingredients used in the manufacture of infant formulae and follow-on formulae must meet a much stricter microbiological standard than general food, in particular for Enterobacteria and *Cronobacter sakazakii*. In order to achieve this, ingredients such as vitamin D preparations are subjected to a heat treatment. Such treatment in turn requires the presence of an antioxidant which is

water-soluble and of neutral pH. Sodium ascorbate (E 301) was identified and proved to be the suitable antioxidant to meet that technological need.

- (6) Pursuant to Article 3(2) of Regulation (EC) No 1331/2008, the Commission is to seek the opinion of the European Food Safety Authority in order to update the Union list of food additives set out in Annex III to Regulation (EC) No 1333/2008.
- (7) The European Food Safety Authority evaluated the use of Sodium ascorbate (E 301) as a food additive in vitamin D preparations intended for foods for infants and young children and expressed its opinion on 8 December 2010 ⁽⁴⁾. It concluded that the proposed extension of use of the food additive Sodium ascorbate (E 301) to be used as an antioxidant for the vitamin D preparations for use in infant formulae and follow-on formulae is not of safety concern.
- (8) It is therefore appropriate to authorise the use of Sodium ascorbate (E 301) as an antioxidant in vitamin D preparations intended for use in foods for infants and young children.
- (9) For that reason, Annex III to Regulation (EC) No 1333/2008 should be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

Article 2

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

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.

⁽²⁾ OJ L 354, 31.12.2008, p. 1.

⁽³⁾ OJ L 401, 30.12.2006, p. 1.

⁽⁴⁾ EFSA Panel on Food Additives and Nutrient Sources added to Food (ANS); Scientific Opinion on the use of sodium ascorbate as a food additive in vitamin D preparations intended to be used in formulae and weaning food for infants and young children. EFSA Journal 2010;8(12):1942.

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

Done at Brussels, 20 March 2013.

For the Commission
The President
José Manuel BARROSO

ANNEX

In Section B of Part 5 of Annex III to Regulation (EC) No 1333/2008, the entry for food additive E 301 is replaced by the following:

E 301	Sodium ascorbate	100 000 mg/kg in vitamin D preparation and 1 mg/l maximum carry-over in final food	Vitamin D preparations	Infant formulae and follow-on formulae as defined by Directive 2006/141/EC
		Total carry-over 75 mg/l	Coatings of nutrient preparations containing polyunsaturated fatty acids	Foods for infants and young children

COMMISSION IMPLEMENTING REGULATION (EU) No 257/2013**of 20 March 2013****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 Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽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 multi-lateral 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 March 2013.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽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	JO	97,3
	MA	76,6
	TN	101,2
	TR	125,0
	ZZ	100,0
0707 00 05	JO	194,1
	MA	152,2
	TR	162,7
	ZZ	169,7
0709 91 00	EG	76,0
	ZZ	76,0
0709 93 10	MA	44,1
	TR	104,5
	ZZ	74,3
0805 10 20	EG	52,0
	IL	70,1
	MA	66,7
	TN	67,5
	TR	68,5
	ZZ	65,0
0805 50 10	TR	81,1
	ZZ	81,1
0808 10 80	AR	116,3
	BR	92,6
	CL	132,0
	CN	76,6
	MK	32,3
	US	168,3
	ZA	101,5
0808 30 90	ZZ	102,8
	AR	109,0
	CL	119,8
	CN	85,7
	TR	171,6
	US	194,3
	ZA	99,4
	ZZ	130,0

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 12 March 2013

on enhancing the democratic and efficient conduct of the elections to the European Parliament

