ISSN 1725-2555

Official Journal of the European Union

L 53

English edition

Legislation

Volume 54

26 February 2011

Contents

(Continued overleaf)

Price: EUR 4

[1] Text with EEA relevance

EN

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

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

EN

[1] Text with EEA relevance

(Continued on inside back cover)

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 13 September 2010

on the position to be taken by the European Union in the EU-Switzerland Joint Committee established in the Agreement between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007, as regards a Joint Committee decision updating Article 1 of Annex I to the Agreement

(2011/129/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 166(4) and 173(3), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Article 8 of the Agreement between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007 [1] signed on 11 October 2007, hereinafter referred to as 'the Agreement', establishes a Joint Committee responsible for the management and proper implementation of the Agreement.

(2) Following the entry into force on 19 December 2007 of Directive 89/552/EEC as last amended by Directive 2007/65/EC of the European Parliament and of the Council, which was subsequently codified (Audiovisual Media Services Directive) [2], it appears appropriate to the European Union and to Switzerland, hereinafter referred to as the 'Contracting Parties', to update the references to that Directive accordingly, as provided in the Final Act [3] to the Agreement in the Joint Declaration by the Contracting Parties on the adaptation of the Agreement to the new Community Directive, and to update Article 1 of Annex I to the Agreement, pursuant to Article 8(7) of the Agreement.

(3) The Union should therefore take the position in the EU – Switzerland Joint Committee set out in the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The Council approves the draft decision in the Annex as the position to be taken by the European Union regarding a decision to be adopted by the EU–Switzerland Joint Committee established in the Agreement between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007, on the updating of Article 1 of Annex I to the Agreement.

Article 2

The decision of the Joint Committee shall be published in the *Official Journal of the European Union*.

Done at Brussels, 13 September 2010.

For the Council

The President

S. VANACKERE

---

[1] OJ L 303, 21.11.2007, p. 11.
[2] OJ L 298, 17.10.1989, p. 23.
[3] OJ L 303, 21.11.2007, p. 20.

ANNEX

Draft

DECISION No … OF THE EU-SWITZERLAND JOINT COMMITTEE ESTABLISHED IN THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION IN THE AUDIOVISUAL FIELD, ESTABLISHING THE TERMS AND CONDITIONS FOR THE PARTICIPATION OF THE SWISS CONFEDERATION IN THE COMMUNITY PROGRAMME MEDIA 2007,

of …

on the updating of Article 1 of Annex I to the Agreement

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programme MEDIA 2007 [1], hereinafter referred to as 'the Agreement', and the Final Act to the Agreement [2], both signed in Brussels on 11 October 2007,

Whereas:

(1) The Agreement entered into force on 1 August 2010.

(2) Following the entry into force on 19 December 2007 of Directive 89/552/EEC as last amended by Directive 2007/65/EC of the European Parliament and of the Council, as codified (Audiovisual Media Services Directive) [3], it appears appropriate to the Contracting Parties to update the references to that Directive accordingly, as provided in the Final Act to the Agreement in the *Joint Declaration by the Contracting Parties on the adaptation of the Agreement to the new Community Directive*, and to update Article 1 of Annex I to the Agreement, pursuant to Article 8(7) of the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 of Annex I to the Agreement shall be replaced by the following:

'*Article 1*

Freedom of broadcast reception and retransmission

1. Switzerland shall ensure freedom of reception and retransmission on its territory with regard to television broadcasts under the jurisdiction of a Member State of the Union, as determined pursuant to Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (*) (hereinafter referred to as the "Audiovisual Media Services Directive"), in accordance with the following procedures:

Switzerland shall maintain the right to:

(a) suspend retransmission of broadcasts from a television broadcasting organisation under the jurisdiction of a Member State of the Union which has manifestly, seriously and gravely infringed the rules on the protection of minors and human dignity set out in Article 27(1) or (2) and/or Article 6 of the Audiovisual Media Services Directive;

(b) require broadcasters under its jurisdiction to comply with more detailed or stricter rules in the fields coordinated by the Audiovisual Media Services Directive provided that such rules are proportionate and non-discriminatory.

2. In cases where Switzerland:

(a) has exercised its freedom under paragraph 1(b) to adopt more detailed or stricter rules of general public interest; and

(b) assesses that a broadcaster under the jurisdiction of a Member State of the Union provides a television broadcast which is wholly or mostly directed towards its territory,

it may contact the Member State having jurisdiction with a view to achieving a mutually satisfactory solution to any problems posed. On receipt of a substantiated request by Switzerland, the Member State having jurisdiction shall request the broadcaster to comply with the rules of general public interest in question. The Member State having jurisdiction shall inform Switzerland of the results obtained following this request within 2 months. Either Switzerland or the Member State may ask the Commission to invite the parties concerned to an ad-hoc meeting with the Commission on the fringe of the Contact Committee to examine the case.

3. Where Switzerland assesses:

(a) that the results achieved through the application of paragraph 2 are not satisfactory; and

[1] OJ L 303, 21.11.2007, p. 11.
[2] OJ L 303, 21.11.2007, p. 20.
[3] OJ L 332, 18.12.2007, p. 27.

(b) that the broadcaster in question has established itself in the Member State having jurisdiction in order to circumvent the stricter rules, in the fields coordinated by the Audiovisual Media Services Directive, which would be applicable to it if it were established within Switzerland,

it may adopt appropriate measures against the broadcaster concerned.

Such measures shall be objectively necessary, applied in a non-discriminatory manner and be proportionate to the objectives which they pursue.

4. Switzerland may take measures pursuant to paragraph 1(a) or paragraph 3 of this Article only if the following conditions are met:

(a) it has notified the Joint Committee and the Member State in which the broadcaster is established of its intention to take such measures while substantiating the grounds on which it bases its assessment; and

(b) the Joint Committee has decided that the measures are proportionate and non-discriminatory, and in particular that assessments made by Switzerland under paragraphs 2 and 3 are correctly founded.

(*) OJ L 298, 17.10.1989, p. 23.'

Article 2

This Decision shall enter into force on the first day following its adoption.

Done at Brussels, … .

For the Joint Committee

The Head of the EU Delegation *The Head of the Swiss Delegation*

REGULATIONS

COMMISSION REGULATION (EU) No 183/2011

of 22 February 2011

amending Annexes IV and VI to Directive 2007/46/EC of the European Parliament and of the Council establishing a framework for the approval of motor vehicles and their trailers and of systems, components and separate technical units intended for such vehicles (Framework Directive)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) [1], and in particular Article 39(3) thereof,

Whereas:

(1) Directive 2007/46/EC establishes a harmonised framework containing the administrative provisions and general technical requirements for all new vehicles, systems, components and separate technical units. In particular it includes a list of all regulatory acts which lay down the technical requirements with which vehicles have to comply in order to be granted EC vehicle type-approval. It also includes the various models of the type-approval certificates.

(2) As a result of the effects of the globalisation on the automotive sector, the demand for vehicles built outside the Union is growing significantly. The Member States have put in place administrative procedures and technical requirements under national law for the approval of vehicles imported from third countries. As the procedures and requirements differ from one Member State to the other, this situation creates distortion in the functioning of the internal market. It is therefore necessary to lay down appropriate harmonised measures.

(3) Harmonised administrative and technical provisions regarding individual approvals should be laid down in a first step with respect to vehicles produced in large series in or for third countries.

(4) Article 24 of Directive 2007/46/EC allows Member States to waive certain provisions of that Directive as well as of the regulatory acts listed in Annex IV to that Directive for the purposes of approval of individual vehicles. The proper functioning of the internal market requires however that similar technical and administrative requirements apply throughout the Union. It is therefore necessary to lay down which provisions of Union law may be waived.

(5) Article 24 allows Member States to impose alternative requirements to European law which aim to ensure a level of road safety and environmental protection which is equivalent to the greatest extent practicable to the level set out in Annexes IV and VI to Directive 2007/46/EC. Assuming that vehicles produced in series for third countries with a view to being put into service into domestic markets are built in accordance with the technical legislation in force in the respective countries of origin or destination, it is appropriate to take into account such requirements as well as the work in progress in the 'World Forum for Harmonization of Vehicle Regulations (WP.29)' under the auspices of the Economic Commission for Europe of the United Nations in Geneva. The appropriate information and the necessary expertise is available in order to demonstrate that those requirements could ensure a level of road safety and environmental protection which is at least equivalent to the level of road safety and environmental protection required in the Union. It is therefore appropriate to consider as equivalent a number of requirements in force in third countries for the purpose of individual approval.

(6) The templates of the certificates issued by the approval authorities are described in Annex VI to Directive 2007/46/EC. However they concern approvals granted for a type of vehicle and not approvals granted for individual vehicles. In order to facilitate the mutual recognition of those individual approvals granted under Article 24 of that Directive, it is appropriate to provide the model to be used for the individual approval certificate.

[1] OJ L 263, 9.10.2007, p. 1.

(7) Member States have national individual approval schemes in place at the time of the adoption of this Regulation for vehicles produced in large series and originally intended for registration in third countries. Those approval schemes may continue to apply. According to Article 24(6) of Directive 2007/46/EC, their validity is restricted to the territory of the Member State that granted the approval and other Member States may refuse such approvals.

(8) It is appropriate with a view to ensuring the proper operation of the approval system to update the annexes to Directive 2007/46/EC in order to lay down technical requirements for vehicles to be approved under the individual approval procedure.

(9) Annexes IV and VI to Directive 2007/46/EC should therefore be amended accordingly.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee — Motor Vehicles,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes IV and VI to Directive 2007/46/EC are amended in accordance with the Annex to this Regulation.

Article 2

The requirements of this Regulation are without prejudice to the requirements laid down in Article 24 of Directive 2007/46/EC on individual approvals, in particular the possibility for Member States to grant individual approvals provided that they impose alternative requirements.

Article 3

This Regulation shall enter into force on 26 February 2012.

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

Done at Brussels, 22 February 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

1. Annex IV, Part I is amended as follows:

(a) the title 'Appendix' is replaced by the title 'Appendix 1';

(b) the following Appendix 2 is added:

'Appendix 2

Requirements for the approval pursuant to Article 24 of complete vehicles belonging to category M_1 and N_1, produced in large series in or for third countries

0. OBJECTIVE

A vehicle is deemed to be new where:

(a) it has never been registered previously; or

(b) it has been registered for less than 6 months at the time of the application for individual approval.

A vehicle shall be considered registered where it has obtained a permanent, temporary or short-term administrative authorisation for entry into service in road traffic, involving its identification and the issuing of a registration number ([1]).

1. ADMINISTRATIVE PROVISIONS

1.1. **Categorisation of the vehicle**

Vehicles shall be categorised according to the criteria set out in Annex II.

For such purposes:

(a) the actual number of seating positions shall be taken into consideration; and

(b) the technically maximum permissible laden mass shall be the maximum mass stated by the manufacturer in the country of origin and available in his official documentation.

Where it is not possible to easily determine the vehicle category because of the design of the bodywork, the conditions set out in Annex II shall apply.

1.2 **Application for individual approval**

(a) The applicant shall submit an application to the approval authority accompanied by all relevant documentation necessary for the operation of the approval process.

Where the submitted documentation is incomplete, falsified or forged the application for approval shall be rejected.

(b) Only one application for a particular vehicle may be submitted in only one Member State.

By a particular vehicle, it shall be understood a physical vehicle the vehicle identification number of which is clearly identified.

For the application of this point, the approval authority may require that the applicant commits himself in writing that he will submit only one application in one Member State.

However, any applicant may apply for individual approval in another Member States in respect of a vehicle that has technical characteristics identical or similar to the one that has been granted an individual approval.

(c) The model of the application form and the layout of the file shall be laid down by the approval authority.

Particulars may only consist in an appropriate selection of the information included in Annex I.

(d) The technical requirements to be satisfied are those laid down in Section 4 of this Appendix.

They shall be those applicable to new vehicles belonging to a vehicle type currently in production, in relation to the date of the submission of the application.

(e) With respect to certain tests required in some regulatory acts listed in this Annex, the applicant shall supply a statement of compliance with recognised international standards or regulations. The statement in question may only be issued by the vehicle manufacturer.

"Statement of compliance" shall mean a statement issued by the office or department within the manufacturer's organisation which is duly authorised by the management to fully engage the legal responsibility of the manufacturer with respect to the design and the construction of a vehicle.

The regulatory acts for which such a statement has to be supplied shall be those referred to in Section 4 of this Appendix.

Where a statement gives rise to uncertainty, the applicant may be required to obtain from the manufacturer a conclusive piece of evidence, including a test report, in order to corroborate the manufacturer's statement.

1.3. **Technical services entrusted with individual approvals**

(a) The technical services entrusted with individual approvals shall be of category A as referred to in Article 41(3).

(b) By way of derogation from the second subparagraph of Article 41(4), technical services shall comply with the following standards:

(i) EN ISO/IEC 17025:2005 when they perform tests themselves;

(ii) EN ISO/IEC 17020:2004 when they check compliance of the vehicle with the requirements included in this Appendix.

(c) Where specific tests requiring specific skills have to be conducted at the request of the applicant, they shall be conducted by one of the technical services notified to the Commission at the choice of the applicant.

For example, where a frontal impact test has to be conducted in agreement with the applicant in a Member State "A", the test may be conducted by a notified technical service in a Member State "B".

1.4. **Test reports**

(a) Test reports shall be drafted in accordance with Section 5.10.2 of Standard EN ISO/IEC 17025:2005.

(b) They shall be drafted in one of the languages of the Union determined by the approval authority.

Where in application of point 1.3(c) a test report has been established in a Member State other than the one entrusted with the individual approval, the approval authority may require that the applicant submits a true translation of the test report.

(c) They shall include a description of the vehicle tested including unambiguous identification. The parts which play a significant role with regard to the results of the tests shall be described and their identification number reported.

Examples of parts include the silencers for noise measurement and the engine management system (ECU) for the measurement of tailpipe emissions.

(d) At the request of an applicant, a test report delivered for a system related to a particular vehicle may be presented repeatedly either by the same or another applicant for the purposes of individual approval of another vehicle.

In such a case the approval authority shall ensure that the technical characteristics of the vehicle are properly inspected against the test report.

Inspection of the vehicle and the documentation accompanying the test report shall lead to the conclusion that the vehicle for which an individual approval is sought has the same characteristics as the vehicle described in the report.

(e) Only authenticated copies of a test report may be submitted.

(f) Test reports referred to in point 1.4(d) do not include the reports drawn up in order to grant the vehicle individual approval.

1.5. It is inherent in the individual approval process that each particular vehicle is inspected physically by the technical service.

No exemption to this principle shall be permitted.

1.6. Where the approval authority is satisfied that the vehicle meets the technical requirements specified in this Appendix and conforms to the description included in the application it shall grant approval in accordance with Article 24.

1.7. The certificate of approval shall be drafted according to Model D as laid down in Annex VI.

1.8. The approval authority shall keep record of all approvals granted under Article 24.

2. EXEMPTIONS

2.1. Due to the specific nature of the individual procedure, the following Articles of this Directive including the respective provisions in the relevant annexes shall be waived:

(a) Article 12 relating to conformity of production arrangements;

(b) Articles 8, 9, 13, 14 and 18 relating to vehicle type-approval procedure.

2.2. **Vehicle type identification**

(a) As far as possible, the type, the variant and the version which is given in its country of origin shall be referred to in the approval certificate.

(b) Where it is not possible to identify the type, the variant and the version because of the absence of appropriate data, the usual commercial name of the vehicle may be referred to.

3. REVIEW OF THE TECHNICAL REQUIREMENTS

The list of the technical requirements included in Section 4 will be regularly reviewed in order to take account of the results of the harmonisation work in progress at the World Forum for Harmonization of Vehicle Regulations (WP.29) in Geneva and legislative developments in the third countries.

4. TECHNICAL REQUIREMENTS

Part I: Vehicles belonging to category M_1

Item	Regulatory act reference	Alternative requirements
1	Directive 70/157/EEC (Permissible sound level)	*Drive-by test* (a) A test shall be conducted in accordance with the “Method A” referred to in Annex 3 to UNECE Regulation No 51. Limits are those specified in Section 2.1 of Annex I to Directive 70/157/EEC. 1 decibel in addition to the permitted limits shall be allowed. (b) The test track shall comply with Annex 8 to UNECE Regulation No 51. A test track having different specifications may be used under the condition that correlation tests have been conducted by the technical service. A correction factor shall be applied if necessary. (c) Exhaust systems containing fibrous materials need not be conditioned as prescribed in Annex 5 to UNECE Regulation No 51. *Stationary test* A test shall be conducted in accordance with Section 3.2 of Annex 3 to UNECE Regulation No 51.
2	Directive 70/220/EEC (Emissions)	*Tailpipe emissions* (a) A type I test shall be conducted in accordance with Annex III to Directive 70/220/EEC using the deterioration factors referred to in point 5.3.6.2. The limits to be applied shall be those specified in point 5.3.1.4 of Annex I to that Directive. (b) The vehicle shall not be required to exhibit 3 000 km as requested in Section 3.1.1 of Annex III to that Directive. (c) The fuel to be used for the test shall be the reference fuel as prescribed in Annex IX to Directive 70/220/EEC. (d) The dynamometer shall be set up in accordance with the technical requirements of Section 3.2 of Appendix 2 to Annex III to that Directive. (e) The test referred to in point (a) shall not be conducted where it can be demonstrated that the vehicle complies with one of the California Regulations mentioned in the prefatory note to Section 5 of Annex I to that Directive.

Item	Regulatory act reference	Alternative requirements
		Evaporative emissions Vehicles equipped with a petrol-fuelled engine shall be fitted with an evaporate emissions control system (e.g. charcoal canister). *Crankcase emissions* The presence of a device for recycling crankcase gases shall be required. *OBD* The vehicle shall be fitted with an OBD system. OBD-interface shall be able to communicate with common diagnostic tools used for periodic technical inspections.
2a	Regulation (EC) No 715/2007 (Emissions Euro 5 and 6 light duty vehicles/access to information)	*Tailpipe emissions* (a) A type I test shall be conducted in accordance with Annex III to Regulation (EC) No 692/2008 using the deterioration factors set out in point 1.4 of Annex VII to Regulation (EC) No 692/2008. The limits to be applied shall be those specified in Table I and Table II in Annex I to Regulation (EC) No 715/2007. (b) The vehicle shall not be required to exhibit 3 000 km as mentioned in Section 3.1.1 of Annex 4 to UNECE Regulation No 83. (c) The fuel to be used for the test shall be the reference fuel as prescribed in Annex IX to Regulation (EC) No 692/2008. (d) The dynamometer shall be set up in accordance with the technical requirements set out in Section 3.2 of Annex 4 to UNECE Regulation No 83. (e) The test referred to in point (a) shall not be conducted where it can be shown that the vehicle complies with the California Regulations referred to in Section 2 of Annex I to Regulation (EC) No 692/2008. *Evaporative emissions* For petrol-fuelled engines, the presence of an evaporate emissions control system shall be required (e.g. a charcoal canister). *Crankcase emissions* The presence of a device for recycling crankcase gases shall be required. *OBD* (a) The vehicle shall be fitted with an OBD system. (b) OBD-interface must be able to communicate with common diagnostic tools used for periodic technical inspections. *Smoke opacity* (a) Vehicles equipped with a diesel-fuelled engine shall be tested in accordance with the tests methods referred to in Appendix 2 to Annex IV to Regulation (EC) No 692/2008. (b) The corrected value of the absorption coefficient shall be affixed conspicuously and in a readily accessible place. *CO_2 emissions and fuel consumption* (a) A test shall be conducted in accordance with Annex XII to Regulation (EC) No 692/2008. (b) The vehicle shall not be required to exhibit 3 000 km as requested in Section 3.1.1 of Annex 4 to UNECE Regulation No 83.

Item	Regulatory act reference	Alternative requirements
		(c) Where the vehicle complies with the California Regulations referred to in Section 2 of Annex I to Regulation (EC) No 692/2008 and therefore no test of tailpipe emissions is required to be performed, Member States shall calculate CO_2 emissions and fuel consumption with the formulæ laid down in the explanatory notes ([b]) and ([c]). *Access to information* The provisions regarding access to information shall not apply.
3	Directive 70/221/EEC (Fuel tanks — Rear protective devices)	*Fuel tanks* (a) Fuel tanks shall comply with Section 5 of Annex I to Directive 70/221/EEC with the exception of points 5.1, 5.2 and 5.12. In particular they shall comply with points 5.9 and 5.9.1 but no dripping test shall be conducted. (b) LPG or CNG tanks shall be type-approved in accordance with, respectively UNECE Regulations 67 series of amendments 01 or Regulation No 110 ([a]). *Specific provisions for fuel tanks made of a plastic material* The applicant shall submit a statement from the manufacturer establishing that the fuel tank on the particular vehicle, [*the VIN number of which has to be specified*], complies either with at least one of the following: — Section 6.3 of Directive 70/221/EEC, — FMVSS No 301 (Fuel system integrity), — Annex 5 to UNECE Regulation 34. *Rear protective device* (a) The rear part of the vehicle shall be constructed in accordance with Section 5 of Annex II to Directive 70/221/EEC. (b) For such purposes, it is sufficient that the requirements set out in the second subparagraph of point 5.2 are fulfilled.
4	Directive 70/222/EEC (Rear registration plate space)	Space, inclination, angles for visibility and position of the registration plate shall comply with Directive 70/222/EEC.
5	Directive 70/311/EEC (Steering effort)	*Mechanical systems* (a) The steering mechanism shall be built as to self-centre. In order to check compliance with this provision, a test shall be conducted in accordance with points 5.1.2 and 5.2.1 of Annex I to Directive 70/311/EEC. (b) The failure of the power steering equipment shall not lead to a complete loss of control of the vehicle. *Complex electronic vehicle control system ("Drive-by wire" devices)* Complex electronic control system shall be permitted only if they comply with Annex 6 to UNECE Regulation No 79.
6	Directive 70/387/EEC (Door latches and hinges)	(a) Door latches and hinges shall comply with points 3.2.1, 3.3.2 and 3.4.1 of Annex I to Directive 70/387/EEC. (b) The requirements set out in point 3.4.1 shall not apply where compliance with point 6.1.5.4 of UNECE Regulation No 11 Rev.1 Amendment 2 is demonstrated.

Item	Regulatory act reference	Alternative requirements
7	Directive 70/388/EEC (Audible warning)	*Components* The audible warning devices are not required to be type-approved in accordance with Directive 70/388/EEC. However, they shall emit a continuous sound as required in point 1.1 of Annex I to that Directive. *Installation on vehicle* (a) A test shall be conducted in accordance with Section 2 of Annex I to Directive 70/388/EEC. (b) The maximum sound pressure level shall be in accordance with point 2.1.4 of that Annex.
8	Directive 2003/97/EC (Indirect vision devices)	*Components* (a) The vehicle shall be fitted with the rear-view mirrors prescribed in Section 2 of Annex III to Directive 2003/97/EC. (b) They are not required to be type-approved in accordance with that Directive. (c) The radii of curvature of the mirrors shall not cause significant image distortions. At the discretion of the technical service, the radii of curvature shall be checked in accordance with the method described in Appendix 1 to Annex II to that Directive. The radii of curvature shall not be less than those required by Section 3.4 of Annex II to that Directive. *Installation on vehicle* Measurement shall be conducted in order to ensure that the fields of vision comply either with Section 5 of Annex III to Directive 2003/97/EC or with Section 5 of Annex III to Directive 71/127/EEC.
9	Directive 71/320/EEC (Braking)	*General provisions* (a) The braking system shall be built in accordance with Section 2 of Annex I to Directive 71/320/EEC. (b) Vehicles shall be fitted with an electronic antilock braking system acting on all wheels. (c) The performances of the braking system shall comply with Section 2 of Annex II to that Directive. (d) For these purposes, road tests shall be conducted on a track the surface of which possesses high adhesion. The test on the parking brake shall be conducted on a 18 % gradient (up and down). Only those tests mentioned below shall be conducted. In each case, the vehicle shall be in fully laden conditions. (e) The road test referred to in point (c) above shall not be conducted where the applicant can submit a statement from the manufacturer establishing that the vehicle complies either with UNECE Regulation No 13-H including supplement 5 or with FMVSS No 135. *Service brake* (a) A “Type 0” test as prescribed in points 1.2.2 and 1.2.3 of Annex II to Directive 71/320/EEC shall be conducted. (b) In addition, a “Type I” test as prescribed in point 1.3 of Annex II to that Directive shall be conducted. *Parking brake* A test shall be conducted in accordance with point 2.1.3 of Annex II to that Directive.

Item	Regulatory act reference	Alternative requirements
10	Directive 72/245/EEC (Radio interference (electromagnetic compatibility))	*Components* (a) Electrical/electronic sub-assemblies are not required to be type-approved in accordance with Directive 72/245/EEC. (b) However, electric/electronic devices retrofitted shall comply with that Directive. *Emitted electromagnetic radiations* The applicant shall submit a statement from the manufacturer establishing that the vehicle complies with Directive 72/245/EEC or with the following alternative standards: — Broadband electromagnetic radiation: CISPR 12 or SAE J551-2, — Narrowband electromagnetic radiation: CISPR 12 (off-board) or 25 (in-board) or SAE J551-4 and SAE J1113-41. *Immunity tests* Immunity test shall be waived.
11	Directive 72/306/EEC (Diesel smoke)	(a) A test shall be conducted in accordance with the methods described in Annex III and IV to Directive 72/306/EEC. The limit values applicable are those mentioned in Annex V to that Directive. (b) The corrected value of the absorption coefficient referred to in Section 4 of Annex I to Directive 72/306/EEC shall be affixed conspicuously and in a readily accessible place.
12	Directive 74/60/EEC (Interior fittings)	*Interior arrangement* (a) With respect to the requirements on energy absorption, the vehicle shall be deemed to comply with Directive 74/60/EEC if the vehicle is fitted with at least two front airbags, one inserted into the steering wheel and the other into the dashboard. (b) Where the vehicle is fitted with only one front air bag inserted in the steering wheel, the dashboard shall be made up of energy absorbing materials. (c) The technical service shall check that there are no sharp edges in the zones defined in Sections 5.1 to 5.7 of Annex I to Directive 74/60/EEC. *Electrical controls* (a) Power-operated windows, roof–panel systems and partitioning systems shall be tested in accordance with Section 5.8 of Annex I to that Directive. The sensitivity of auto-reverse systems referred to in point 5.8.3 of that Annex may diverge from the requirements set out in point 5.8.3.1.1. (b) Electric windows which cannot be closed when the ignition is off shall be exempt from the requirements concerning auto-reverse systems.
13	Directive 74/61/EEC (Anti-theft and immobiliser)	(a) In order to prevent unauthorised use, the vehicle shall be fitted with: — a locking device as defined in Section 2.2 of Annex IV to Directive 74/61/EEC, and — an immobiliser which meets the technical requirements of Section 3 of Annex V to that Directive and the essential requirements of Section 4, in particular point 4.1.1.

Item	Regulatory act reference	Alternative requirements
		(b) If, in application of point (a) above, an immobiliser has to be retrofitted it shall be of an approved type in accordance with Directive 74/61/EEC or UNECE Regulation No 97 or No 116.
14	Directive 74/297/EEC ([d]) (Protective steering)	(a) The applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*], complies with at least one of the following: — Directive 74/297/EEC, — FMVSS No 203 (Impact protection for the driver from the steering control system) including FMVSS No 204 (Steering control rearward displacement), — Article 11 of JSRRV. (b) A test in accordance with Annex II to Directive 74/297/EEC may be conducted on a production vehicle at the request of the applicant. The test shall be conducted by a notified European technical service which has competence therein. A detailed report shall be issued to the applicant.
15	Directive 74/408/EEC (Seat strength — head restraints)	*Seats, seat anchorages and adjustment systems* The applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*], complies with at least one of the following: — Directive 74/408/EEC, — FMVSS No 207 (Seating systems). *Head restraints* (a) Where the statement referred to above is based on FMVSS No 207, the head restraints shall fulfil in addition the essential requirements of Section 3 of Annex II to Directive 74/408/EEC and those of Section 5 of Appendix I to the same Annex. (b) Only the tests described in point 3.10 and Sections 5, 6 and 7 of Annex II to that Directive shall be conducted. (c) In the other event, the applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*], complies with FMVSS No 202a (Head restraints).
16	Directive 74/483/EEC (Exterior projections)	(a) The external surface of the bodywork shall comply with the general requirements included in Section 5 of Annex I to Directive 74/483/EEC. (b) At the discretion of the technical service the provisions referred to in points 6.1, 6.5, 6.6, 6.7, 6.8 and 6.11 of Annex I to that Directive shall be checked.
17	Directive 75/443/EEC (Speedometer — reverse gear)	*Speedometer equipment* (a) The dial shall comply with points 4.1 to 4.2.3 of Annex II to Directive 75/443/EEC. (b) Where the technical service has reasonable grounds to believe that the speedometer is not calibrated with sufficient accuracy, it may require that the tests prescribed in Section 4.3 be conducted.

Item	Regulatory act reference	Alternative requirements
		Reverse gear The gear mechanism shall include a reverse gear.
18	Directive 76/114/EEC (Statutory plates)	*Vehicle identification number* (a) The vehicle shall be fitted with a vehicle identification number comprising a minimum of 8 and a maximum of 17 characters. Vehicle identification number comprising 17 characters shall fulfil the requirements set out in Standards ISO 3779:1983 and 3780:1983. (b) The vehicle identification number shall be located in a clearly visible and accessible position in such a way as it cannot be obliterated or deteriorate. (c) Where no vehicle identification number is stamped in the chassis or in the body, a Member State may require that it is retrofitted in application of its national law. In such a case, the competent authority of that Member State shall supervise the operation. *Statutory plate* The vehicle shall be fitted with an identification plate affixed by the vehicle manufacturer. No additional plate shall be requested after the approval has been granted.
19	Directive 76/115/EEC (Seat belt anchorages)	The applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*], complies with at least one of the following: — Directive 76/115/EEC, — FMVSS No 210 (Seat belt assembly anchorages), — Article 22-3 of JSRRV.
20	Directive 76/756/EEC (Installation of lighting and light signalling devices)	(a) The lighting installation shall meet the essential requirements of UNECE Regulation No 48 series of amendments 03 with the exception of those of Annexes 5 and 6 to Regulation 48. (b) No exemption shall be permitted in respect of the number, the essential design characteristics, the electrical connections, and the colour of light emitted or retro-reflected of the lights and signalling devices referred to in Entries 21 to 26 and in Entries 28 to 30. (c) Lights and signalling devices which in application of the above must be retrofitted shall bear an "EC" type-approval mark. (d) Lamps fitted with gas-discharged light source are only permitted in conjunction with the installation of headlamp cleaning device and an automatic headlamp-levelling device where appropriate. (e) Headlamp dipped-beams shall be adapted to the direction of traffic legally in force in the country where the vehicle is granted approval.
21	Directive 76/757/EEC (Retro reflectors)	Where necessary, two additional retro reflectors bearing an "EC" approval mark shall be added at the rear, the position of which shall comply with UNECE Regulation No 48.
22	Directive 76/758/EEC (End-outline, front position (side), rear-position (side), stop, side marker, daytime running lamps)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights shall be checked by the technical service.

Item	Regulatory act reference	Alternative requirements
23	Directive 76/759/EEC (Direction indicators)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights shall be checked by the technical service.
24	Directive 76/760/EEC (Rear registration plate lamps)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights shall be checked by the technical service.
25	Directive 76/761/EEC (Headlamps (including bulbs))	(a) The illumination produced by the passing beam of the headlamps fitted to the vehicle shall be checked under Section 6 of UNECE Regulation No 112 concerning headlamps emitting an asymmetrical passing beam. The tolerances included in Annex 5 to that Regulation may be referred to for that purpose. (b) The same decision shall apply *mutatis mutandis* to the passing beam of headlamps covered by UNECE Regulation No 98 or No 123.
26	Directive 76/762/EEC (Front fog lamps)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights if fitted shall be checked by the technical service.
27	Directive 77/389/EEC (Towing hooks)	The requirements set out in that Directive shall not apply.
28	Directive 77/538/EEC (Rear fog lamps)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights shall be checked by the technical service.
29	Directive 77/539/EEC (Reversing lamps)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights if fitted shall be checked by the technical service.
30	Directive 77/540/EEC (Parking lamps)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights if fitted shall be checked by the technical service.
31	Directive 77/541/EEC (Seat belts and restraint systems)	*Components* (a) Seat belts shall not be required to be type-approved in accordance with Directive 77/541/EEC. (b) However, each seat belt shall bear an identification label. (c) The indications on the label shall be consistent with the decision concerning seat belt anchorages (Re: entry 19). *Installation requirements* (a) The vehicle shall be fitted with seat belts in accordance with the requirements set out in Annex XV to Directive 77/541/EEC. (b) Where a number of seat belts have to be retrofitted in accordance with point (a) above, they shall be of an approved type in accordance with Directive 77/541/EEC or UNECE Regulation No 16.
32	Directive 77/649/EEC (Forward vision)	(a) No obstruction in the 180° forward field of vision of the driver as defined in point 5.1.3 of Annex I to Directive 77/649/EEC shall be permitted. (b) By derogation from point (a) above, the “A pillars” and the equipment listed in point 5.1.3 of Annex I to that Directive shall not be considered as obstruction. (c) The number of “A pillars” shall not exceed 2.

Item	Regulatory act reference	Alternative requirements
33	Directive 78/316/EEC (Identification of controls, tell-tales and indicators)	(a) The symbols including the colour of their corresponding tell-tales the presence of which is mandatory by virtue of Annex II to Directive 78/316/EEC shall comply with that Directive. (b) Where this is not the case, the technical service shall verify that the symbols, tell-tales and indicators fitted to the vehicle provide the driver with comprehensible information about the operation of the controls in question.
34	Directive 78/317/EEC (Defrost/Demist)	The vehicle shall be equipped with adequate windscreen defrosting and windscreen demisting devices. Shall be deemed "adequate" any windscreen defrosting device which complies as a minimum with point 5.1.1 of Annex I to Directive 78/317/EEC. Shall be deemed "adequate" any windscreen demisting device which complies as a minimum with point 5.2.1 of Annex I to that Directive.
35	Directive 78/318/EEC (Wash/Wipe)	The vehicle shall be equipped with adequate windscreen washing and windscreen wiping devices. Shall be deemed "adequate" any windscreen washing and wiping device which complies as a minimum with the conditions set out in point 5.1.3 of Annex I to Directive 78/318/EEC.
36	Directive 2001/56/EC (Heating systems)	(a) The passenger compartment shall be fitted with a heating system. (b) Combustion heaters and their installation shall comply with Annex VII to Directive 2001/56/EC. In addition, LPG combustion heaters and LPG heating systems shall fulfil the requirements set out in Annex VIII to that Directive. (c) Additional heating systems which are retrofitted shall comply with the requirements set out in that Directive.
37	Directive 78/549/EEC (Wheel guards)	(a) The vehicle shall be designed as to protect other road users against thrown-up stones, mud, ice, snow and water and to reduce the dangers due to contact with the moving wheels. (b) The technical service may check that the essential technical requirements set out in Annex I to Directive 78/549/EEC are complied with. (c) The provisions of Section 3 of Annex I to that Directive shall not apply.
38	Directive 78/932/EEC (Head restraints)	The requirements of Directive 78/932/EEC shall not apply.
39	Directive 80/1268/EEC (CO_2 emissions/fuel consumption)	(a) A test shall be conducted in accordance with Section 5 of Annex I to Directive 80/1268/EEC. (b) The requirements set out in point 5.1.1 of that Annex shall not apply. (c) Where no test concerning tailpipe emissions is conducted in application of the provisions referred to in Entry 2, CO_2 emissions and fuel consumption shall be calculated with the formula laid down in the explanatory notes [b] and [c].
40	Directive 80/1269/EEC (Engine power)	(a) The applicant shall submit a statement from the manufacturer stating the maximum engine power output in kW as well as the corresponding regime in revolutions per minute. (b) An engine power output curve providing the same information may alternatively be referred to.

Item	Regulatory act reference	Alternative requirements
41	Directive 2005/55/EC (Emissions (Euro 4 and 5) heavy duty vehicles — OBDs — Smoke opacity)	*Tailpipe emissions* (a) A test shall be conducted in accordance with Section 6.2 of Annex I to Directive 2005/55/EC using the deterioration factors set out in point 3.6 of Annex II to Directive 2005/78/EC. (b) The limits shall be those set out in Table I or Table 2 in Annex I to Directive 2005/55/EC. *OBD* (a) The vehicle shall be fitted with an OBD system. (b) OBD-interface must be able to communicate with common diagnostic tools used for periodic technical inspections. *Smoke opacity* (a) Vehicles equipped with a diesel-fuelled engine shall be tested in accordance with the tests methods referred to in Annex VI to Directive 2005/55/EC. (b) The corrected value of the absorption coefficient shall be affixed conspicuously and in a readily accessible place.
44	Directive 92/21/EEC (Masses and dimensions)	(a) The requirements of Section 3 of Annex II to Directive 92/21/EEC shall be fulfilled. (b) For the application of the provisions referred to in point (a), the masses to be considered are: — the mass in running order defined in point 2.6 of Annex I to Directive 2007/46/EC as measured by the technical service, and — the laden masses either stated by the vehicle manufacturer or shown on the manufacturer's plate including stickers or information available in the owner's manual. Those masses shall be deemed the technically permissible maximum laden masses. (c) No exemption shall be permitted in respect of the maximum permissible dimensions.
45	Directive 92/22/EEC (Safety glazing)	*Components* (a) The glazing shall be made either of tempered or laminated safety glass. (b) Fitting of plastic glazing shall be permitted only on locations situated behind the "B" pillar. (c) Glazing shall not be required to be approved under Directive 92/22/EEC. *Installation* (a) The installation prescriptions set out in Annex 21 to UNECE Regulation No 43 shall apply. (b) No tinted films which would reduce the regular light transmission under the required minimum shall be permitted on the windscreen and on the glazing located in front of the "B" pillar.
46	Directive 92/23/EEC (Tyres)	*Components* Tyres shall bear an "EC" type-approval mark including the symbol "s" (for sound). *Installation* (a) The dimensions, load-capacity index and speed category of the tyres shall fulfil the requirements of Annex IV to Directive 92/23/EEC.