(2013/142/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Article 10(2) of the Treaty on European Union states that citizens are directly represented at Union level in the European Parliament. This helps to ensure that democratic control and accountability occur at the level at which decisions are taken.
- (2) Article 10(3) of the Treaty on European Union states that every citizen shall have the right to participate in the democratic life of the Union and that decisions shall be taken as openly and as closely as possible to the citizen.
- (3) The Treaty of Lisbon enhances the role of citizens of the Union as political actors, establishing a solid link between citizens, the exercise of their political rights and the democratic life of the Union.
- (4) Reinforcing the democratic legitimacy of the EU decision-making process and bringing the system closer to Union citizens is particularly relevant in view of the actions required at EU level to address the financial and sovereign debt crisis.
- (5) The Commission Communication of 28 November 2012 on 'A blueprint for a deep and genuine economic and monetary union — Launching a European debate'⁽¹⁾ underlined that reinforced democratic legitimacy and accountability are a necessary part of any European Union reform.
- (6) Article 10(4) of the Treaty on European Union and Article 12(2) of the Charter of Fundamental Rights of the European Union confer a key role on European political parties highlighting their contribution to forming European political awareness and to expressing the will of the citizens of the Union.
- (7) To enable European political parties to fully accomplish their mission, on 12 September 2012 the Commission presented a proposal for a Regulation on the statute and funding of European political parties and European political foundations⁽²⁾. This proposal aims at ensuring that European political parties can benefit from a more visible status and a more flexible, transparent and efficient framework for their funding. The Commission also proposed that European political parties would have to take, in the context of the elections to the European Parliament, all appropriate measures to inform citizens of the Union of the affiliation between national political parties and the European political parties. When adopted, the new Regulation would repeal and replace Regulation (EC) No 2004/2003 of the European Parliament and of the Council of 4 November 2003 on the regulations governing political parties at European level and the rules regarding their funding⁽³⁾.
- (8) Creating a transparent link between the national parties for which citizens of the Union cast their votes and the European political parties to which the national parties are affiliated should allow European political parties to express more directly the will of citizens of the Union and should have a powerful impact on the transparency of decision-making in the Union.
- (9) Further enhancing the transparency of the elections to the European Parliament will contribute to better reflecting the strengthened role and powers of the European Parliament under the Treaty of Lisbon. Strengthening the connection of citizens of the Union to the democratic process of the Union is a necessary corollary to closer institutional integration.
- (10) Additional measures would enhance the visibility of the European political parties during the whole electoral process, from the campaign to the casting of votes, and enable them to efficiently bridge the divide between politics and citizens of the Union, complementing the information obligation foreseen for European political parties by the Commission proposal for a Regulation on the statute and funding of European political parties and European political foundations.

⁽¹⁾ COM(2012) 777 final/2.

⁽²⁾ COM(2012) 499 final.

⁽³⁾ OJ L 297, 15.11.2003, p. 1.

- (11) It is already an established practice in a number of Member States for some or all national parties to indicate on the ballots for elections to the European Parliament their affiliation to a European political party. To ensure the visibility of the European political parties during the whole European electoral process, it would be important that all Member States encourage and facilitate the provision of information to the electorate on the affiliation of national parties to European political parties. To further enhance the transparency of the elections to the European Parliament whilst at the same time increasing the accountability of political parties participating in the European electoral process and voters' trust in this process, national parties should make publicly known, ahead of the elections, their affiliation to a given European political party. Apart from various party events, such as party congresses, the electoral campaigns of the national parties are indeed the most appropriate and efficient means of making this affiliation known and give it strong visibility.
- (12) Decision No 1093/2012/EU of the European Parliament and of the Council ⁽¹⁾ declared that 2013 is the European Year of Citizens. Further enhancing the power of citizens in European Parliament elections is an important step to take place this year.
- (13) Since the Treaty of Lisbon, the President of the Commission is elected by the European Parliament, in accordance with the procedure laid down in Article 17(7) of the Treaty on European Union, and taking into account the arrangements foreseen in Declaration No 11 to the Treaty of Lisbon. These procedures require that the elections to the European Parliament must be taken into account and that appropriate consultations between the European Council and the European Parliament must be carried out in electing the President of the Commission. These provisions thus reflect the increased role of the European Parliament in the designation of the President of the Commission and the relevance in this process of the outcome of the elections to the European Parliament.
- (14) In its Resolution of 22 November 2012 on Elections to the European Parliament in 2014 ⁽²⁾, the European Parliament urged the European political parties to nominate candidates for President of the Commission, noting that it expected those candidates to play a leading role in the parliamentary electoral campaign, in particular by personally presenting their programme in all Member States of the Union. This resolution further emphasises the increased role that the elections to the European Parliament play in electing the President of the Commission.
- (15) In its Communication of 28 November 2012 on 'A blueprint for a deep and genuine economic and monetary union — Launching a European Debate', the Commission highlighted the nomination of candidates for President of the Commission by political parties in the elections to the European Parliament of 2014 as one of the important steps to foster the emergence of a genuine European political sphere.
- (16) It is therefore appropriate to raise the awareness of citizens of the Union regarding the pivotal role of their vote in determining who will be the President of the Commission and regarding the candidates for that function who are supported by the parties they vote for in the elections to the European Parliament.
- (17) If European political parties and national parties make known the candidates for President of the Commission they support, and the candidate's programme, in the context of the elections to the European Parliament, this would make concrete and visible the link between the individual vote of a citizen of the Union for a political party in the European elections and the candidate for President of the Commission supported by that party. This should increase the legitimacy of the President of the Commission, the accountability of the Commission to the European Parliament and the European electorate and, more generally, increase the democratic legitimacy of the whole decision-making process in the Union. Political broadcasts serve the purpose of allowing the electorate to make informed choices. Therefore it is appropriate that national political parties should also use this means to make known which candidate for President of the Commission they support and the candidate's programme.
- (18) Elections to the European Parliament currently take place over a period of several days as they are held on different days in different Member States. A common European voting day with polling stations closing at the same time would better reflect common participation by citizens across the Union and therefore is part of the representative democracy on which the EU is founded.
- (19) Citizens of the Union have the right to vote and to stand as candidates in elections to the European Parliament in the Member State where they choose to live, pursuant to Article 22(2) TFEU put into effect by Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals ⁽³⁾.
- (20) Directive 93/109/EC establishes an information exchange mechanism aimed at ensuring that citizens cannot vote or stand as candidates in more than one Member State in the same elections.