Item	Regulatory act reference	Alternative requirements
		(b) The speed category symbol of the tyre shall be compatible with the maximum design speed of the vehicle. The presence of a speed limiter shall not exempt from the application of this requirement. (c) For the application of the provisions of point (b) above, the maximum speed of the vehicle shall be stated by the vehicle manufacturer. However, the technical service may assess the maximum design speed of the vehicle by using the engine maximum power output, the maximum number of revolutions per minute and the data concerning the kinematic chain.
50	Directive 94/20/EC (Couplings)	*Separate technical units* (a) OEM couplings intended for towing a trailer whose maximum mass does not exceed 1 500 kg shall not be required to be type-approved under Directive 94/20/EC. A coupling is deemed OEM equipment where it is described in the owner's manual or an equivalent supporting document provided to the buyer by the vehicle manufacturer. Where such coupling is approved with the vehicle, an appropriate text shall be included in the approval certificate stating that the owner is responsible for ensuring compatibility with the coupling device fitted to the trailer. (b) Couplings other than those referred to in point (a) above as well as couplings that are retrofitted shall be type-approved in accordance with Directive 94/20/EC. *Installation on the vehicle* The technical service shall check that the installation of the coupling devices comply with Annex VII to Directive 94/20/EC.
53	Directive 96/79/EC (Frontal impact) ([e])	(a) The applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*] complies with at least one of the following: — Directive 96/79/EC, — FMVSS No 208 (Occupant crash protection), — Article 18 of JSRRV. (b) A test in accordance with Annex II to Directive 96/79/EC may be conducted on a production vehicle at the request of the applicant. The test shall be conducted by a notified European technical service which has competence therein. A detailed report shall be issued to the applicant.
54	Directive 96/27/EC (Side impact)	(a) The applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*] complies with at least one of the following: — Directive 96/27/EC, — FMVSS No 214 (Side impact protection), — Article 18 of JSRRV. (b) A test in accordance with Section 3 of Annex II to Directive 96/27/EC may be conducted on a production vehicle at the request of the applicant. The test shall be conducted by a notified European technical service which has competence therein. A detailed report shall be issued to the applicant.

Item	Regulatory act reference	Alternative requirements
58	Regulation (EC) No 78/2009 (Pedestrian protection)	*Brake assist* Vehicles shall be fitted with an electronic antilock braking system acting on all wheels. *Pedestrian protection* The requirements of that Regulation shall not apply until 1 January 2013. *Frontal protection systems* However, frontal protection systems installed on the vehicle shall be type-approved in accordance with Regulation (EC) No 78/2009 and their installation shall comply with the essential requirements set out in Section 6 of Annex I to that Regulation.
59	Directive 2005/64/EC (Recyclability)	The requirements of that Directive shall not apply.
61	Directive 2006/40/EC (Air-conditioning system)	The requirements of that Directive shall apply.

Part II: Vehicles belonging to category N_1

Item	Regulatory act reference	Alternative requirements
1	Directive 70/157/EEC (Permissible sound level)	*Drive-by test* (a) A test shall be conducted in accordance with the "Method A" referred to in Annex 3 to UNECE Regulation No 51. Limits are those specified in Section 2.1 of Annex I to Directive 70/157/EEC. 1 decibel in addition to the permitted limits shall be allowed. (b) The test track shall comply with Annex 8 to UNECE Regulation No 51. A test track having different specifications may be used under the condition that correlation tests have been conducted by the technical service. A correction factor shall be applied if necessary. (c) Exhaust systems containing fibrous materials need not be conditioned as prescribed in Annex 5 to UNECE Regulation No 51. *Stationary test* A test shall be conducted in accordance with Section 3.2 of Annex 3 to UNECE Regulation No 51.
2	Directive 70/220/EEC (Emissions)	*Tailpipe emissions* (a) A type I test shall be conducted in accordance with Annex III to Directive 70/220/EEC using the deterioration factors referred to in point 5.3.6.2. The limits to be applied shall be those specified in point 5.3.1.4 of Annex I to that Directive. (b) The vehicle shall not be required to exhibit 3 000 km as requested in Section 3.1.1 of Annex III to that Directive. (c) The fuel to be used for the test shall be the reference fuel as prescribed in Annex IX to Directive 70/220/EEC. (d) The dynamometer shall be set up in accordance with the technical requirements of Section 3.2 of Appendix 2 to Annex III to that Directive. (e) The test referred to in point (a) shall not be conducted when it can be demonstrated that the vehicle complies with one of the California Regulations mentioned in the prefatory note to Section 5 of Annex I to that Directive.

Item	Regulatory act reference	Alternative requirements
		Evaporative emissions Vehicles equipped with a petrol-fuelled engine shall be fitted with an evaporate emissions control system (e.g. a charcoal canister). *Crankcase emissions* The presence of a device for recycling crankcase gases shall be required. *OBD* (a) The vehicle shall be fitted with an OBD system. (b) OBD-interface must be able to communicate with common diagnostic tools used for periodic technical inspections.
2a	Regulation (EC) No 715/2007 Emissions (Euro 5 and 6) light duty vehicles/access to information	*Tailpipe emissions* (a) A type I test shall be conducted in accordance with Annex III to Regulation (EC) No 692/2008 using the deterioration factors set out in point 1.4 of Annex VII to Regulation (EC) No 692/2008. The limits to be applied shall be those specified in Table I and Table II in Annex I to Regulation (EC) No 715/2007. (b) The vehicle shall not be required to exhibit 3 000 km as mentioned in Section 3.1.1 of Annex 4 to UNECE Regulation No 83. (c) The fuel to be used for the test shall be the reference fuel as prescribed in Annex IX to Regulation (EC) No 692/2008. (d) The dynamometer shall be set up in accordance with the technical requirements of Section 3.2 of Annex 4 to UNECE Regulation No 83. (e) The test referred to in point (a) shall not be conducted where it can be shown that the vehicle complies with the California Regulations referred to in Section 2 of Annex I to Regulation (EC) No 692/2008. *Evaporative emissions* For petrol-fuelled engines, the presence of an evaporate emissions control system (e.g. a charcoal canister) shall be required. *Crankcase emissions* The presence of a device for recycling crankcase gases shall be required. *OBD* The vehicle shall be fitted with an OBD system. OBD-interface must be able to communicate with common diagnostic tools used for periodic technical inspections. *Smoke opacity* (a) Vehicles equipped with a diesel-fuelled engine shall be tested in accordance with the tests methods referred to in Appendix 2 to Annex IV to Regulation (EC) No 692/2008. (b) The corrected value of the absorption coefficient shall be affixed, conspicuously and in a readily accessible place. *CO_2 emissions and fuel consumption* (a) A test shall be conducted in accordance with Annex XII to Regulation (EC) No 692/2008. (b) The vehicle shall not be required to exhibit 3 000 km as requested in Section 3.1.1 of Annex 4 to UNECE Regulation No 83. (c) Where the vehicle complies with the California Regulations referred to in Section 2 of Annex I to Commission Regulation

Item	Regulatory act reference	Alternative requirements
		(EC) No 692/2008 and therefore no test of tailpipe emissions is required to be performed, Member States shall calculate CO_2 emissions and fuel consumption with the formulæ laid down in the explanatory notes ([b]) and ([c]). *Access to information* The provisions regarding access to information shall not apply.
3	Directive 70/221/EEC (Fuel tanks — Rear protective devices)	*Fuel tanks* (a) Fuel tanks shall comply with Section 5 of Annex I to Directive 70/221/EEC with the exception of points 5.1, 5.2 and 5.12. In particular they shall comply with points 5.9 and 5.9.1 but no dripping test shall be conducted. (b) LPG or CNG tanks shall be type-approved in accordance with, respectively UNECE Regulations 67 series of amendments 01 or Regulation No 110 ([a]). *Specific provisions for fuel tanks made of a plastic material* The applicant shall submit a statement from the manufacturer establishing that the fuel tank on the particular vehicle, [*the VIN number of which has to be specified*], complies either with at least one of the following: — Section 6.3 of Directive 70/221/EEC, — FMVSS No 301 (Fuel system integrity), — Annex 5 to UNECE Regulation 34. *Rear protective device* (a) The rear part of the vehicle shall be constructed in accordance with section 5 of Annex II to Directive 70/221/EEC. (b) For such purposes, it is sufficient that the requirements set out in the second subparagraph of point 5.2 are fulfilled. (c) If, in application of the above, a rear protection device has to be retrofitted, it shall comply with points 5.3 and 5.4 of Annex II to that Directive.
4	Directive 70/222/EEC (Rear registration plate space)	Space, inclination, angles for visibility and position of the registration plate shall comply with Directive 70/222/EEC.
5	Directive 70/311/EEC (Steering effort)	*Mechanical systems* (a) The steering mechanism shall be built as to self-centre. In order to check compliance with this provision, a test shall be conducted in accordance with points 5.1.2 and 5.2.1 of Annex I to Directive 70/311/EEC. (b) The failure of the power steering equipment shall not lead to a complete loss of control of the vehicle. *Complex electronic vehicle control system ("Drive-by wire" devices)* Complex electronic control system shall be permitted only if they comply with Annex 6 to UNECE Regulation No 79.
6	Directive 70/387/EEC (Door latches and hinges)	(a) Door latches and hinges shall comply with points 3.2.1, 3.3.2 and 3.4.1 of Annex I to Directive 70/387/EEC. (b) The requirements set out in point 3.4.1 shall not apply where compliance with point 6.1.5.4 of UNECE Regulation No 11 Rev.1 Amendment 2 is demonstrated.

Item	Regulatory act reference	Alternative requirements
7	Directive 70/388/EEC (Audible warning)	*Components* The audible warning devices are not required to be type-approved in accordance with Directive 70/388/EEC. However, they shall emit a continuous sound as required in point 1.1 of Annex I to Directive 70/388/EEC. *Installation on vehicle* (a) A test shall be conducted in accordance with Section 2 of Annex I to Directive 70/388/EEC. (b) The maximum sound pressure level shall be in accordance with point 2.1.4 of that Annex.
8	Directive 2003/97/EC (Indirect vision devices)	*Components* (a) The vehicle shall be fitted with the rear-view mirrors prescribed in Section 2 of Annex III to Directive 2003/97/EC. (b) They are not required to be type-approved in accordance with that Directive. (c) The radii of curvature of the mirrors shall not cause significant image distortions. At the discretion of the technical service, the radii of curvature shall be checked in accordance with the method described in Appendix 1 to Annex II to Directive 2003/97/EC. The radii of curvature shall not be less than those required by Section 3.4 of Annex II to that Directive. *Installation on vehicle* Measurement shall be conducted in order to ensure that the fields of vision comply with either the provisions of Section 5 of Annex III to Directive 2003/97/EC or with Section 5 of Annex III to Directive 71/127/EEC.
9	Directive 71/320/EEC (Braking)	*General provisions* (a) The braking system shall be built in accordance with Section 2 of Annex I to Directive 71/320/EEC. (b) Vehicles shall be fitted with an electronic antilock braking system acting on all wheels. (c) The performances of the braking system shall comply with Section 2 of Annex II to that Directive. (d) For these purposes, road tests shall be conducted on a track the surface of which possesses high adhesion. The test on the parking brake shall be conducted on a 18 % gradient (up and down). Only those tests mentioned below shall be conducted. In each case, the vehicle shall be in fully laden conditions. (e) The road test referred to in point (c) above shall not be conducted where the applicant can submit a statement from the manufacturer establishing that the vehicle complies either with UNECE Regulation No 13-H including supplement 5 or with FMVSS No 135. *Service brake* (a) A “Type 0” test as prescribed in points 1.2.2 and 1.2.3 of Annex II to Directive 71/320/EEC shall be conducted. (b) In addition, a “Type I” test as prescribed in point 1.3 of Annex II to that Directive shall be conducted. *Parking brake* A test shall be conducted in accordance with point 2.1.3 of Annex II to that Directive.

Item	Regulatory act reference	Alternative requirements
10	Directive 72/245/EEC (Radio interference (electromagnetic compatibility))	*Components* (a) Electrical/electronic sub-assemblies are not required to be type-approved in accordance with Directive 72/245/EEC. (b) However, electric/electronic devices retrofitted shall comply with that Directive. *Emitted electromagnetic radiations* The applicant shall submit a statement from the manufacturer establishing that the vehicle complies with Directive 72/245/EEC or with the following alternative standards: — Broadband electromagnetic radiation: CISPR 12 or SAE J551-2, — Narrowband electromagnetic radiation: CISPR 12 (off-board) or 25 (in-board) or SAE J551-4 and SAE J1113-41. *Immunity tests* Immunity test shall be waived.
11	Directive 72/306/EEC (Diesel smoke)	(a) A test shall be conducted in accordance with the methods described in Annexes III and IV to Directive 72/306/EEC. The limit values applicable are those mentioned in Annex V to that Directive. (b) The corrected value of the absorption coefficient referred to in Section 4 of Annex I to Directive 72/306/EEC shall be affixed conspicuously and in a readily accessible place.
13	Directive 74/61/EEC (Anti-theft and immobiliser)	(a) In order to prevent unauthorised use, the vehicle shall be fitted with a locking device as defined in Section 2.2 of Annex IV to Directive 74/61/EEC. (b) If an immobiliser is fitted it shall comply with the technical requirements of Section 3 of Annex V to that Directive and the essential requirements set out in Section 4, in particular point 4.1.1.
14	Directive 74/297/EEC [f] (Protective steering)	(a) The applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*], complies with at least one of the following: — Directive 74/297/EEC, — FMVSS No 203 (Impact protection for the driver from the steering control system) including FMVSS No 204 (Steering control rearward displacement), — Article 11 of JSRRV. (b) A test in accordance with Annex II to Directive 74/297/EEC may be conducted on a production vehicle at the request of the applicant. The test shall be conducted by a notified European technical service which has competence therein. A detailed report shall be issued to the applicant.
15	Directive 74/408/EEC Seats strength — head restraints	*Seats, seat anchorages and adjustment systems* Seats and their adjustable systems shall comply with Annex IV to Directive 74/408/EEC. *Head restraints* (a) Head restraints shall fulfil the essential requirements of Section 3 of Annex II to Directive 74/408/EEC and Section 5 of Appendix I to that Annex. (b) Only the tests described in point 3.10 and Sections 5, 6 and 7 of Annex II to that Directive shall be conducted.

Item	Regulatory act reference	Alternative requirements
17	Directive 75/443/EEC (Speedometer — reverse gear)	*Speedometer equipment* (a) The dial shall comply with points 4.1 to 4.2.3 of Annex II to Directive 75/443/EEC. (b) When the technical service has reasonable grounds to believe that the speedometer is not calibrated with a sufficient accuracy, it may require that the tests prescribed in Section 4.3 be conducted. *Reverse gear* The gear mechanism shall include a reverse gear.
18	Directive 76/114/EEC (Statutory plates)	*Vehicle identification number* (a) The vehicle shall be fitted with a vehicle identification number comprising a minimum of 8 and a maximum of 17 characters. Vehicle identification number comprising 17 characters shall fulfil the requirements set out in Standards ISO 3779:1983 and 3780:1983. (b) The vehicle identification number shall be located in a clearly visible and accessible position in such a way as it cannot be obliterated or deteriorate. (c) Where no vehicle identification number is stamped in the chassis or in the body, a Member State may require that it is retrofitted in application of its national law. In such a case, the competent authority of that Member State shall supervise the operation. *Statutory plate* The vehicle shall be fitted with an identification plate affixed by the vehicle manufacturer. No additional plate shall be requested after the approval has been granted.
19	Directive 76/115/EEC (Seat belt anchorages)	The applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*], complies with at least one of the following: — Directive 76/115/EEC, — FMVSS No 210 (Seat belt assembly anchorages), — Article 22-3 of JSRRV.
20	Directive 76/756/EEC (Installation of lighting and light signalling devices)	(a) The lighting installation shall meet the essential requirements of UNECE Regulation No 48 series of amendments 03 with the exception of those of Annexes 5 and 6 to Regulation 48. (b) No exemption shall be permitted in respect of the number, the essential design characteristics, the electrical connections, and the colour of light emitted or retro-reflected of the lights and signalling devices referred to in Entries 21 to 26 and in Entries 28 to 30. (c) Lights and signalling devices which in application of the above must be retrofitted shall bear an "EC" type-approval mark. (d) Lamps fitted with gas-discharged light source are only permitted in conjunction with the installation of headlamp cleaning device and an automatic headlamp-levelling device where appropriate. (e) Headlamp dipped-beams shall be adapted to the direction of traffic legally in force in the country where the vehicle is granted approval.
21	Directive 76/757/EEC (Retro reflectors)	Where necessary, two additional retro reflectors bearing an "EC" approval mark shall be added at the rear, the position of which shall comply with UNECE Regulation No 48.

Item	Regulatory act reference	Alternative requirements
22	Directive 76/758/EEC (End-outline, front position (side), rear-position (side), stop, side marker, daytime running lamps)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights shall be checked by the technical service.
23	Directive 76/759/EEC (Direction indicators)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights shall be checked by the technical service.
24	Directive 76/760/EEC (Rear registration plate lamps)	The requirements set out in that Directive shall not apply. However, the correct functioning of the lights shall be checked by the technical service.
25	Directive 76/761/EEC (Headlamps (including bulbs))	(a) The illumination produced by the passing beam of the headlamps fitted to the vehicle shall be checked under the provisions of Section 6 of UNECE Regulation No 112 concerning headlamps emitting an asymmetrical passing beam. The tolerances included in Annex 5 to that Regulation may be referred to for that purpose. (b) The same decision shall apply *mutatis mutandis* to the passing beam of headlamps covered by UNECE Regulation No 98 or 123.
26	Directive 76/762/EEC (Front fog lamps)	The provisions of that Directive shall be waived. However, the correct functioning of the lights if fitted shall be checked by the technical service.
27	Directive 77/389/EEC (Towing hooks)	The requirements of that Directive shall be waived.
28	Directive 77/538/EEC (Rear fog lamps)	The provisions of that Directive shall be waived. However, the correct functioning of the lights shall be checked by the technical service.
29	Directive 77/539/EEC (Reversing lamps)	The provisions of that Directive shall be waived. However, the correct functioning of the lights if fitted shall be checked by the technical service.
30	Directive 77/540/EEC (Parking lamps)	The provisions of that Directive shall be waived. However, the correct functioning of the lights if fitted shall be checked by the technical service.
31	Directive 77/541/EEC (Seat belts and restraint systems)	*Components* (a) Seat belts shall not be required to be type-approved in accordance with Directive 77/541/EEC. (b) However, each seat belt shall bear an identification label. (c) The indications on the label shall be consistent with the decision concerning seat belt anchorages (Re: entry 19). *Installation requirements* (a) The vehicle shall be fitted with seat belts in accordance with the requirements set out in Annex XV to Directive 77/541/EEC. (b) Where a number of seat belts have to be retrofitted in accordance with point (a) above, they shall be of an approved type in accordance with Directive 77/541/EEC or UNECE Regulation No 16.
33	Directive 78/316/EEC (Identification of controls, tell-tales and indicators)	(a) The symbols including the colour of their corresponding tell-tales the presence of which is mandatory by virtue of Annex II to Directive 78/316/EEC shall comply with that Directive. (b) Where this is not the case, the technical service shall verify that the symbols, tell-tales and indicators fitted to the vehicle provide the driver with comprehensible information about the operation of the controls in question.