⁽¹⁾ OJ L 325, 23.11.2012, p. 1.

⁽²⁾ European Parliament Resolution of 22 November 2012 on the elections to the European Parliament in 2014 (2012/2829(RSP)).

⁽³⁾ OJ L 329, 30.12.1993, p. 34.

- (21) A number of Commission reports on the application of Directive 93/109/EC over the years ⁽¹⁾, and most recently the 2010 report on the evaluation of the 2009 European elections ⁽²⁾, have revealed deficiencies in the functioning of the mechanism to prevent multiple voting and candidacies. Those deficiencies are due in particular to the insufficient personal data that the Member States of residence notify under the Directive to the home Member States of citizens of the Union. The deficiencies are also due to the differences in the electoral calendars of the Member States. As a consequence, large numbers of citizens of the Union who registered to vote in their Member State of residence could not be identified by their home Member State.
- (22) Measures based on extensive consultations with Member States' experts and drawing upon good practices identified in this context could effectively address some of those deficiencies so as to improve the functioning of the mechanism in the 2014 European elections and to alleviate the administrative burden on national authorities.
- (23) The majority of Member States have already set up a single contact authority for exchanging data on voters and candidates in the framework of Directive 93/109/EC. The overall efficiency of the mechanism would be increased if all Member States were to set up such an authority.
- (24) The dates when electoral rolls close vary widely between Member States, ranging from two months to five days before election day. It would increase the efficiency of the mechanism if the Member States, taking into account the timing of the electoral process in the other Member States, would send the data on voters at a time when the national arrangements of the respective home Member States still allow for taking the necessary measures. Several further technical aspects of the transmission of data could be improved in order to increase the efficiency of the mechanism. These include the use of a common electronic format and a common character set, the mode of transmission and the encryption method applied to guarantee an appropriate level of protection of personal data.
- (25) The provision of certain additional personal data on voters to be notified by the Member States of residence, which are not expressly required by Directive 93/109/EC, would allow home Member States to identify more efficiently their nationals on the electoral rolls. The personal data which may be necessary for the efficiency of the mechanism varies between Member States.
- (26) Any processing of personal data within the framework of the information exchange mechanism should comply with the national laws implementing Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽³⁾.

HAS ADOPTED THIS RECOMMENDATION:

DEMOCRATIC CONDUCT OF THE ELECTIONS

Encouraging and facilitating information for voters on the affiliation between national parties and European political parties

1. Member States should encourage and facilitate the provision of information to the electorate on the affiliation between national parties and European political parties before and during the elections to the European Parliament, inter alia, by allowing and encouraging the indication of such an affiliation on the ballots used in those elections.

Informing voters about the affiliation between national parties and European political parties

2. National political parties participating in the elections to the European Parliament should make publicly known ahead of those elections their affiliation with European political parties. National political parties should prominently display their affiliation with European political parties in all campaign materials, communications and political broadcasts.

Support for a candidate for President of the European Commission

3. European and national political parties should make known, ahead of the elections to the European Parliament, the candidate for the function of the President of the European Commission they support and the candidate's programme.

National political parties should ensure that their political broadcasts in view of the European Parliament elections are also used to inform citizens about the candidate for the function of President of the European Commission they support and about the candidate's programme.

Common voting day

4. Member States should agree on a common day for elections to the European Parliament with polling stations closing at the same time.

EFFICIENT CONDUCT OF THE ELECTIONS

Single contact authority

5. The Member States should set up a single contact authority in charge of the exchange of data on voters, for the implementation of Article 13 of Directive 93/109/EC.

Transmission of data

6. Member States should take account, as far as possible, of each other's electoral arrangements, so that the Member

⁽¹⁾ COM(97)731 final, COM(2000)843 final, COM(2006)790 final.

⁽²⁾ COM(2010)605 final.

⁽³⁾ OJ L 281, 23.11.1995, p. 31.

State of residence sends the data on voters in time for the respective home Member State to take the necessary measures.