Item	Regulatory act reference	Alternative requirements
34	Directive 78/317/EEC Defrost/Demist	The vehicle shall be equipped with adequate windscreen defrosting and windscreen demisting devices.
35	Directive 78/318/EEC Wash/Wipe	The vehicle shall be equipped with adequate windscreen washing and windscreen wiping devices.
36	Directive 2001/56/EC (Heating systems)	(a) The passenger compartment shall be fitted with a heating system. (b) Combustion heaters and their installation shall comply with Annex VII to Directive 2001/56/EC. In addition, LPG combustion heaters and LPG heating systems shall fulfil the requirements set out in Annex VIII to that Directive. (c) Additional heating systems which are retrofitted shall comply with the requirements set out in that Directive.
39	Directive 80/1268/EEC (CO_2 emissions/fuel consumption)	(a) A test shall be conducted in accordance with Section 5 of Annex I to Directive 80/1268/EEC. (b) The requirements set out in point 5.1.1 of that Annex shall not apply. (c) Where no test concerning tailpipe emissions is conducted in application of the provisions referred to in Entry 2, CO_2 emissions and fuel consumption shall be calculated with the formula laid down in the explanatory notes ([b]) and ([c]).
40	Directive 80/1269/EEC (Engine power)	(a) The applicant shall submit a statement from the manufacturer stating the maximum engine power output in kW as well as the corresponding regime in revolutions per minute. (b) An engine power output curve providing the same information may alternatively be referred to.
41	Directive 2005/55/EC (Emissions (Euro 4 and 5) heavy duty vehicles — OBDs — Smoke opacity)	*Tailpipe emissions* (a) A test shall be conducted in accordance with Section 6.2 of Annex I to Directive 2005/55/EC using the deterioration factors set out in point 3.6 of Annex II to Directive 2005/78/EC. (b) The limits shall be those set out in Table I or Table 2 in Annex I to Directive 2005/55/EC. *OBD* (a) The vehicle shall be fitted with an OBD system. (b) OBD-interface must be able to communicate with common diagnostic tools used for periodic technical inspections. *Smoke opacity* (a) Vehicles equipped with a diesel-fuelled engine shall be tested in accordance with the tests methods referred to in Annex VI to Directive 2005/55/EC. (b) The corrected value of the absorption coefficient shall be affixed conspicuously and in a readily accessible place.
45	Directive 92/22/EEC (Safety glazing)	*Components* (a) The glazing shall be made either of tempered or laminated safety glass. (b) Fitting of plastic glazing shall be permitted only on locations situated behind the “B” pillar. (c) Glazing shall not be required to be approved under Directive 92/22/EEC.

Item	Regulatory act reference	Alternative requirements
		Installation (a) The installation prescriptions set out in Annex 21 to UNECE Regulation No 43 shall apply. (b) No tinted films which would reduce the regular light transmission under the required minimum shall be permitted on the windscreen and on the glazing located in front of the “B” pillar.
46	Directive 92/23/EEC (Tyres)	*Components* Tyres shall bear an “EC” type-approval mark including the symbol “s” (for sound). *Installation* (a) The dimensions, load-capacity index and speed category of the tyres shall fulfil the requirements of Annex IV to Directive 92/23/EEC. (b) The speed category symbol of the tyre shall be compatible with the maximum design speed of the vehicle. (c) The presence of a speed limiter shall not exempt from the application of this requirement. (d) For the application of the provisions of point (b) above, the maximum speed of the vehicle shall be stated by the vehicle manufacturer. However, the technical service may assess the maximum design speed of the vehicle by using the engine maximum power output, the maximum number of revolutions per minute and the data concerning the kinematic chain.
48	Directive 97/27/EC (Masses and dimensions)	(a) The essential requirements of Annex I to Directive 97/27/EC shall be fulfilled. However, the requirements set out in points 7.8.3, 7.9 and 7.10 of that Annex shall not apply. (b) For the application of the provisions of point (a) above, the masses to be considered are: — the mass in running order as defined in point 2.6 of Annex I to Directive 2007/46/EC as measured by the technical service, and — the maximum laden masses either stated by the vehicle manufacturer or shown on the manufacturer's plate including stickers or information available in the owner's manual. Those masses shall be regarded as the technically permissible maximum laden masses. (c) Technical changes made by the applicant — such as replacing tyres with tyres with a lower load-capacity index — in order to decrease the maximum technically permissible laden mass of the vehicle to 3,5 tonnes or less in order that the vehicle may be granted individual approval shall not be permitted. (d) No exemption shall be permitted in respect of the maximum permissible dimensions.
49	Directive 92/114/EEC (External projections of cabs)	(a) In accordance with Section 6 of Annex I to Directive 92/114/EEC, the general requirements set out in Section 5 of Annex I to Directive 74/483/EEC shall be fulfilled. (b) At the discretion of the technical service the requirements set out in points 6.1, 6.5, 6.6, 6.7, 6.8 and 6.11 of Annex I to Directive 74/483/EEC shall be fulfilled.

Item	Regulatory act reference	Alternative requirements
50	Directive 94/20/EC (Couplings)	*Separate technical units* (a) OEM couplings intended for towing a trailer whose maximum mass does not exceed 1 500 kg shall not be required to be type-approved under Directive 94/20/EC. (b) A coupling is deemed OEM equipment where it is described in the owner's manual or an equivalent supporting document provided to the buyer by the vehicle manufacturer. (c) Where such coupling is approved with the vehicle, an appropriate text shall be included in the approval certificate stating that the owner is responsible for ensuring compatibility with the coupling device fitted to the trailer. (d) Couplings other than those referred to in point (a) above as well as couplings that are retrofitted shall be type-approved in accordance with Directive 94/20/EC. *Installation on the vehicle* The technical service shall check that the installation of the coupling devices comply with Annex VII to Directive 94/20/EC.
54	Directive 96/27/EC (Side impact)	(a) The applicant shall submit a statement from the manufacturer establishing that the particular vehicle, [*the VIN number of which has to be specified*] complies with at least one of the following: — Directive 96/27/EC, — FMVSS No 214 (Side impact protection), — Article 18 of JSRRV. (b) A test in accordance with Section 3 of Annex II to Directive 96/27/EC may be conducted on a production vehicle at the request of the applicant. (c) The test shall be conducted by a notified European technical service which has competence thereof. A detailed report shall be issued to the applicant.
56	Directive 98/91/EC Vehicles intended for the transport of dangerous goods	Vehicles intended for the transport of dangerous goods shall comply with Directive 94/55/EC.
58	Regulation (EC) No 78/2009 (Pedestrian protection)	*Brake assist* Vehicles shall be fitted with an electronic antilock braking system acting on all wheels. *Pedestrian protection* Until 24 February 2018, the requirements of that Regulation shall not apply to vehicles whose maximum mass does not exceed 2 500 kg and until 24 August 2019 to vehicles whose maximum mass exceeds 2 500 kg. *Frontal protection systems* However, frontal protection systems installed on the vehicle shall be type-approved in accordance with Regulation (EC) No 78/2009 and their installation shall comply with the essential requirements set out in Section 6 of Annex I to that Regulation.
59	Directive 2005/64/EC (Recyclability)	The requirements of that Directive shall not apply.

Item	Regulatory act reference	Alternative requirements
61	Directive 2006/40/EC (Air-conditioning system)	The requirements of that Directive shall apply.

Explanatory notes relating to Appendix 2

1. Abbreviations used in this Appendix:

“OEM”: original equipment provided by the manufacturer

“FMVSS”: Federal Motor Vehicle Safety Standard of the U.S Department of Transportation

“JSRRV”: Japan Safety regulations for Road Vehicles

“SAE”: Society of Automotive Engineers

“CISPR”: Comité international spécial des perturbations radioélectriques.

2. Remarks:

(a) the complete LPG or CNG installation shall be checked against the provisions of UNECE Regulations No 67 or 110 or 115 as appropriate;

(b) the formula to be used for the assessment of CO_2 emissions shall be as follows:

Petrol engine and manual gearbox:

CO_2 = 0,047 m + 0,561 p + 56,621

Petrol engine and automatic gearbox:

CO_2 = 0,102 m + 0,328 p + 9,481

Petrol engine and hybrid electric:

CO_2 = 0,116 m − 57,147

Diesel engine and manual gearbox:

CO_2 = 0,108 m − 11,371

Diesel engine and automatic gearbox:

CO_2 = 0,116 m − 6,432

Where: CO_2 is the combined mass of CO_2 emissions in g/km, “m” is the mass of the vehicle in running order in kg and “p” the maximum engine power output in kW.

Combined mass of CO_2 shall be calculated with 1 decimal place, then rounded to the nearest whole number as follows:

(a) if the figure following the decimal point is below 5, the total is rounded down;

(b) if the figure following the decimal point is equal to 5 or above 5, the total is rounded up;

(c) the formulæ to be used for the assessment of fuel consumption shall be as follows:

CFC = CO_2 x k^{-1}

Where: CFC is the combined fuel consumption in l/100 km, CO_2 is the combined mass of CO_2 emissions in g/km after it has been rounded in accordance with the rule referred to in Remark (2 b), “k” a coefficient equal to:

23,81 in the case of a petrol engine;

26,49 in the case of a diesel engine.

Combined fuel consumption shall be calculated with 2 decimal places. Then rounded as follows:

(a) if the figure following the first decimal is below 5, the total is rounded down;

(b) if the figure following the first decimal is equal to 5 or above 5, the total is rounded up;

(d) Directive 74/297/EEC applies to vehicles which are not covered by the scope of Directive 96/79/EC;

(e) Compliance with Directive 96/79/EC exempts vehicles from compliance with Directive 74/297/EEC;

(f) Directive 74/297/EEC applies to N_1 vehicles with a technically permissible maximum laden mass not exceeding 1,5 tonnes.

[1] In the absence of a registration document, the competent authority may refer to available documented evidence of date of manufacture or documented evidence of first purchase.’

2. Annex VI is amended as follows:

(a) the first sentence of the heading of Model B is replaced by the following:

‘**MODEL B**

(To be used for type-approval of a vehicle with regard to a system)’

(b) the following Model D is added:

'MODEL D

(to be used for harmonised individual approval of a vehicle pursuant Article 24)

Maximum format: A4 (210 × 297 mm)

EC INDIVIDUAL VEHICLE APPROVAL CERTIFICATE

e(4) Name, address, phone number and e-mail-address of the individual approval authority

Communication concerning individual vehicle approval with regard to Article 24 of Directive 2007/46/EC

Section 1

The undersigned [… …*name and position*] hereby certifies that the vehicle:

0.1. Make (trade name of manufacturer): ....

0.2. Type: Variant: Version:

0.2.1. Commercial name: ....

0.4. Category of vehicle (2): ....

0.5. Name and address of the manufacturer: ....

0.6. Location and method of attachment of the statutory plates: ....

Location of the vehicle identification number: ....

0.9. Name and address of the manufacturer's representative (if any):

0.10. Vehicle identification number:

submitted for approval on […… *date of application*]

by […… *Name and address of the applicant*]

is granted approval according to the provisions of Article 24 of Directive 2007/46/EC. In witness whereof, the following approval number has been allocated: ....

The vehicle complies with Appendix 2 to Annex IV to Directive 2007/46/EC. It can be permanently registered without further approval in Member States having right/left hand traffic (1) and using metric/imperial (1) units for the speedometer.

(Place) (Date)	(Signature (3))	(Stamp of the approval authority)
[…]	[…]	[…]

Attachments

Two photos (5) of the vehicle (min resolution 640 x 480 pixel, ~7 x 10 cm)

(1) Delete where not applicable.
(2) As defined in Annex II.A
(3) Or visual representation of an "advanced electronic signature" according to Directive 1999/93/EC, including data for verification.
(4) Distinguishing number of the Member State issuing the individual approval: (see "Section 1" in Point 1, of Annex VII of Directive 2007/46/EC)
(5) One ¾ front, one ¾ rear

Section 2

General construction characteristics

1. Number of axles: ....and wheels: ....

1.1. Number and position of axles with twin wheels: ....

3. Powered axles (number, position, interconnection): ....

Main dimensions

4. Wheelbase ([a]): … mm

4.1. Axle spacing: 1-2: … mm 2-3: … mm 3-4: … mm

5. Length: … mm

6. Width: … mm

7. Height: … mm

Masses

13. Mass of the vehicle in running order: ....kg ([b])

16. Technically permissible maximum masses

16.1. Technically permissible maximum laden mass: .... kg

16.2. Technically permissible mass on each axle: 1. .... kg 2. .... kg 3. .... kg etc.

16.4. Technically permissible maximum mass of the combination: .... kg

18. Technically permissible maximum towable mass in case of:

18.1. Drawbar trailer: .... kg

18.2. Semi-trailer: ....kg

18.3. Centre-axle trailer: ....kg

18.4. Unbraked trailer: .... kg

19. Technically permissible maximum static vertical mass at the coupling point: ....kg

Power plant

20. Manufacturer of the engine: ....

21. Engine code as marked on the engine: ....

22. Working principle: ....

23. Pure electric: yes/no ([1])

23.1. Hybrid [electric] vehicle: yes/no ([1])

24. Number and arrangement of cylinders: ....

25. Engine capacity: ....cm^3

26. Fuel: Diesel/petrol/LPG/NG – Biomethane/Ethanol/Biodiesel/Hydrogen ([1])

26.1. Mono fuel/Bi fuel/Flex fuel ([1])

27. Maximum net power ([c]): .... kW at .... min^{-1} or maximum continuous rated power (electric motor) .... kW ([1])

Maximum speed

29. Maximum speed: ....km/h

Axles and suspension

30. Axle(s) track: 1. .... mm 2. .... mm 3. .... mm

35. Tyre/wheel combination: ....

Bodywork

38. Code for bodywork ([d]): ....

40. Colour of vehicle ([e]): ....

41. Number and configuration of doors: ....

42. Number of seating positions (including the driver) ([f]): ....

42.1. Seat(s) designated for use only when the vehicle is stationary: ....

42.3. Number of wheelchair user accessible position: ....

Coupling device

44. Approval number or approval mark of coupling device (if fitted): ....

Environmental performances

46. Sound level

Stationary: ....dB(A) at engine speed: ....min^{-1}

Drive-by: .... dB(A)

47. Exhaust emission level ([g]): Euro ....

Other legislation: ....

49. CO_2 emissions/fuel consumption/electric energy consumption ([h]):

1. all power train except pure electric vehicles

	CO_2 emissions	Fuel consumption
Combined:	… g/km	… l/100 km/m^3/100 km ([1])
Weighted, combined	… g/km	… l/100 km

2. pure electric vehicles and OVC hybrid electric vehicles

Electric energy consumption (weighted, combined ([1])) ....Wh/km

52. Remarks

53. Additional information (mileage ([2]), …)

Explanatory notes relating to Annex VI model D

([1]) Delete where not applicable
([2]) Not compulsory
([a]) This entry shall be completed only where the vehicle has two axles.
([b]) This mass is the actual mass of the vehicle in the conditions referred to in point 2.6 of Annex I.
([c]) For hybrid electric vehicles, indicate both power outputs.
([d]) The codes described in Section C of Annex II shall be used.
([e]) Indicate only the basic colour(s): white, yellow, orange, red, violet, blue, green, grey, brown or black.
([f]) Excluding seats designated for use only when the vehicle is stationary and the number of wheelchair positions.
([g]) Add the number of the Euro level and, if appropriate, the character corresponding to the provisions used for type-approval.
([h]) Repeat for the various fuels which can be used.’

COMMISSION REGULATION (EU) No 184/2011

of 25 February 2011

concerning the authorisation of *Bacillus subtilis* C-3102 (DSM 15544) as a feed additive for chickens reared for laying, turkeys, minor avian species and other ornamental and game birds (holder of authorisation Calpis Co. Ltd Japan, represented by Calpis Co. Ltd Europe Representative Office)

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition [1], and in particular Article 9(2) thereof,

Whereas:

(1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.

(2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of the preparation set out in the Annex to this Regulation. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.

(3) The application concerns the authorisation of a new use of *Bacillus subtilis* C-3102 (DSM 15544) as a feed additive for chickens reared for laying, turkeys and minor avian species, to be classified in the additive category 'zootechnical additives'.

(4) The use of *Bacillus subtilis* C-3102 (DSM 15544) has been authorised for 10 years for chickens for fattening by Commission Regulation (EC) No 1444/2006 [2] and for weaned piglets by Commission Regulation (EU) No 333/2010 [3].

(5) New data were submitted in support of the application for the authorisation of the preparation for chickens reared for laying, turkeys and minor avian species. The European Food Safety Authority (the Authority) concluded in its opinion of 5 October 2010 [4] that *Bacillus subtilis* C-3102 (DSM 15544), under the proposed conditions of use, does not have an adverse effect on animal health, human health or the environment, and that its use can improve the weight gain of the target species. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Community Reference Laboratory set up by Regulation (EC) No 1831/2003.

(6) The assessment of *Bacillus subtilis* C-3102 (DSM 15544) shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of this preparation should be authorised as specified in the Annex to this Regulation.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

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

---

[1] OJ L 268, 18.10.2003, p. 29.
[2] OJ L 271, 30.9.2006, p. 19.
[3] OJ L 102, 23.4.2010, p. 19.
[4] EFSA Journal 2010; 8(10):1867.

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

Done at Brussels, 25 February 2011.

For the Commission
The President
José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: gut flora stabilisers									
4b1820	Calpis Co. Ltd Japan, represented by Calpis Co. Ltd Europe Representative Office, France	*Bacillus subtilis* C-3102 (DSM 15544)	*Additive composition* Preparation of *Bacillus subtilis* C-3102 DSM 15544 containing a minimum of 1×10^{10} CFU/g *Characterisation of active substance* Viable spores of *Bacillus subtilis* C-3102 (DSM 15544) *Analytical methods* (1) Enumeration: spread plate method using tryptone soya agar with preheat treatment of feed samples Identification: Pulsed Field Gel Electrophoresis (PFGE)	Chickens reared for laying	—	5×10^8	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. For safety: breathing protection, glasses and gloves shall be used during handling. 3. May be used in feed containing the following coccidiostats where authorised: decoquinate, monensin sodium, robenidine hydrochloride, diclazuril, lasalocid sodium, halofuginone, narasin, salinomycin sodium, maduramycin ammonium, narasin-nicarbazin, semduramycin sodium or nicarbazin.	18 March 2021
				Turkeys, minor avian species and other ornamental and game birds		3×10^8			

(1) Details of the analytical methods are available at the following address of the Community Reference Laboratory: www.irmm.jrc.be/crl-feed-additives

COMMISSION REGULATION (EU) No 185/2011

of 25 February 2011

amending Council Regulation (EC) No 499/96 as regards tariff quotas of the Union for certain fish and fishery products and live horses originating in Iceland

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 499/96 of 19 March 1996 opening and providing for the administration of Community tariff quotas for certain fishery products and live horses originating in Iceland [1], and in particular Article 5(1)(a) and (b) thereof,

Whereas:

(1) In 2009, negotiations were concluded for an Additional Protocol to the Agreement between the European Economic Community and the Republic of Iceland concerning special provisions applicable for the period 2009-2014 to imports into the European Union of certain fish and fishery products, hereinafter 'the Additional Protocol'.

(2) The signing, on behalf of the European Union, and the provisional application of the Additional Protocol has been authorised by Council Decision 2010/674/EU of 26 July 2010 on the signing and provisional application of an Agreement between the European Union, Iceland, Liechtenstein and Norway on an EEA Financial Mechanism 2009-2014, an Agreement between the European Union and Norway on a Norwegian Financial Mechanism 2009-2014, an Additional Protocol to the Agreement between the European Economic Community and Iceland concerning special provisions applicable to imports into the European Union of certain fish and fishery products 2009-2014 and an Additional Protocol to the Agreement between the European Economic Community and Norway concerning special provisions applicable to imports into the European Union of certain fish and fishery products 2009-2014 [2].

(3) The Additional Protocol provides for new annual duty-free tariff quotas at import into the European Union of certain fish and fishery products originating in Iceland.

(4) In accordance with the Additional Protocol, the volumes of the duty-free tariff quotas for the first 12-month period from 1 May 2009 to 30 April 2010 will be allocated to the second tariff quota period. Furthermore, unused volumes of the tariff quotas for some products for the tariff quota period 1 March 2011 to 30 April 2011 should be carried over to the corresponding tariff quotas for the period 1 May 2011 to 30 April 2012.

(5) In order to implement the tariff quotas provided for in the Additional Protocol, it is necessary to amend Regulation (EC) No 499/96.

(6) It is necessary to replace the current reference in Regulation (EC) No 499/96 to free-at-frontier prices by a reference to the declared customs value in accordance with Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products [3], and to provide that in order to qualify for the preferences laid down in the Additional Protocol, that value must at least be equal to any reference price fixed or to be fixed in accordance with the same Regulation.

(7) Protocol 3 of the Agreement between the European Economic Community and the Republic of Iceland defining the concept of originating products and setting out the arrangements for administrative cooperation has been amended by Decision No 2/2005 of the EC-Iceland Joint Committee of 22 December 2005 [4]. It is therefore necessary to provide explicitly that Protocol 3 as amended in 2005 is to apply.

(8) Within the agreement in the form of an Exchange of Letters between the European Community and the Republic of Iceland concerning additional trade preferences in agricultural products undertaken on the basis of Article 19 of the Agreement on the European Economic Area, attached to Council Decision 2007/138/EC [5], the bilateral trade in live horses was liberalised between the European Union and Iceland for unlimited quantities. Therefore the tariff quota laid down in the Annex to Regulation (EC) No 499/96 for live horses is redundant.

(9) For reasons of clarity and to take account of the amendments of the Combined Nomenclature Codes, laid down in Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff [6], and of the TARIC subdivisions, it is appropriate to replace the complete Annex to Regulation (EC) No 499/96.

(1) OJ L 75, 23.3.1996, p. 8.
(2) OJ L 291, 9.11.2010, p. 1.
(3) OJ L 17, 21.1.2000, p. 22.
(4) OJ L 131, 18.5.2006, p. 1.
(5) OJ L 61, 28.2.2007, p. 28.
(6) OJ L 256, 7.9.1987, p. 1.

(10) Regulation (EC) No 499/96 should therefore be amended accordingly.

(11) In accordance with Decision 2010/674/EU the new tariff quotas for certain fish and fishery products have to apply from 1 March 2011. This Regulation should therefore apply from the same date.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 499/96 is amended as follows:

1. the title is replaced by the following:

   'opening and providing for the administration of tariff quotas of the Union for certain fish and fishery products originating in Iceland';

2. Article 1 is replaced by the following:

   '*Article 1*

   1. When products originating in Iceland listed in the Annex are put into free circulation in the European Union, they shall be eligible for exemption of customs duties within the limits of the tariff quotas, during the periods and in accordance with the provisions set out in this Regulation.

   2. Imports of the fish and fishery products listed in the Annex shall qualify for the tariff quotas referred to in paragraph 1 only if the declared customs value is at least equal to the reference price fixed, or to be fixed, in accordance with Article 29 of Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (*).

   3. Protocol 3 of the Agreement between the European Economic Community and the Republic of Iceland defining the concept of originating products and setting out the arrangements for administrative cooperation, as last amended by Decision No 2/2005 of the EC-Iceland Joint Committee of 22 December 2005 (**) shall apply.

   4. The benefit of the tariff quotas with order numbers 09.0792 and 09.0812 shall not be granted for goods declared for release for free circulation during the period 15 February to 15 June.

   (*) OJ L 17, 21.1.2000, p. 22.
   (**) OJ L 131, 18.5.2006, p. 1.';

3. in Article 2, the second paragraph, is replaced by the following:

   'However, Article 308c(2) and (3) of Regulation (EEC) No 2454/93 shall not apply to the tariff quotas with order numbers 09.0810, 09.0811 and 09.0812.';

4. Article 3 is replaced by the following:

   '*Article 3*

   Where the tariff quotas with order numbers 09.0810, 09.0811 and 09.0812 will not be fully exhausted for the tariff quota period from 1 March 2011 to 30 April 2011, the remaining volume shall be carried over to the corresponding tariff quotas for the period 1 May 2011 to 30 April 2012.

   For this purpose drawings on the tariff quotas applicable from 1 March 2011 to 30 April 2011 shall be stopped on the second working day in the Commission following 1 September 2011. On the following working day, the unused balances of these tariff quotas shall be made available under the corresponding tariff quota applicable from 1 May 2011 to 30 April 2012.

   From the second working day in the Commission following 1 September 2011 no retroactive drawings and no returns shall be possible on the particular tariff quotas applicable from 1 March 2011 to 30 April 2011.';

5. the Annex is replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 March 2011.

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

Done at Brussels, 25 February 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

'ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of this Regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0792	ex 0303 51 00	10 20	Herrings of the species *Clupea harengus* or *Clupea pallasii*, frozen, excluding livers and roes, for industrial manufacture ([a]) ([1])	From 1.1 to 31.12	950	0
09.0812	0303 51 00		Herrings of the species *Clupea harengus* or *Clupea pallasii*, frozen, excluding livers and roes ([1])	From 1.3.2011 to 30.4.2011	1 900	0
				From 1.5.2011 to 30.4.2012	950	
				From 1.5.2012 to 30.4.2013	950	
				From 1.5.2013 to 30.4.2014	950	
09.0793	0302 12 00 0304 19 13 0304 29 13		Pacific salmon (*Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tschawytscha, Oncorhynchus kisutch, Oncorhynchus masou* and *Oncorhynchus rhodurus*), Atlantic salmon (*Salmo salar*) and Danube salmon (*Hucho hucho*)	From 1.1 to 31.12	50	0
09.0794	0302 23 00		Sole (*Solea* spp.), fresh or chilled, excluding fish fillets and other fish meat of heading 0304	From 1.1 to 31.12	250	0
	0302 29		Megrim (*Lepidorhombus* spp.) and other flat fish, fresh or chilled, excluding fish fillets and other fish meat of heading 0304			
	ex 0302 69 82	10	Blue whiting (*Micromesistius poutassou* or *Gadus poutassou*), fresh or chilled, excluding fish fillets and other fish meat of heading 0304			
	0303 32 00		Plaice (*Pleuronectes platessa*), frozen, excluding fish fillets and other fish meat of heading 0304			
	0303 62 00 0303 79 98		Toothfish (*Dissostichus* spp.) and other saltwater fish, frozen, excluding fish fillets and other fish meat of heading 0304			
	0304 19 01 0304 19 03 0304 19 18		Fillets of Nile perch (*Lates niloticus*), of pangasius (*Pangasius* spp.) and of other freshwater fish, fresh or chilled			

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
	0304 19 33		Fillets of coalfish (*Pollachius virens*), fresh or chilled			
	0304 19 35		Fillets of redfish (*Sebastes* spp.), fresh or chilled			
	0304 11 10 0304 12 10		Fillets of swordfish (*Xiphias gladius*) and of toothfish (*Dissostichus* spp.), fresh or chilled			
	ex 0304 19 39	10 20 60 70 75 80 85 90	Other fish fillets, other than herring and mackerel, fresh or chilled			
	0304 11 90 0304 12 90 0304 19 99		Other fish meat (whether or not minced), fresh or chilled			
	0304 29 01 0304 29 03 0304 29 05 0304 29 18		Frozen fillets of Nile perch (*Lates niloticus*), of pangasius (*Pangasius* spp.), of tilapia (*Oreochromis* spp.) and of other freshwater fish			
	0304 99 31		Frozen meat of cod of the species *Gadus macrocephalus*			
	0304 99 33		Frozen meat of cod of the species *Gadus morhua*			
	0304 99 39		Frozen meat of cod of the species *Gadus ogac* and frozen fish meat of the species *Boreogadus saida*			
	0304 99 41		Frozen meat of coalfish (*Pollachius virens*)			
	ex 0304 99 51	11 15	Frozen meat of hake (*Merluccius* spp.)			
	0304 99 71		Frozen meat of blue whiting (*Micromesistius poutassou* or *Gadus poutassou*)			
	ex 0304 99 99	20 25 30 40 50 60 65 69 70 81 89 90	Other frozen fish meat, except mackerel			

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0811	0304 19 35		Fillets of redfish (*Sebastes* spp.), fresh or chilled	From 1.3.2011 to 30.4.2011	1 500	0
				From 1.5.2011 to 30.4.2012	750	
				From 1.5.2012 to 30.4.2013	750	
				From 1.5.2013 to 30.4.2014	750	
09.0795	0305 61 00		Herrings (*Clupea harengus, Clupea pallasii*), salted but not dried or smoked, and herring in brine	From 1.1 to 31.12	1 750	0
09.0796	0306 19 30		Frozen Norway lobsters (*Nephrops norvegicus*)	From 1.1 to 31.12	50	0
09.0810	0306 19 30		Frozen Norway lobsters (*Nephrops norvegicus*)	From 1.3.2011 to 30.4.2011	1 040	0
				From 1.5.2011 to 30.4.2012	520	
				From 1.5.2012 to 30.4.2013	520	
				From 1.5.2013 to 30.4.2014	520	
09.0797	1604 12 91 1604 12 99		Other prepared or preserved herrings, whole or in pieces but not minced	From 1.1 to 31.12	2 400	0
09.0798	1604 19 98		Other prepared or preserved fish, whole or in pieces but not minced	From 1.1 to 31.12	50	0
	ex 1604 20 90	20 30 35 50 60 90	Other prepared or preserved fish, except herring and mackerel			

([a]) Entry under this subheading is subject to the conditions laid down in the relevant Community provisions (see Articles 291 to 300 of Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 1)).

([1]) As the MFN duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for free circulation during this period.'

COMMISSION REGULATION (EU) No 186/2011

of 25 February 2011

amending Annex I to Regulation (EC) No 689/2008 of the European Parliament and of the Council concerning the export and import of dangerous chemicals

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 689/2008 of the European Parliament and of the Council of 17 June 2008 concerning the export and import of dangerous chemicals [1], and in particular Article 22(4) thereof,

Whereas:

(1) Regulation (EC) No 689/2008 implements the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and pesticides in International Trade, signed on 11 September 1998 and approved, on behalf of the Community, by Council Decision 2003/106/EC [2].

(2) Annex I to Regulation (EC) No 689/2008 should be amended to take into account regulatory action in respect of certain chemicals taken pursuant to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [3], Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market [4] and 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 [5].

(3) The substance chlorate has not been included as an active substance in Annex I to Directive 91/414/EEC and the substance chlorate has not been included as an active substance in Annex I, IA or IB to Directive 98/8/EC, with the effect that chlorate is banned for pesticide use and thus should be added to the lists of chemicals contained in Parts 1 and 2 of Annex I to Regulation (EC) No 689/2008.

(4) The substances benfuracarb, cadusafos, carbofuran and tricyclazole have not been included as active substances in Annex I to Directive 91/414/EEC, with the effect that those active substances are banned for pesticide use and thus should be added to the lists of chemicals contained in Parts 1 and 2 of Annex I to Regulation (EC) No 689/2008. The addition of those substances to Part 2 of Annex I was suspended due to the new application for approval under Directive 91/414/EEC submitted pursuant to Article 13 of Commission Regulation (EC) No 33/2008 of 17 January 2008 laying down detailed rules for the application of Council Directive 91/414/EEC as regards a regular and an accelerated procedure for the assessment of active substances which were part of the programme of work referred to in Article 8(2) of that Directive but have not been included into its Annex I [6]. This new application has been withdrawn by the applicants with the effect that the reason for suspending the addition to Part 2 of Annex I has disappeared. Therefore, the substances benfuracarb, cadusafos, carbofuran and tricyclazole should be added to the list of chemicals contained in Part 2 of Annex I to Regulation (EC) No 689/2008.

(5) The substance methomyl has been included as an active substance in Annex I to Directive 91/414/EEC with the effect that methomyl is no longer banned for use in the subcategory 'pesticide in the group of plant protection products'. Consequently the entry in Part 1 of Annex I to Regulation (EC) No 689/2008 should be amended to reflect that change.

(6) The substance malathion has been included as an active substance in Annex I to Directive 91/414/EEC with the effect that malathion is no longer banned for use in the subcategory 'pesticide in the group of plant protection products'; the substance malathion has not been included as an active substance in Annex I, IA or IB to Directive 98/8/EC with the effect that malathion is banned for use in the subcategory 'other pesticide including biocides'. Consequently the entry in Part 1 of Annex I to Regulation (EC) No 689/2008 should be amended to reflect those changes.

(7) A new application pursuant to Article 13 of Regulation (EC) No 33/2008 was submitted for the active substance flurprimidol that will require a new decision on inclusion in Annex I to Directive 91/414/EEC and thus flurprimidol should be deleted from the list of chemicals contained in Part 2 of Annex I to Regulation (EC) No 689/2008. The decision on the addition to the list of chemicals in Part 2 of Annex I should not be taken before the new decision on the status of the substance under Directive 91/414/EEC is available.

(1) OJ L 204, 31.7.2008, p. 1.
(2) OJ L 63, 6.3.2003, p. 27.
(3) OJ L 230, 19.8.1991, p. 1.
(4) OJ L 123, 24.4.1998, p. 1.
(5) OJ L 396, 30.12.2006, p. 1.
(6) OJ L 15, 18.1.2008, p. 5.

(8) The entries in Parts 1 and 2 of Annex I to Regulation (EC) No 689/2008 relating to the substance paraquat are not coherent and sufficiently clear as regards code numbers and should thus be amended by inserting the most relevant code numbers.

(9) Annex I to Regulation (EC) No 689/2008 should therefore be amended accordingly.

(10) In order to allow enough time for Member States and industry to take the necessary measures, the application of this Regulation should be deferred.

(11) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 689/2008 is amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 May 2011.

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

Done at Brussels, 25 February 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

Annex I to Regulation (EC) No 689/2008 is amended as follows:

(1) Part 1 is amended as follows:

(a) the following entry is added:

Chemical	CAS No	Einecs No	CN code	Subcategory (*)	Use limitation (**)	Countries for which no notification is required
'Chlorate +	7775-09-9	231-887-4	2829 11 00	p(1)	b'	
	10137-74-3	233-378-2	2829 19 00			

(b) the entry for paraquat is replaced by the following:

Chemical	CAS No	Einecs No	CN code	Subcategory (*)	Use limitation (**)	Countries for which no notification is required
'Paraquat +	4685-14-7	225-141-7	2933 39 99	p(1)	b'	
	1910-42-5	217-615-7				
	2074-50-2	218-196-3				

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

Chemical	CAS No	Einecs No	CN code	Subcategory (*)	Use limitation (**)	Countries for which no notification is required
'Malathion	121-75-5	204-497-7	2930 90 99	p(2)	b'	

(d) the entry for methomyl is replaced by the following:

Chemical	CAS No	Einecs No	CN code	Subcategory (*)	Use limitation (**)	Countries for which no notification is required
'Methomyl	16752-77-5	240-815-0	2930 90 99	p(2)	b'	

(2) Part 2 is amended as follows:

(a) the following entries are added:

Chemical	CAS RN	Einecs No	CN code	Category (*)	Use limitation (**)
'Benfuracarb	82560-54-1	n.a.	2932 99 00	p	b
Cadusafos	95465-99-9	n.a.	2930 90 99	p	b
Carbofuran	1563-66-2	216-353-0	2932 99 00	p	b
Chlorate	7775-09-9	231-887-4	2829 11 00	p	b
	10137-74-3	233-378-2	2829 19 00		
Tricyclazole	41814-78-2	255-559-5	2934 99 90	p	b'

(b) the entry for paraquat is replaced by the following:

Chemical	CAS RN	Einecs No	CN code	Category (*)	Use limitation (**)
‘Paraquat	4685-14-7	225-141-7	2933 39 99	p	b’
	1910-42-5	217-615-7			
	2074-50-2	218-196-3			

(c) the following entry is deleted:

Chemical	CAS RN	Einecs No	CN code	Category (*)	Use limitation (**)
‘Flurprimidol	56425-91-3	n.a.	2933 59 95	p	b’

COMMISSION REGULATION (EU) No 187/2011

of 25 February 2011

amending Annex I to Regulation (EC) No 669/2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin

(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 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules [1], and in particular Article 15(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 669/2009 [2] lays down rules concerning the increased level of official controls to be carried out on imports of feed and food of non-animal origin listed in Annex I thereto ('the list'), at the points of entry into the territories referred to in Annex I to Regulation (EC) No 882/2004.

(2) Article 2 of Regulation (EC) No 669/2009 provides that the list is to be reviewed on a regular basis, and at least quarterly, taking into account at least the sources of information referred to in that Article.

(3) The occurrence and relevance of food incidents notified through the Rapid Alert System for Food and Feed (RASFF), the findings of missions to third countries carried out by the Food and Veterinary Office, as well as the quarterly reports on consignments of feed and food of non-animal origin submitted by Member States to the Commission in accordance with Article 15 of Regulation (EC) No 669/2009 indicate that the list should be amended.

(4) In particular, the list should be amended by deleting the entries for commodities for which those information sources indicate an overall satisfactory degree of compliance with the relevant safety requirements provided for in Union legislation and for which an increased level of official control is therefore no longer justified.

(5) In addition, certain other commodities for which the information sources indicate a degree of non-compliance with the relevant safety requirements, thereby warranting the introduction of increased level of official controls, should be included in the list.

(6) Similarly, the list should be amended by decreasing the frequency of official controls of the commodities for which the information sources indicate an overall improvement of compliance with the relevant requirements provided for in Union legislation and for which the current level of official control is therefore no longer justified.

(7) The entries in the list for certain imports from China, the Dominican Republic, India and South Africa should therefore be amended accordingly.

(8) In the interests of clarity of Union legislation, it is also necessary to make a small precision in the list regarding the entries for imports of peppers from the Dominican Republic and sweet peppers from Turkey.

(9) The amendment to the list concerning the deletion of the references to commodities, and the reduction in the frequency of controls, should apply as soon as possible, as the original safety concerns have been satisfied. Accordingly, those amendments should apply from the date of entry into force of this Regulation.

(10) Taking into account the number of amendments that need to be made to Annex I to Regulation (EC) No 669/2009, it is appropriate to replace it by the text in the Annex to this Regulation.

(11) Regulation (EC) No 669/2009 should therefore be amended accordingly.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 669/2009 is replaced by the text in the Annex to this Regulation.

[1] OJ L 165, 30.4.2004, p. 1.
[2] OJ L 194, 25.7.2009, p. 11.

Article 2

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

It shall apply from 1 April 2011.

However, the following amendments to Annex I to Regulation (EC) No 669/2009 shall apply from the date of entry into force of this Regulation:

(a) the deletion of the following entries on:

(i) trace elements from China;

(ii) mangoes from the Dominican Republic;

(iii) the following feed and food from Vietnam:

— groundnuts (peanuts), in shell,

— groundnuts (peanuts), shelled,

— peanut butter,

— groundnuts (peanuts), otherwise prepared or preserved;

(b) the amendment on the frequency of physical and identity checks for the following food from all third countries:

(i) chilli (*Capsicum annuum*), crushed or ground;

(ii) chilli products (curry);

(iii) *Curcuma longa* (turmeric);

(iv) red palm oil.

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

Done at Brussels, 25 February 2011.