Additional data allowing for more efficient identification

7. The Member States of residence are encouraged to transmit, in addition to the personal data foreseen in Article 9 of Directive 93/109/EC, all relevant personal data, which may be necessary for the identification of voters by the authorities of their home Member State.

Technical means for safe and efficient transmission of data

8. For exchanging the data as provided in Article 13 of Directive 93/109/EC the Member States should use a

uniform and secure electronic means, as set out in the Annex. The Member States should transmit the data in one single package per home Member State, with one further transmission at a later stage for updates, where necessary.

This Recommendation is addressed to the Member States and to the European and national political parties.

Done at Brussels, 12 March 2013.

For the Commission

Viviane REDING

Vice-President

ANNEX

Detailed technical arrangements for the implementation of Article 13 of Directive 93/109/EC

1. For exchanging the data as provided in Article 13 of Directive 93/109/EC the Member States should use files following the Extensible Markup Language format ('XML'). These XML files should be transmitted exclusively via electronic means in a secure way.
 2. The Member States should use the Universal Character Set Transformation Format — 8-bit (UTF-8) to record and transmit the data of voters within the information exchange mechanism.
 3. The Member States should use the W3C XML Encryption Syntax and Processing recommendation, involving the exchange of a public key and a private key, to guarantee an appropriate level of protection of the personal data transmitted.
-

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 839/2008 of 31 July 2008 amending Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards Annexes II, III and IV on maximum residue levels of pesticides in or on certain products**

(Official Journal of the European Union L 234 of 30 August 2008)

On page 46, in the Annex, under point (1)(a) amending Annex II to Regulation (EC) No 396/2005, in the fifth column, concerning pymetrozine:

(a) in the row relating to code number 0600000:

for: '0,1 (*)',

read: ' ';

(b) in the row relating to code number 0610000:

for: ' ';

read: '0,1 (*)'.

Corrigendum to Commission Regulation (EU) No 524/2011 of 26 May 2011 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for biphenyl, deltamethrin, ethofumesate, isopyrazam, propiconazole, pymetrozine, pyrimethanil and tebuconazole in or on certain products

(Official Journal of the European Union L 142 of 28 May 2011)

1. On page 15, in the Annex, under point (1) amending Annex II to Regulation (EC) No 396/2005, in the sixth column, concerning pymetrozine:

(a) in the row relating to code number 0600000:

for: '0,1 (*)',

read: ' ';

(b) in the row relating to code number 0610000:

for: ' ',

read: '0,1 (*)'.

2. On page 53, in the Annex, under point (2)(b)(i) amending Part B of Annex III to Regulation (EC) No 396/2005, in the sixth column, concerning pymetrozine:

(a) in the row relating to code number 0630000:

for: '0,1 (*)',

read: ' ';

(b) in the row relating to code number 0631000:

for: '0,1 (*)',

read: '5';

(c) in the row relating to code number 0631010:

for: '0,1 (*)',

read: '5';

(d) in the row relating to code number 0631020:

for: '0,1 (*)',

read: '5';

(e) in the row relating to code number 0631030:

for: '0,1 (*)',

read: '5';

(f) in the row relating to code number 0631040:

for: '0,1 (*)',

read: '5';

(g) in the row relating to code number 0631050:

for: '0,1 (*)',

read: '5';

(h) in the row relating to code number 0631990:

for: '0,1 (*)',

read: '5';

(i) in the row relating to code number 0632000:

for: '0,1 (*)',

read: '5';

(j) in the row relating to code number 0632010:

for: '0,1 (*)',

read: '5';

(k) in the row relating to code number 0632020:

for: '0,1 (*)',

read: '5';

(l) in the row relating to code number 0632030:

for: '0,1 (*)',

read: '5';

(m) in the row relating to code number 0632990:

for: '0,1 (*)',

read: '5';

(n) in the row relating to code number 0633000:

for: '0,1 (*)',

read: '5';

(o) in the row relating to code number 0633010:

for: '0,1 (*)',

read: '5';

(p) in the row relating to code number 0633020:

for: '0,1 (*)',

read: '5';

(q) in the row relating to code number 0633990:

for: '0,1 (*)',

read: '5'.

Corrigendum to Directive 2004/40/EC of the European Parliament and of the Council of 29 April 2004 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)

(Official Journal of the European Union L 159 of 30 April 2004. Corrected version in Official Journal of the European Union L 184 of 24 May 2004)

In the following Act, page 9, note 4, second paragraph:

for: '... values for the field strengths are calculated by multiplying the relevant rms by 10, where $a = \dots$,'

read: '... values for the field strengths are calculated by multiplying the relevant rms by 10^a , where $a = \dots$ '.

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