For the Commission

The President

José Manuel BARROSO

ANNEX

'ANNEX I

(A) **Feed and food of non-animal origin subject to an increased level of official controls at the designated point of entry**

Feed and food (intended use)	CN code [1]	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Groundnuts (peanuts), in shell — Groundnuts (peanuts), shelled — Peanut butter — Groundnuts (peanuts), otherwise prepared or preserved ***(Feed and food)***	— 1202 10 90 — 1202 20 00 — 2008 11 10 — 2008 11 91; 2008 11 96; 2008 11 98	**Argentina**	Aflatoxins	10
— Groundnuts (peanuts), in shell — Groundnuts (peanuts), shelled — Peanut butter — Groundnuts (peanuts), otherwise prepared or preserved ***(Feed and food)***	— 1202 10 90 — 1202 20 00 — 2008 11 10 — 2008 11 91; 2008 11 96; 2008 11 98	**Brazil**	Aflatoxins	10
Dried Noodles ***(Food)***	ex 1902	**China**	Aluminium	10
— Yardlong beans (*Vigna sesquipedalis*) — Bitter melon (*Momordica charantia*) — Lauki (*Lagenaria siceraria*) — Peppers (*Capsicum* spp.) — Aubergines ***(Food — fresh, chilled or frozen vegetables)***	— ex 0708 20 00; ex 0710 22 00 — ex 0709 90 90; ex 0710 80 95 — ex 0709 90 90; ex 0710 80 95 — 0709 60 10; 0709 60 99; 0710 80 51; 0710 80 59 — 0709 30 00; ex 0710 80 95	**Dominican Republic**	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single residue methods [3]	50
— Oranges (fresh or dried) — Peaches — Pomegranates — Strawberries — Green beans ***(Food — fresh fruits and vegetables)***	— 0805 10 20; 0805 10 80 — 0809 30 90 — ex 0810 90 95 — 0810 10 00 — ex 0708 20 00	**Egypt**	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single residue methods [7]	10

Feed and food (intended use)	CN code (1)	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Groundnuts (peanuts), in shell — Groundnuts (peanuts), shelled — Peanut butter ***(Feed and Food)***	— 1202 10 90 — 1202 20 00 — 2008 11 10	**Ghana**	Aflatoxins	50
Curry leaves *(Bergera/ Murraya koenigii)* ***(Food – fresh herbs)***	ex 1211 90 85	**India**	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single residue methods (5)	10
— Chilli *(Capsicum annuum)*, whole — Chilli *(Capsicum annuum)*, crushed or ground — Chilli products (curry) — Nutmeg *(Myristica fragrans)* — Mace *(Myristica fragrans)* — Ginger *(Zingiber officinale)* — *Curcuma longa* (turmeric) ***(Food – dried spices)***	— ex 0904 20 10 — ex 0904 20 90 — 0910 91 05 — 0908 10 00 — 0908 20 00 — 0910 10 00 — 0910 30 00	**India**	Aflatoxins	50
— Groundnuts (peanuts), in shell — Groundnuts (peanuts), shelled — Peanut butter — Groundnuts (peanuts), otherwise prepared or preserved ***(Feed and food)***	— 1202 10 90 — 1202 20 00 — 2008 11 10 — 2008 11 91; 2008 11 96; 2008 11 98	**India**	Aflatoxins	20
Okra ***(Food)***	ex 0709 90 90	**India**	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single residue methods (2)	10
Watermelon *(egusi, Citrullus lanatus)* seeds and derived products ***(Food)***	ex 1207 99 97; ex 1106 30 90; ex 2008 99 99;	**Nigeria**	Aflatoxins	50
Basmati rice for direct human consumption ***(Food — milled rice)***	ex 1006 30	**Pakistan**	Aflatoxins	20

Feed and food (intended use)	CN code ([1])	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Chilli *(Capsicum annuum)*, whole — Chilli *(Capsicum annuum)*, crushed or ground ***(Food — dried spice)***	— ex 0904 20 10 — ex 0904 20 90	**Peru**	Aflatoxins and Ochratoxin A	10
— Groundnuts (peanuts), in shell — Groundnuts (peanuts), shelled — Peanut butter — Groundnuts (peanuts), otherwise prepared or preserved ***(Feed and food)***	— 1202 10 90 — 1202 20 00 — 2008 11 10 — 2008 11 91; 2008 11 96; 2008 11 98	**South Africa**	Aflatoxins	10
— Coriander leaves — Basil (holy, sweet) — Mint ***(Food — fresh herbs)***	— ex 0709 90 90 — ex 1211 90 85 — ex 1211 90 85	**Thailand**	Salmonella ([6])	10
— Coriander leaves — Basil (holy, sweet) ***(Food — fresh herbs)***	— ex 0709 90 90 — ex 1211 90 85	**Thailand**	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single residue methods ([4])	20
— Yardlong beans (*Vigna sesquipedalis*) — Aubergines — Brassica vegetables ***(Food — fresh, chilled or frozen vegetables)***	— ex 0708 20 00; ex 0710 22 00 — 0709 30 00; ex 0710 80 95 — 0704; ex 0710 80 95	**Thailand**	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single residue methods ([4])	50
— Sweet Peppers *(Capsicum annuum)* — Courgettes — Tomatoes ***(Food — fresh, chilled or frozen vegetables)***	— 0709 60 10; 0709 60 99; 0710 80 51; 0710 80 59 — 0709 90 70; ex 0710 80 95 — 0702 00 00; 0710 80 70	**Turkey**	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single residue methods ([8])	10
Pears ***(Food)***	0808 20 10; 0808 20 50	**Turkey**	Pesticide: amitraz	10
Dried grapes (vine fruit) ***(Food)***	0806 20	**Uzbekistan**	Ochratoxin A	50

Feed and food (intended use)	CN code (1)	Country of origin	Hazard	Frequency of physical and identity checks (%)
— Chilli (*Capsicum annuum*), crushed or ground — Chilli products (curry) — *Curcuma longa* (turmeric) ***(Food — dried spices)*** — Red palm oil ***(Food)***	— ex 0904 20 90 — 0910 91 05 — 0910 30 00 — ex 1511 10 90	**All third countries**	Sudan dyes	10

(1) Where only certain products under any CN code are required to be examined and no specific subdivision under that code exists in the goods nomenclature, the CN code is marked "ex" (for example, ex 1006 30: only Basmati rice for direct human consumption is included).
(2) In particular residues of: Acephate, Methamidophos, Triazophos, Endosulfan, Monocrotophos.
(3) In particular residues of: Amitraz, Acephate, Aldicarb, Benomyl, Carbendazim, Chlorfenapyr, Chlorpyrifos, CS2 (Dithiocarbamates), Diafenthiuron, Diazinon, Dichlorvos, Dicofol, Dimethoate, Endosulfan, Fenamidone, Imidacloprid, Malathion, Methamidophos, Methiocarb, Methomyl, Monocrotophos, Omethoate, Oxamyl, Profenofos, Propiconazole, Thiabendazol, Thiacloprid.
(4) In particular residues of: Acephate, Carbaryl, Carbendazim, Carbofuran, Chlorpyriphos, Chlorpyriphos-methyl, Dimethoate, Ethion, Malathion, Metalaxyl, Methamidophos, Methomyl, Monocrotophos, Omethoate, Prophenophos, Prothiophos, Quinalphos, Triadimefon, Triazophos, Dicrotophos, EPN, Triforine.
(5) In particular residues of: Triazophos, Oxydemeton-methyl, Chlorpyriphos, Acetamiprid, Thiamethoxam, Clothianidin, Methamidophos, Acephate, Propargite, Monocrotophos.
(6) Reference method EN/ISO 6579 or a certified method validated against it, as referred to in Article 5 of Commission Regulation (EC) No 2073/2005 (OJ L 338, 22.12.2005, p. 1).
(7) In particular residues of: Carbendazim, Cyfluthrin Cyprodinil, Diazinon, Dimethoate, Ethion, Fenitrothion, Fenpropathrin, Fludioxonil, Hexaflumuron, Lambda-cyhalothrin, Methiocarb, Methomyl, Omethoate, Oxamyl, Phenthoate, Thiophanate-methyl.
(8) In particular residues of: Methomyl, Oxamyl, Carbendazim, Clofentezine, Diafenthiuron, Dimethoate, Formetanate, Malathion, Procymidone, Tetradifon, Thiophanate-methyl.

(B) **Definitions**

For the purposes of this Annex, "Sudan dyes" refers to the following chemical substances:

(i) Sudan I (CAS Number 842-07-9);

(ii) Sudan II (CAS Number 3118-97-6);

(iii) Sudan III (CAS Number 85-86-9);

(iv) Scarlet Red; or Sudan IV (CAS Number 85-83-6).'

COMMISSION REGULATION (EU) No 188/2011

of 25 February 2011

laying down detailed rules for the implementation of Council Directive 91/414/EEC as regards the procedure for the assessment of active substances which were not on the market 2 years after the date of notification of that Directive

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [1], and in particular Article 6(5) thereof,

Whereas:

(1) It is necessary to adopt rules on a procedure for the submission and appraisal of applications for inclusion in Annex I to Directive 91/414/EEC of active substances which were not yet on the market 2 years after the date of notification of that Directive. In particular periods should be set for the different steps of that procedure to ensure that they are carried out rapidly.

(2) Additional information submitted after the application and the dossiers should only be taken into account if it was requested by the European Food Safety Authority, hereinafter 'the Authority', or the rapporteur Member State and submitted within the time period set.

(3) As regards applications submitted before the entry into force of this Regulation transitional measures should be provided for. In particular, it is appropriate to extend the period which may be granted to the applicant to submit additional information requested by the Authority or the rapporteur Member State. As regards such applications, it is further necessary to set periods for the circulation of the draft assessment report by the Authority and the submission of comments by the Member States, other than the rapporteur Member State, and the applicant.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

This Regulation lays down detailed rules for the submission and appraisal of applications for inclusion in Annex I to Directive 91/414/EEC of active substances which were not on the market on 26 July 1993.

Article 2

Application

1. An applicant wishing to secure the inclusion in Annex I to Directive 91/414/EEC of an active substance covered by Article 1 shall submit an application for that active substance to a Member State, hereinafter referred to as 'rapporteur Member State', together with a summary dossier and a complete dossier, as provided for in Article 3, or a scientifically reasoned justification for not providing certain parts of those dossiers, demonstrating that the active substance fulfils the criteria provided for in Article 5 of that Directive.

For the purposes of this Regulation 'applicant' means the person who manufactures the active substance himself or who contracts out the manufacturing to another party or a person designated by the manufacturer as his sole representative for the purpose of compliance with this Regulation.

2. When submitting his application, the applicant may, pursuant to Article 14 of Directive 91/414/EEC, request certain parts of the dossiers referred to in paragraph 1 of this Article to be kept confidential. The applicant shall explain for each document or each part of a document why it is to be considered as confidential.

Member States shall assess the confidentiality requests. Upon a request for access to information, the rapporteur Member State shall decide what information is to be kept confidential.

The applicant shall submit separately the information to be kept confidential.

The applicant shall at the same time submit any claims for data protection pursuant to Article 13 of Directive 91/414/EEC.

[1] OJ L 230, 19.8.1991, p. 1.

Article 3

Dossiers

1. The summary dossier shall include the following:

(a) data with respect to one or more representative uses of at least one plant protection product containing the active substance, demonstrating that the requirements of Article 5 of Directive 91/414/EEC are fulfilled;

(b) for each point of the data requirements for the active substance referred to in Annex II to Directive 91/414/EEC, the summaries and results of tests and studies, the name of their owner and of the person or institute that carried out the tests and studies;

(c) for each point of the data requirements for the plant protection product referred to in Annex III to Directive 91/414/EEC, the summaries and results of tests and studies, the name of their owner and of the person or institute that carried out the tests and studies relevant to the assessment of the criteria referred to in Article 5 of that Directive taking into account that data gaps in a dossier, as set out in Annex II or Annex III to that Directive, resulting from the proposed range of representative uses, may lead to restrictions in the inclusion in Annex I to that Directive;

(d) a checklist demonstrating that the dossier provided for in paragraph 2 is complete;

(e) the reasons why the test and study reports submitted are necessary for inclusion of the active substance concerned;

(f) an assessment of all information submitted;

(g) where relevant, a copy of an application for a residue level as referred to in Article 7 of Regulation (EC) No 396/2005 of the European Parliament and of the Council [1] or a justification for not supplying such copy of an application.

2. The complete dossier shall contain the full text of the individual test and study reports concerning all the information referred to in points (b) and (c) of paragraph 1 with a list of those tests and studies.

Article 4

Completeness check of the dossiers

1. Within 3 months from receiving the application, the rapporteur Member State shall check whether the dossiers submitted with the application contain all the elements provided for in Article 3, using the checklist referred to in Article 3(1)(d). It shall also check the requests for confidentiality referred to in Article 2(2) and the list of tests and studies submitted pursuant to Article 3(2).

2. Where one or more of the elements provided for in Article 3 are missing, the rapporteur Member State shall inform the applicant, setting a time period for their submission; such time period shall be no more than 3 months.

3. Where at the end of the period, referred to in paragraph 2, the applicant has not submitted the missing elements, the rapporteur Member State shall inform the applicant, the Commission and the other Member States that the application is rejected.

4. Where the dossiers submitted with the application contain all the elements provided for in Article 3, the rapporteur Member State shall notify the applicant, the Commission, the other Member States and the European Food Safety Authority, hereinafter 'the Authority', of the completeness of the application. After receiving that notification, the applicant shall immediately forward those dossiers to the other Member States, the Commission and the Authority, including the information about those parts of the dossiers in respect of which confidentiality has been requested as referred to in Article 2(2).

5. Within 4 months from the date of receipt of the notification referred to in paragraph 4, a decision shall be adopted in accordance with Article 6(3) of Directive 91/414/EEC establishing that the dossiers submitted fulfil the requirements of Annexes II and III to that Directive, hereinafter 'completeness decision'.

Article 5

Submission of information by third parties

1. Any person or Member State wishing to submit to the rapporteur Member State information which might contribute to the assessment, in particular with regard to the potentially dangerous effects of the active substance or its residues on human and animal health and on the environment shall do so, without prejudice to Article 7 of Directive 91/414/EEC, no later than 3 months after a completeness decision for the active substance concerned has been published.

2. The rapporteur Member State shall immediately communicate any information received from third parties to the Authority and the applicant.

3. The applicant may submit its comments on the information referred to in paragraph 2 to the rapporteur Member State and to the Authority at the latest 2 months after receiving that information.

[1] OJ L 70, 16.3.2005, p. 1.

Article 6

Assessment by the rapporteur Member State

1. Within 12 months from the date of publication of the completeness decision, the rapporteur Member State shall prepare and submit to the Commission, with a copy to the Authority, a report assessing whether the active substance can be expected to fulfil the conditions provided for in Article 5 of Directive 91/414/EEC, hereinafter referred to as 'draft assessment report'. It shall at the same time inform the applicant that the draft assessment report has been submitted and request him to immediately forward to the Authority, the other Member States and the Commission the updated dossiers, where applicable.

2. The rapporteur Member State may consult the Authority.

3. Where the rapporteur Member State needs additional information, it shall request it from the applicant setting a period of up to 6 months for it to be supplied. The rapporteur Member State shall inform the Commission and the Authority. In its assessment the rapporteur Member State shall only take into account information which was requested and submitted within the period granted.

In cases where the rapporteur Member State requests additional information, the 12-month period provided for in paragraph 1 for the submission of the draft assessment report shall be extended by the period granted by the rapporteur Member State for the submission of the additional information. If the requested information is submitted to the rapporteur Member State before the end of the period granted the extension shall correspond to the part of that period actually used.

4. Where at the end of the period referred to in the first subparagraph of paragraph 3, the applicant has not submitted all of the additional information requested in accordance with paragraph 1, the rapporteur Member State shall inform the applicant, the Commission, the other Member States and the Authority and shall state the missing elements in the draft assessment report.

5. If, after giving the applicant an opportunity to comment, the Commission determines that the applicant has failed to submit elements necessary for the assessment referred to in paragraph 1, it shall adopt a decision in accordance with Article 9(2)(b), providing that the active substance concerned is not to be included in Annex I to Directive 91/414/EEC.

Article 7

Circulation of and access to the draft assessment report

1. The Authority shall circulate the draft assessment report received from the rapporteur Member State to the applicant and the other Member States within 30 days from its receipt. Where within this 30-day period the Authority does not receive the dossier provided for in Article 6(1) it shall circulate that report as soon as it receives that dossier.

The period for the submission of written comments to the Authority from Member States and the applicant shall be 2 months.

2. The Authority shall make the draft assessment report available to the public, excluding any information in respect of which confidential treatment has been requested and justified by the applicant in accordance with Article 14 of Directive 91/414/EEC.

It shall grant a period of 2 weeks to the applicant to request confidential treatment.

Article 8

Conclusion by the Authority

1. Within 4 months from the end of the period provided for the submission of written comments, the Authority shall adopt a conclusion on whether the active substance can be expected to meet the conditions provided for in Article 5 of Directive 91/414/EEC and shall communicate it to the applicant, the Member States and the Commission and shall make it available to the public.

Where appropriate, the Authority shall address in its conclusion the risk mitigation options in relation to the intended uses set out in the draft assessment report.

2. The Authority shall, where appropriate, organise a consultation of experts, including experts from the rapporteur Member State.

In that case the 4-month period for the adoption of the conclusion, as set out in paragraph 1, shall be extended by 2 months.

3. Where the Authority needs additional information, it shall, in consultation with the rapporteur Member State, set a period of a maximum of 3 months for the applicant to submit that information to the Member States, the Commission and the Authority. It shall inform the applicant, the Commission and the Member States. In respect of applications for which a completeness decision was published by 31 December 2005, the maximum period shall be 5 months.

4. Within 2 months after receipt of the additional information the rapporteur Member State shall assess that information and submit an addendum to the draft assessment report to the Authority. In respect of applications for which a completeness decision was published by 31 December 2005, that period shall be 3 months.

5. Where the Authority requests additional information in accordance with paragraph 3, the period from the date of that request to the date of the submission of the addendum to the draft assessment report shall not be taken into account for the calculation of the period for the adoption of the conclusion, as provided for in paragraphs 1 and 2.

6. In its conclusion the Authority shall only take into account additional information requested by it or by the rapporteur Member State and submitted within the period granted.

7. The Authority shall establish the format for its conclusion which shall include details concerning the appraisal procedure and the properties of the active substance concerned.

Article 9

Presentation of a draft act

1. The Commission shall, at the latest 6 months after receipt of the conclusion of the Authority, submit to the Standing Committee on the Food Chain and Animal Health, hereinafter 'the Committee', a draft review report to be finalised at its meeting.

The applicant shall be given the possibility to submit comments on the draft review report within a period, of up to 30 days, set by the Commission.

2. On the basis of the draft review report and taking into account any comments submitted by the applicant within the period set by the Commission in accordance with paragraph 1, an act shall be adopted in accordance with the procedure referred to in Article 19(2) of Directive 91/414/EEC, providing that:

(a) an active substance is included in Annex I to Directive 91/414/EEC subject to conditions and restrictions, where appropriate;

(b) an active substance is not included in Annex I to that Directive.

Article 10

Access to the review report

The finalised review report, excluding any parts which refer to confidential information contained in the dossiers and determined as such in accordance with Article 14 of Directive 91/414/EEC, shall be made available to the public.

Article 11

Transitional measures

1. Articles 2, 3 and Article 4(1) shall not apply to applications for inclusion of active substances in Annex I to Directive 91/414/EEC for which the application was received by the rapporteur Member State by 17 March 2011 but for which no completeness check had been made by that date.

For such applications the rapporteur Member State shall perform the completeness check provided for in Article 4(1) by 18 June 2011 at the latest.

2. Articles 2, 3 and 4 shall not apply to applications for inclusion of active substances in Annex I to Directive 91/414/EEC for which the dossier was referred to the Committee in accordance with Article 6(2) of that Directive by 17 March 2011 but for which no completeness decision had been adopted by that date.

For such applications a completeness decision shall be adopted in accordance with Article 6(3) of Directive 91/414/EEC by 18 July 2011.

3. Articles 2, 3 and 4 shall not apply to applications for inclusion of active substances in Annex I to Directive 91/414/EEC for which a completeness decision was adopted but not published by 17 March 2011.

4. Articles 2 to 6 shall not apply to applications for inclusion of active substances in Annex I to Directive 91/414/EEC for which a completeness decision was published by 17 March 2011 but no draft assessment report had been submitted to the Commission by that date.

For such applications the rapporteur Member State shall prepare and submit the draft assessment report to the Commission, with a copy to the Authority by 18 March 2012. It shall at the same time inform the applicant that the draft assessment report has been submitted and request him to immediately forward to the Authority, the other Member States and the Commission the updated dossiers, where applicable. Article 6(2) to (5) shall apply *mutatis mutandis*.

5. Articles 2 to 6 and the first subparagraph of Article 7(1) shall not apply to applications for which the draft assessment report had been received by the Authority but not circulated to the applicant and the other Member States for comments by 17 March 2011.

6. By way of derogation from paragraph 5, for applications for which the draft assessment report had been submitted to the Commission and the Authority by 31 December 2009 at the latest, Articles 2 to 6 and the first subparagraph of Article 7(1) shall not apply. In such cases, the following procedure shall apply.

By 18 April 2011, the rapporteur Member State shall request the applicant to inform that Member State and the Authority, within 1 month, in case the applicant considers that information that had not been submitted for the preparation of the draft assessment report and that might influence the outcome of the assessment, is available, specifying the nature of that information and its possible influence on the assessment.

Within 2 months from receiving the reply of the applicant, the Authority shall decide whether that information might influence the outcome of the assessment. If so, the Authority shall, without undue delay, ask the rapporteur Member State to request the submission of that information by the applicant. The rapporteur Member State shall update the draft assessment report where appropriate in the light of that information.

The Authority shall set a period of up to 6 months for the rapporteur Member State to prepare and submit to the Commission that updated draft assessment report, with a copy to the Authority. It shall at the same time inform the applicant that the draft assessment report has been submitted and request him to immediately forward to the Authority, the other Member States and the Commission the updated dossiers, where applicable. Article 6(2) to (5) shall apply *mutatis mutandis*, whereby the period referred to in the first subparagraph of Article 6(3) shall not exceed 3 months.

7. The Commission shall set, and publish on its website, the dates for the circulation of the draft assessment reports referred to in paragraphs 5 and 6. Where a draft assessment report has been updated, as provided for in paragraph 6, it shall be circulated as updated. The Commission shall at the same time set, and publish on its website, the dates for the submission of comments thereon.

Article 12

Fees

1. Member States may recover the costs associated with any work they carry out within the scope of this Regulation, by means of fees or charges.

2. Member States shall ensure that the fees or charges referred to in paragraph 1:

(a) are established in a transparent manner; and

(b) correspond to the actual total cost of the work involved except if it is in public interest to lower the fees and charges.

Article 13

Other charges, levies or fees

Article 12 is without prejudice to Member States rights to maintain or introduce, in accordance with the Treaty, charges, levies or fees with regard to the authorisation, placing on the market, use and control of active substances and plant protection products other than the fee provided for in that Article.

Article 14

Entry into force

This Regulation shall enter into force on the 20th day following 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, 25 February 2011.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 189/2011

of 25 February 2011

amending Annexes VII and IX to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies

(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 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies [1], and in particular the first paragraph of Article 23 thereof,

Whereas:

(1) Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in animals. It applies to the production and placing on the market of live animals and products of animal origin and, in certain specific cases, to exports thereof.

(2) Chapter A of Annex VII to Regulation (EC) No 999/2001 lays down the eradication measures to be carried out following the confirmation of TSE in ovine and caprine animals. In the case of confirmation of TSE other than bovine spongiform encephalopathy (BSE) in an ovine or caprine animal, the eradication measures consist in either the killing and complete destruction of all animals on the holding or the killing and complete destruction of ovine animals genetically susceptible to scrapie on the holding and in the killing and the complete destruction of all caprine animals on the holding insofar as no genetic resistance to scrapie has been demonstrated in caprine animals.

(3) Chapter A of Annex VII to Regulation (EC) No 999/2001 also provides that the Member States may decide to delay the destruction of the animals by up to 5 breeding years subject to certain conditions. However, in the case of ovine or caprine animals kept for the production of milk with a view to placing it on the market, the killing and destruction of the animals may only be delayed for a maximum of 18 months. Regulation (EC) No 999/2001 does not define the starting date for that deferred period of 18 months. In the interests of certainty of Union legislation, it is appropriate to amend Annex VII to that Regulation so that the deferral period begins from the date of confirmation of the index case.

(4) In addition, in July 2010, the preliminary results of a scientific study [2] conducted by the Cypriot authorities under the supervision of the European Union Reference Laboratory (EURL) for TSEs showed that a genetic resistance to scrapie in caprine animals could exist. However, the definitive results of that study are not expected to be available before the second semester of 2012.

(5) If that study confirms the existence of a resistance to scrapie, it may be considered appropriate, from January 2013, to amend Regulation (EC) No 999/2001, in order to exempt scrapie resistant caprine animals from the requirements for killing and complete destruction laid down in Chapter A of Annex VII to that Regulation. In order to avoid the unnecessary killing and complete destruction of caprine animals that may be considered as scrapie resistant in the near future, on holdings where animals are kept for the production of milk with a view to placing it on the market, it is appropriate to prolong the deferral period for the killing and complete destruction of those animals for a period ending on 31 December 2012, where the index case was confirmed before 1 July 2011.

(6) Annex IX to Regulation (EC) No 999/2001 sets out rules for the importation into the Union of live animals, embryos, ova and products of animal origin. Chapter C of that Annex sets out the rules for imports of products of animal origin from bovine, ovine and caprine animals, and in particular gelatine.

(7) Article 16 of Regulation (EC) No 999/2001 provides that gelatine derived from hides and skins from healthy ruminants is not to be subject to restrictions on placing on the market pursuant to certain provisions of that Regulation. Therefore, imports into the Union of gelatine derived from hides and skins from healthy ruminants should also not be subject to those restrictions.

[1] OJ L 147, 31.5.2001, p. 1.

[2] http://www.efsa.europa.eu/en/scdocs/scdoc/1371.htm

(8) Chapter D of Annex IX to Regulation (EC) No 999/2001 lays down the rules for imports of animal by-products and processed products derived therefrom from bovine, ovine and caprine animals.

(9) Certain animal by-products and derived products, as defined in Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) ([1]), do not present any risk of TSE transmission to humans or animals. Therefore, the health certification requirements laid down in Chapter D of Annex IX to Regulation (EC) No 999/2001 should not apply to imports of such products.

(10) Annexes VII and IX to Regulation (EC) No 999/2001 should therefore be amended accordingly.

(11) Regulation (EC) No 1069/2009 applies from 4 March 2011. In the interests of clarity and coherency of Union legislation, the amendments made to Chapter D of Annex IX to Regulation (EC) No 999/2001 by this Regulation should also apply from that date.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes VII and IX to Regulation (EC) No 999/2001 are amended in accordance with the Annex to this Regulation.

Article 2

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

Point 2(b) of the Annex to this Regulation shall apply from 4 March 2011.

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

Done at Brussels, 25 February 2011.

For the Commission

The President

José Manuel BARROSO

([1]) OJ L 300, 14.11.2009, p. 1.

ANNEX

Annexes VII and IX to Regulation (EC) No 999/2001 are amended as follows:

(1) In Annex VII, Chapter A is amended as follows:

(a) point 2.3(f) is replaced by the following:

‘(f) where the frequency of the ARR allele within the breed or holding is low or absent, or where it is deemed necessary in order to avoid inbreeding, a Member State may decide to delay the killing and complete destruction of the animals referred to in point 2.3(b)(i) and (ii) for a period not exceeding 5 breeding years from the date of confirmation of the index case provided that no breeding rams other than those of the ARR/ARR genotype are present on the holding.

However, in the case of ovine and caprine animals kept for the production of milk with a view to placing it on the market, the killing and complete destruction of the animals may only be delayed for a maximum period of 18 months from the date of confirmation of the index case, except for caprine animals where the killing and complete destruction may be delayed until 31 December 2012 if the index case is confirmed before 1 July 2011.’

(b) the following point is inserted after point 2.4:

‘2.5 Pending the killing and complete destruction of the animals referred to in points 2.3(b) (i) and (ii), including animals for which the killing and complete destruction has been delayed as provided for in point 2.3(f), the measures set out in point 3.1(a) and (b), point 3.2 and point 3.3(a), (b) first indent and (d) shall apply on the holding(s).’

(2) Annex IX is amended as follows:

(a) in Chapter C, Section A is replaced by the following:

‘*SECTION A*

Products

The following products of bovine, ovine and caprine origin, as defined by points 1.10, 1.13, 1.15, 7.1, 7.5, 7.6, 7.7 and 7.9 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council (*), shall be subject to the conditions laid down in Sections B, C and D of this Chapter depending on the BSE risk category of the country of origin:

— fresh meat,

— minced meat,

— meat preparations,

— meat products,

— rendered animal fat,

— greaves,

— gelatine other than gelatine derived from hides and skins,

— treated intestines.

(*) OJ L 139, 30.4.2004, p. 55.’

(b) Chapter D is replaced by the following:

'CHAPTER D

Imports of animal by-products and processed products derived therefrom from bovine, ovine and caprine animal origin

SECTION A

Animal by-products

This Chapter shall apply to the following animal by-products and derived products, as defined in points (1) and (2) of Article 3 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council (*), provided that those products are of bovine, ovine and caprine animal origin:

(a) rendered fats derived from Category 2 material, which are intended to be used as organic fertilisers or soil improvers, as defined in point 22 of Article 3 of Regulation (EC) No 1069/2009, or their starting materials or intermediate products;

(b) bones and bone products derived from Category 2 material;

(c) rendered fats derived from Category 3 material which are intended to be used as organic fertilisers or soil improvers or as feed, as defined in points 22 and 25 of Article 3 of Regulation (EC) No 1069/2009, or their starting materials or intermediate products;

(d) pet food including dog chews;

(e) blood products;

(f) processed animal protein;

(g) bones and bone products derived from Category 3 material;

(h) gelatine derived from materials other than hides and skins;

(i) category 3 material and derived products other than those referred to in points (c) to (h) excluding:

(i) fresh hides and skins, treated hides and skins;

(ii) gelatine derived from hides and skins;

(iii) fat derivatives;

(iv) collagen.

SECTION B

Health certificate requirements

Imports of the animal by-products and derived products of bovine, ovine and caprine animal origin referred to in Section A shall be subject to the presentation of a health certificate which has been completed with the following attestation:

(a) the animal by-product or derived product does not contain and is not derived from specified risk material or mechanically separated meat obtained from bones of bovine, ovine or caprine animals and the animals from which this animal by-product or derived product is derived, have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity; or

(b) the animal by-product or derived product does not contain and is not derived from bovine, ovine and caprine materials other than those derived from animals born, continuously reared and slaughtered in a country or region classified as posing a negligible BSE risk by a decision in accordance with Article 5(2).

In addition to points (a) and (b), imports of the animal by-products and derived products referred to in Section A, containing milk or milk products of ovine or caprine animal origin and intended for feeding ruminants, shall be subject to the presentation of a health certificate which has been completed with the following attestation:

(c) the ovine and caprine animals from which those products are derived must have been kept continuously since birth or for the last 3 years on a holding where no official movement restriction is imposed due to a suspicion of TSE and which has satisfied the following requirements for the last 3 years:

(i) it has been subject to regular official veterinary checks;

(ii) no classical scrapie case has been diagnosed or, following the confirmation of a classical scrapie case:

— all animals in which classical scrapie was confirmed have been killed and destroyed, and

— all ovine and caprine animals on the holding have been killed and destroyed, except for breeding rams of the ARR/ARR genotype and breeding ewes carrying at least one ARR allele and no VRQ allele;

(iii) ovine and caprine animals, with the exception of sheep of the ARR/ARR prion protein genotype, are introduced into the holding only if they come from a holding which complies with the requirements set out in points (i) and (ii);

or

(d) for animal by-products or derived products destined for a Member State listed in the Annex to Commission Regulation (EC) No 546/2006 (**), the ovine and caprine animals from which these products are derived must have been kept continuously since birth or for the last 7 years on a holding where no official movement restriction is imposed due to a suspicion of TSE and which has satisfied the following requirements for the last 7 years:

(i) it has been subject to regular official veterinary checks;

(ii) no classical scrapie case has been diagnosed or, following the confirmation of a classical scrapie case:

— all animals in which classical scrapie was confirmed have been killed and destroyed, and

— all ovine and caprine animals on the holding have been killed and destroyed, except for breeding rams of the ARR/ARR genotype and breeding ewes carrying at least one ARR allele and no VRQ allele;

(iii) ovine and caprine animals, with the exception of sheep of the ARR/ARR prion protein genotype, are introduced into the holding only if they come from a holding which complies with the requirements set out in points (i) and (ii).

(*) OJ L 300, 14.11.2009, p. 1.
(**) OJ L 94, 1.4.2006, p. 28.'

COMMISSION REGULATION (EU) No 190/2011

of 25 February 2011

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 Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector [2], and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 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 XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 February 2011.

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

Done at Brussels, 25 February 2011.

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 350, 31.12.2007, 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	IL	122,2
	MA	59,4
	TN	115,9
	TR	106,3
	ZZ	101,0
0707 00 05	TR	172,7
	ZZ	172,7
0709 90 70	MA	43,9
	TR	118,3
	ZZ	81,1
0805 10 20	EG	64,0
	IL	78,2
	MA	57,3
	TN	49,3
	TR	62,1
	ZZ	62,2
0805 20 10	IL	154,2
	MA	95,3
	ZZ	124,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	70,2
	EG	51,1
	IL	127,7
	JM	74,2
	MA	77,0
	PK	34,8
	TR	66,0
	US	145,5
	ZZ	80,8
0805 50 10	EG	68,7
	MA	53,4
	TR	48,5
	ZZ	56,9
0808 10 80	BR	55,2
	CA	91,7
	CN	94,9
	MK	50,2
	US	145,1
	ZZ	87,4
0808 20 50	AR	90,1
	CL	123,1
	CN	57,4
	US	125,5
	ZA	107,5
	ZZ	100,7

(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'.

COMMISSION REGULATION (EU) No 191/2011

of 25 February 2011

on selling prices for cereals in response to the seventh individual invitations to tender within the tendering procedures opened by Regulation (EU) No 1017/2010

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], and in particular Article 43(f), in conjunction with Article 4, thereof

Whereas:

(1) Commission Regulation (EU) No 1017/2010 [2] has opened the sales of cereals by tendering procedures, in accordance with the conditions provided for in Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention [3].

(2) In accordance with Article 46(1) of Regulation (EU) No 1272/2009 and Article 4 of Regulation (EU) No 1017/2010, in the light of the tenders received in response to individual invitations to tender, the Commission has to fix for each cereal and per Member State a minimum selling price or to decide not to fix a minimum selling price.

(3) On the basis of the tenders received for the seventh individual invitations to tender, it has been decided that a minimum selling price should be fixed for the cereals and for the Member States.

(4) In order to give a rapid signal to the market and to ensure efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the seventh individual invitations to tender for selling of cereals within the tendering procedures opened by Regulation (EU) No 1017/2010, in respect of which the time limit for the submission of tenders expired on 23 February 2011, the decisions on the selling price per cereal and Member State are set out 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, 25 February 2011.

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 293, 11.11.2010, p. 41.
[3] OJ L 349, 29.12.2009, p. 1.

ANNEX

Decisions on sales

(EUR/tonne)

Member State	The minimum selling price		
	Common wheat	Barley	Maize
	CN code 1001 90	CN code 1003 00	CN code 1005 90 00
Belgique/België	X	X	X
Bulgaria	X	X	X
Česká republika	X	X	X
Danmark	X	X	X
Deutschland	X	182,93	X
Eesti	X	X	X
Éire/Ireland	X	X	X
Elláda	X	X	X
España	X	X	X
France	X	o	X
Italia	X	X	X
Kýpros	X	X	X
Latvija	X	X	X
Lietuva	X	X	X
Luxembourg	X	X	X
Magyarország	X	X	X
Malta	X	X	X
Nederland	X	X	X
Österreich	X	X	X
Polska	X	X	X
Portugal	X	X	X
România	X	X	X
Slovenija	X	X	X
Slovensko	X	X	X
Suomi/Finland	X	181,50	X
Sverige	X	190,16	X
United Kingdom	X	o	X

— no minimum selling price fixed (all offers rejected)
° no offers
X no cereals available for sales
not applicable

COMMISSION REGULATION (EU) No 192/2011

of 25 February 2011

establishing special measures as regards the private storage aid for pigmeat laid down by Regulation (EU) No 68/2011

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 Regulation (EC) No 826/2008 of 20 August 2008 laying down common rules for the granting of private storage aid for certain agricultural products ([2]), and in particular Article 23(3) thereof,

Whereas:

(1) An examination of the situation has indicated a risk that there will be an excessively large number of applications for the private storage aid scheme for pigmeat introduced by Commission Regulation (EU) No 68/2011 of 28 January 2011 on fixing the amount of aid in advance for private storage of pigmeat ([3]).

(2) Therefore, it is necessary to suspend application of the scheme established by Regulation (EU) No 68/2011 and reject the applications in question.

(3) In order to avoid speculation, this Regulation should enter into force on the day following its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

1. Application of Regulation (EU) No 68/2011 is hereby suspended for the period 27 February 2011 to 4 March 2011. Applications to conclude contracts submitted during this period shall not be accepted.

2. Applications submitted from 22 February 2011, whose acceptance would have been decided during the period referred to in paragraph 1, are hereby rejected.

Article 2

This Regulation shall enter into force on the day following 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, 25 February 2011.

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 223, 21.8.2008, p. 3.
([3]) OJ L 26, 29.1.2011, p. 2.

DECISIONS

COMMISSION DECISION

of 25 February 2011

establishing minimum requirements for the cross-border processing of documents signed electronically by competent authorities under Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market

(notified under document C(2011) 1081)

(Text with EEA relevance)

(2011/130/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market [1], and in particular Article 8(3) thereof,

Whereas:

(1) Service providers whose services fall within the scope of Directive 2006/123/EC must be able to complete, through the Points of Single Contact and by electronic means, the procedures and formalities necessary for the access to and the exercise of their activities. Within the limits established in Article 5(3) of Directive 2006/123/EC, there may still be cases where service providers have to submit original documents, certified copies or certified translations when completing such procedures and formalities. In those cases, service providers may need to submit documents signed electronically by competent authorities.

(2) The cross-border use of advanced electronic signatures supported by a qualified certificate is facilitated through Commission Decision 2009/767/EC of 16 October 2009 setting out measures facilitating the use of procedures by electronic means through the 'points of single contact' under Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market [2] which, inter alia, imposes an obligation on Member States to carry out risk assessments before requiring these electronic signatures from service providers and establishes rules for the acceptance by Member States of advanced electronic signatures based on qualified certificates, created with or without a secure signature creation device. However, Decision 2009/767/EC does not deal with formats of electronic signatures in documents issued by competent authorities, that need to be submitted by service providers when completing the relevant procedures and formalities.

(3) As competent authorities in Member States currently use different formats of advanced electronic signatures to sign their documents electronically, the receiving Member States that have to process these documents may face technical difficulties due to the variety of signature formats used. In order to allow service providers to complete their procedures and formalities across borders by electronic means, it is necessary to ensure that at least a number of advanced electronic signature formats can be technically supported by Member States when they receive documents signed electronically by competent authorities from other Member States. Defining a number of advanced electronic signature formats that need to be supported technically by the receiving Member State would allow greater automation and improve the cross-border interoperability of electronic procedures.

(4) Member States whose competent authorities use other electronic signature formats than those commonly supported, may have implemented validation means that allow their signatures to be verified also across borders. When this is the case and in order for the receiving Member States to be able to rely on these validation tools, it is necessary to make information on these tools available in an easily accessible way unless the necessary information is included directly in the electronic documents, in the electronic signatures or in the electronic document carriers.

(5) This Decision does not affect the determination by the Member States of what constitutes an original, a certified copy or a certified translation. Its objective is limited to facilitating the verification of electronic signatures if they are used in the originals, certified copies or certified translations that service providers may need to submit via the Points of Single Contact.

[1] OJ L 376, 27.12.2006, p. 36.
[2] OJ L 274, 20.10.2009, p. 36.

(6) For the purpose of allowing Member States to implement the necessary technical tools, it is appropriate that this Decision applies as of 1 August 2011.

(7) The measures provided for in this Decision are in accordance with the opinion of the Services Directive Committee,

HAS ADOPTED THIS DECISION:

Article 1

Reference format for electronic signatures

1. Member States shall put in place the necessary technical means allowing them to process electronically signed documents that service providers submit in the context of completing procedures and formalities through the Points of Single Contact as foreseen by Article 8 of Directive 2006/123/EC, and which are signed by competent authorities of other Member States with an XML or a CMS or a PDF advanced electronic signature in the BES or EPES format, that complies with the technical specifications set out in the Annex.

2. Member States whose competent authorities sign the documents referred to in paragraph 1 using other formats of electronic signatures than those referred to in that same paragraph, shall notify to the Commission existing validation possibilities that allow other Member States to validate the received electronic signatures online, free of charge and in a way that is understandable for non-native speakers unless the required information is already included in the document, in the electronic signature or in the electronic document carrier. The Commission will make that information available to all Member States.

Article 2

Application

This Decision shall apply from 1 August 2011.

Article 3

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 25 February 2011.

For the Commission

Michel BARNIER

Member of the Commission

ANNEX

Specifications for an XML, CMS or PDF advanced electronic signature to be technically supported by the receiving Member State

Within the following part of the document the key words 'MUST', 'MUST NOT', 'REQUIRED', 'SHALL', 'SHALL NOT', 'SHOULD', 'SHOULD NOT', 'RECOMMENDED', 'MAY', and 'OPTIONAL' are to be interpreted as described in RFC 2119 [1].

SECTION 1 — XAdES-BES/EPES

The signature is conform with the W3C XML Signature specifications [2]

The signature MUST at least be a XAdES-BES (or -EPES) signature form as specified in the ETSI TS 101 903 XAdES specifications [3] and complies with all the following additional specifications:

The ds:CanonicalizationMethod that specifies the canonicalization algorithm applied to the SignedInfo element prior to performing signature calculations identifies one of the following algorithms only:

Canonical XML 1.0 (omits comments):	http://www.w3.org/TR/2001/REC-xml-c14n-20010315
Canonical XML 1.1 (omits comments):	http://www.w3.org/2006/12/xml-c14n11
Exclusive XML Canonicalization 1.0 (omits comments):	http://www.w3.org/2001/10/xml-exc-c14n#

Other algorithms or of 'With comments' versions of the above listed algorithms SHOULD NOT be used for the signature creation but SHOULD be supported for residual interoperability for the signature verification.

MD5 (RFC 1321) MUST NOT be used as a digest algorithm. Signers are referred to applicable national laws, and for the purposes of guidelines to ETSI TS 102 176 [4] and to the ECRYPT2 D.SPA.x report [5] for further recommendations on algorithms and parameters eligible for electronic signatures.

The use of *transforms* is restricted to the ones listed below:

Canonicalization transforms: see related specifications above;

Base64 encoding (http://www.w3.org/2000/09/xmldsig#base64);

Filtering:

XPath (http://www.w3.org/TR/1999/REC-xpath-19991116): for compatibility reasons and conformance with XMLDSig

XPath Filter 2.0 (http://www.w3.org/2002/06/xmldsig-filter2): as a successor for XPath due to performance issues

Enveloped signature transform: (http://www.w3.org/2000/09/xmldsig#enveloped-signature).

XSLT (style sheet) **transform**.

The ds:KeyInfo element MUST include the signer's X.509 v3 digital certificate (i.e. its value and not only a reference to it).

The 'SigningCertificate' signed signature property MUST contain the digest value (CertDigest) and IssuerSerial of the signer's certificate stored in ds:KeyInfo and the optional URI in 'SigningCertificate' field MUST NOT be used.

The SigningTime signed signature property is present and contains the UTC expressed as xsd:dateTime (http://www.w3.org/TR/xmlschema-2/#dateTime).

The DataObjectFormat element MUST BE present and contain MimeType sub-element.

In case the signatures used by Member States are based on a qualified certificate, the PKI objects (certificate chains, revocation data, time-stamps) that are included in the signatures are verifiable using the Trusted List, in accordance with Commission Decision 2009/767/EC, of the Member State who is supervising or accrediting the CSP having issued the signatory's certificate.

Table 1 summarises the specifications that a XAdES-BES/EPES signature must comply with to be supported technically by the receiving Member State.

---

(1) IETF RFC 2119: 'Key words for use in RFCs to indicate Requirements Levels'.
(2) W3C, XML Signature Syntax and Processing, (Version 1.1), http://www.w3.org/TR/xmldsig-core1/
W3C, XML Signature Syntax and Processing, (Second Edition), http://www.w3.org/TR/xmldsig-core/
W3C, XML Signature Best Practices, http://www.w3.org/TR/xmldsig-bestpractices/
(3) ETSI TS 101 903 v1.4.1: XML Advanced Electronic Signatures (XAdES).
(4) ETSI TS 102 176: Electronic Signatures and Infrastructures (ESI); Algorithms and Parameters for Secure Electronic Signatures; Part 1: Hash functions and asymmetric algorithms; Part 2: 'Secure channel protocols and algorithms for signature creation devices'.
(5) Latest version is D.SPA.13 ECRYPT2 Yearly Report on Algorithms and Key sizes (2009 to 2010), dated 30 March 2010 (http://www.ecrypt.eu.org/documents/D.SPA.13.pdf).

Table 1

XAdES - BES (EPES)		**Common Minimum Requirements**
(ETSI TS 103 903 applies with the following profiled elements)		
M=Mandatory; O=Optional; R=Recommended; N=Not used		
ds: Signature ID	M	
ds: SignedInfo	M	
ds: CanonicalizationMethod	M	*All the following algorithms MUST be supported for signature verification, creation SHOULD restrict to one of these:* *- Exclusive XML canonicalization 1.0: http://www.w3.org/TR/xml-exc-c14n/* *- Canonical XML 1.0: http://www.w3.org/TR/2001/REC-XML-c14n-20010315* *- Canonical XML 1.1: http://www.w3.org/2006/12/xml-c14n11* *Other methods or "#WithComments" versions of the above methods SHOULD NOT be used.*
ds: SignatureMethod	M	***Algorithms:** refer to applicable national laws and for guidelines purposes to ETSI TS 102 176 and to ECRYPT2 D.SPA.7 report for further recommendations.*
ds: Reference URI	M	One reference to every original data object to be signed (URIs can point to external object as well), + reference to SignedProperties element
ds: Transforms	O	*Verifying applications MUST support all following transforms while signature creation application SHOULD restrict the use of those transforms to the following ones:* *- Canonicalization transforms: see above* *- Base64 encoding* *- XPath and XPath Filter 2.0* *- Enveloped signature transform* *- XSLT transforms*
ds: DigestMethod	M	***Algorithms:** refer to applicable national laws and for guidelines purposes to ETSI TS 102 176 and to ECRYPT2 D.SPA.7 report for further recommendations.*
ds: DigestValue	M	
/ds: Reference		
/ds: SignedInfo		
ds: SignatureValue	M	
ds: KeyInfo	M	MUST contain X509 certificate (SigningCertificate signed property MUST contain the digest value of this signer's certificate) Signer's certificate certification chain are RECOMMENDED to be provided as a hint for facilitating the validation process (X.509 certificates MUST be provided in this case).
ds: Object		
QualifyingProperties	M	
SignedProperties	M	M
SignedSignatureProperties	M	M
SigningTime	M	UTC (xsd: dateTime).
SigningCertificate	M	MUST contain the digest value of the signer's certificate stored in ds:KeyInfo and optional URI is omitted (Applications MAY look for/find the signer certificate in ds:KeyInfo on the basis of hash equivalence).
SignaturePolicyIdentifier	O	only for EPES form (and for upper forms built from EPES form)
Signature ProductionPlace	O	
SignerRole	O	
/SignedSignatureProperties		
SignedDataObjectProperties	O	
DataObjectFormat	M	When this field is used, applications SHALL ensure that data objects are shown to the user accordingly. When used, a MimeType child-element MUST be used.
CommitmentTypeIndication	O	
AllDataObjectsTimeStamp	O	
IndividualDataObjectTimeStamp	O	
/SignedDataObjectProperties		
/SignedProperties		
UnsignedProperties	O	
UnsignedSignatureProperties		
CounterSignature	O	
/UnsignedSignatureProperties		
/UnsignedProperties		
/QualifyingProperties		
/ds: Object		
/ds: Signature		
Signature topology - Packaging signed original files and signatures		
SignatureEnveloped		All MUST be supported
SignatureEnveloping		
SignatureDetached		

SECTION 2 — CAdES-BES/EPES

The signature is conform with the Cryptographic Message Syntax (CMS) Signature specifications ([1]).

The signature uses CAdES-BES (or -EPES) signature attributes as specified in the ETSI TS 101 733 CAdES specifications ([2]) and complies with the additional specifications as indicated in Table 2 below.

All attributes of CAdES which are included in the archive timestamp hash calculation (ETSI TS 101 733 V1.8.1 Annex K) MUST be in DER encoding and any other can be in BER to simplify one-pass processing of CAdES.

MD5 (RFC 1321) MUST NOT be used as a digest algorithm. Signers are referred to applicable national laws, and for the purposes of guidelines to ETSI TS 102 176 ([3]) and to the ECRYPT2 D.SPA.x report ([4]) for further recommendations on algorithms and parameters eligible for electronic signatures.

The signed attributes MUST include a reference to the signer's X.509 v3 digital certificate (RFC 5035) and *SignedData.certificates* field MUST include its value.

The SigningTime signed attribute MUST be present and MUST contain the UTC expressed as in http://tools.ietf.org/html/rfc5652#section-11.3.

The ContentType signed attribute MUST be present and contains id-data (http://tools.ietf.org/html/rfc5652#section-4) where the data content type is intended to refer to arbitrary octet strings, such as UTF-8 text or ZIP container with MimeType sub-element.

In case the signatures used by Member States are based on a qualified certificate, the PKI objects (certificate chains, revocation data, time-stamps) that are included in the signatures are verifiable using the Trusted List, in accordance with Commission Decision 2009/767/EC, of the Member State who is supervising or accrediting the CSP having issued the signatory's certificate.

([1]) IETF, RFC 5652, Cryptographic Message Syntax (CMS), http://tools.ietf.org/html/rfc5652.
IETF, RFC 5035, Enhanced Security Services (ESS) Update: Adding CertID Algorithm Agility, http://tools.ietf.org/html/rfc5035.
IETF, RFC 3161, Internet X.509 Public Key Infrastructure Time-Stamp Protocol (TSP), http://tools.ietf.org/html/rfc3161.

([2]) ETSI TS 101 733 v.1.8.1: CMS Advanced Electronic Signatures (CAdES).

([3]) ETSI TS 102 176: Electronic Signatures and Infrastructures (ESI); Algorithms and Parameters for Secure Electronic Signatures; Part 1: Hash functions and asymmetric algorithms; Part 2: 'Secure channel protocols and algorithms for signature creation devices'.

([4]) Latest version is D.SPA.13 ECRYPT2 Yearly Report on Algorithms and Key sizes (2009 to 2010), dated 30 March 2010 (http://www.ecrypt.eu.org/documents/D.SPA.13.pdf).

Table 2

CAdES - BES (EPES)		**Common Minimum Requirements**
(ETSI TS 101 733 applies with the following profiled elements)		
ASN.1		
`ContentInfo ::= SEQUENCE {`		
`contentType ContentType, -- id-signedData`		
`content [0] EXPLICIT ANY DEFINED BY contentType }`		
M=Mandatory; O=Optional; R=Recommended; N=Not used		
`SignedData ::= SEQUENCE {`		
`version CMSVersion,`		
`digestAlgorithms DigestAlgorithmIdentifiers,`	M	**Algorithms**: refer to applicable national laws and for guidelines purposes to ETSI TS 102 176 and to ECRYPT2 D.SPA.7 report for further recommendations.
`encapContentInfo SEQUENCE {`		
`eContentType ContentType,`	M	id-Data
`eContent [0] EXPLICIT OCTET STRING OPTIONAL -- not present if signature is detached },`	M/N	The ContentType signed attribute is present and contains id-data (http://tools.ietf.org/html/rfc5652#section-4) where the data content type is intended to refer to arbitrary octet strings, such as UTF-8 text or ZIP container with MimeType sub-element
`-- External Data (if signature detached)*`		if detached signature otherwise not present. * External data means data protected by a detached signature that is not included in the CAdES signature eContent. It is recommended to include signed external data together with the signature in ZIP file.
`certificates [0] IMPLICIT CertificateSet OPTIONAL,`	M	MUST contain X509 certificate from the signer. Inclusion of Certificates from the entire certification chain up to a trust anchor is RECOMMENDED.
`crls [1] IMPLICIT RevocationInfoChoices OPTIONAL,`	O	
`signerInfos SET OF`	M	At least one signerInfo
`SEQUENCE { -- SignerInfo`		
`version CMSVersion,`		
`sid SignerIdentifier,`	O	(Not protected value)
`digestAlgorithm DigestAlgorithmIdentifier,`	M	**Algorithms**: refer to applicable national laws and for guidelines purposes to ETSI TS 102 176 and to ECRYPT2 D.SPA.7 report for further recommendations.
`signedAttrs [0] IMPLICIT SET SIZE (1..MAX) OF`		
`SEQUENCE { -- Attribute`	M	
`attrType OBJECT IDENTIFIER,`	M/O	**MUST**: id-contentType (with id data) id-messageDigest id-aa-ets-signingCertificateV2 or id-aa-signingCertificate MUST: signingTime **OPTIONAL**: id-aa-ets-sigPolicyId Other optional attributes as defined in ETSI TS 101 733.
`attrValues SET OF AttributeValue } OPTIONAL,`		
`signatureAlgorithm SignatureAlgorithmIdentifier,`		**Algorithms**: refer to applicable national laws and for guidelines purposes to ETSI TS 102 176 and to ECRYPT2 D.SPA.7 report for further recommendations.
`signature OCTET STRING, -- SignatureValue`		
`unsignedAttrs [1] IMPLICIT SET SIZE (1..MAX) OF`	O	
`SEQUENCE { attrType OBJECT IDENTIFIER, attrValues SET OF AttributeValue } OPTIONAL } }`	O	

SECTION 3 — PAdES-PART 3 (BES/EPES)

The signature MUST use a PAdES-BES (or -EPES) signature extension as specified in the ETSI TS 102 778 PAdES-Part3 specifications [1] and complies with the following additional specifications:

MD5 (RFC 1321) MUST NOT be used as a digest algorithm. Signers are referred to applicable national laws, and for the purposes of guidelines, to ETSI TS 102 176 [2] and to the ECRYPT2 D.SPA.x report [3] for further recommendations on algorithms and parameters eligible for electronic signatures.

The signed attributes MUST include a reference to the signer's X.509 v3 digital certificate (RFC 5035) and *SignedData.certificates* field MUST include its value.

(1) ETSI TS 102 778-3 v1.2.1: PDF Advanced Electronic Signatures (PAdES), PAdES Enhanced — PAdES-Basic Electronic Signatures and PAdES-Explicit Policy Electronic Signatures Profiles.
(2) ETSI TS 102 176: Electronic Signatures and Infrastructures (ESI); Algorithms and Parameters for Secure Electronic Signatures; Part 1: Hash functions and asymmetric algorithms; Part 2: 'Secure channel protocols and algorithms for signature creation devices'.
(3) Latest version is D.SPA.13 ECRYPT2 Yearly Report on Algorithms and Key sizes (2009 to 2010), dated 30 March 2010 (http://www.ecrypt.eu.org/documents/D.SPA.13.pdf).

The time of signing is indicated by the value of the **M** entry in the signature dictionary.

In case the signatures used by Member States are based on a qualified certificate, the PKI objects (certificate chains, revocation data, time-stamps) that are included in the signatures are verifiable using the Trusted List, in accordance with Decision 2009/767/EC, of the Member State who is supervising or accrediting the CSP having issued the signatory's certificate.

COMMISSION DECISION

of 25 February 2011

amending Annex II to Decision 2006/766/EC as regards the inclusion of Fiji in the list of third countries and territories from which imports of fishery products for human consumption are permitted

(notified under document C(2011) 1082)

(Text with EEA relevance)

(2011/131/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ([1]), and in particular Article 11(1) thereof,

Whereas:

(1) Regulation (EC) No 854/2004 lays down specific rules for the organisation of official controls on products of animal origin. In particular, it provides that products of animal origin are only to be imported from a third country or a part of a third country that appears on a list drawn up in accordance with that Regulation.

(2) Regulation (EC) No 854/2004 also provides that when drawing up and updating such lists, account is to be taken of Union controls in third countries and guarantees by the competent authorities of third countries as regards compliance or equivalence with Union feed and food law and animal health rules specified in Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ([2]).

(3) Commission Decision 2006/766/EC of 6 November 2006 establishing the lists of third countries and territories from which imports of bivalve molluscs, echinoderms, tunicates, marine gastropods and fishery products are permitted ([3]) lists those third countries which satisfy the criteria referred to in Regulation (EC) No 854/2004 and are therefore able to guarantee that export of those products to the Union meet the sanitary conditions laid down in Union legislation to protect the health of consumers. In particular, Annex II to that Decision sets out a list of third countries from which imports of fishery products for human consumption are permitted.

(4) Fiji is not currently included in the list in Annex II to Decision 2006/766/EC as a third country from which imports of fishery products intended for human consumption are permitted.

(5) Union controls to evaluate the control system in place in Fiji governing the production of fishery products intended for export to the Union, the last of which took place in September 2010, together with guarantees provided by the competent authority of Fiji, indicate that the conditions applicable in that third country to fishery products for human consumption destined for export to the Union are equivalent to those laid down in the relevant Union legislation. Accordingly, Annex II to Decision 2006/766/EC should be amended in order to permit imports from Fiji of fishery products for human consumption.

(6) Decision 2006/766/EC should therefore be amended accordingly.

(7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

In Annex II to Decision 2006/766/EC, the following entry for Fiji is inserted before the entry for the Falkland Islands:

'FJ	FIJI'	

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 February 2011.

For the Commission

John DALLI

Member of the Commission

([1]) OJ L 139, 30.4.2004, p. 206.
([2]) OJ L 165, 30.4.2004, p. 1.
([3]) OJ L 320, 18.11.2006, p. 53.

CORRIGENDA

Corrigendum to Commission Decision 2009/870/EC of 27 November 2009 amending Decision 2009/821/EC as regards the list of border inspection posts

(Official Journal of the European Union L 315 of 2 December 2009)

On page 13, in the Annex, point 1(a) is deleted.

Corrigenda

EN

([1]) Text with EEA relevance

2011 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 100 per year
EU Official Journal, L + C series, paper + annual DVD	22 official EU languages	EUR 1 200 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 770 per year
EU Official Journal, L + C series, monthly DVD (cumulative)	22 official EU languages	EUR 400 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, DVD, one edition per week	multilingual: 23 official EU languages	EUR 300 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual DVD.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our sales agents. The list of sales agents is available at:

http://publications.europa.eu/others/agents/index_en.htm

EUR-Lex (http://eur-lex.europa.eu) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: http://europa.eu

Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN