

Official Journal of the European Union

L 122



English edition

Legislation

Volume 61

17 May 2018

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⁽¹⁾ Text with EEA relevance.

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Notice concerning the provisional application of the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part

The following parts of the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part ⁽¹⁾, signed at Brussels on 24 November 2017, will be provisionally applied between the Union and the Republic of Armenia as of 1 June 2018 by virtue of Article 3 of the Council Decision on the signing and provisional application of the Agreement ⁽²⁾, to the extent that they cover matters falling within the Union's competence, including matters falling within the Union's competence to define and implement a common foreign and security policy:

- a) Title I;
- b) Title II: Articles 3, 4, 7 and 8;
- c) Title III: Article 12, Article 14(1) and Article 15;
- d) Title V:
 - i) Chapter 1 with the exception of point (a) of Article 38(3);
 - ii) Chapter 2 with the exception of the reference to nuclear safety in point (f) of Article 42(2) and of point (g) of Article 42(2);
 - iii) Chapter 3 with the exception of points (a), (c) and (e) of Article 46(1); and
 - iv) Chapters 7, 10, 14 and 21;
- e) Title VI with the exception of points (b) and (c) of Article 205(2); Article 203 shall be applied provisionally only insofar as it concerns direct investment;
- f) Title VII;
- g) Title VIII with the exception of Article 380(1), to the extent that the provisions of that Title are limited to the purpose of ensuring provisional application of the Agreement; and
- h) Annex I, Annex II with the exception of the references to Euratom relating to infrastructure, implementing regulations and nuclear, Annexes III, VI, VIII, IX, X, XI and XII as well as Protocol I to Title VII financial assistance and anti-fraud and control provisions Chapter 2: anti- fraud and control provisions and Protocol II on mutual administrative assistance in customs matters.

⁽¹⁾ OJ L 23, 26.1.2018, p. 4.

⁽²⁾ OJ L 23, 26.1.2018, p. 1.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2018/720

of 16 May 2018

opening and providing for the management of a Union tariff quota for poultry originating in Iceland

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) An agreement was concluded in the form of an Exchange of Letters between the European Union and Iceland concerning additional trade preferences in agricultural products ('the Agreement') reached on the basis of Article 19 of the Agreement on the European Economic Area ⁽²⁾. The Agreement was approved on behalf of the Union by Council Decision (EU) 2017/1913 ⁽³⁾.
- (2) Annex V to that Agreement provides for the opening of an annual duty free tariff quota for imports into the Union of poultry originating in Iceland.
- (3) Pursuant to Decision (EU) 2017/1913 the Agreement is to enter into force on the first day of the seventh month following the date on which the Parties have notified each other that the required internal procedures have been completed. The last of those notifications took place on 19 October 2017. The Agreement is therefore to enter into force on 1 May 2018. The measures laid down in this Regulation should apply from the date of entry into force of the Agreement.
- (4) The Agreement specifies that the tariff quota is to apply annually and imports should therefore be managed on a calendar-year basis. However, as the Agreement is applicable from 1 May 2018, the annual quantities for 2018 and the following years should be laid down in accordance with Annex V to the Agreement.
- (5) The tariff quota should be managed by the Commission on the basis of the chronological order of dates of acceptance of customs declarations for release for free circulation in accordance with the rules for the management of tariff quotas laid down in Commission Implementing Regulation (EU) 2015/2447 ⁽⁴⁾.
- (6) The Agreement provides that the provisions set out in Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland, as amended by Decision No 2/2005 of the EC-Iceland Joint Committee ⁽⁵⁾, shall apply to the products benefitting from the tariff quota.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

A Union tariff quota is opened for poultry originating in Iceland, as set out in the Annex.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ OJ L 274, 24.10.2017, p. 58.

⁽³⁾ Council Decision (EU) 2017/1913 of 9 October 2017 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and Iceland concerning additional trade preferences in agricultural products (OJ L 274, 24.10.2017, p. 57).

⁽⁴⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 58).

⁽⁵⁾ Decision No 2/2005 of the EC-Iceland Joint Committee of 22 December 2005 amending Protocol 3 to the Agreement, concerning the definition of the concept of 'originating products' and methods of administrative cooperation (OJ L 131, 18.5.2006, p. 1).

Article 2

The tariff quota set out in the Annex shall be managed in accordance with Articles 49 to 54 of Implementing Regulation (EU) 2015/2447.

Article 3

In order to be eligible to benefit from the tariff quota set out in this Regulation, the goods listed in the Annex shall comply *mutatis mutandis* with the rules of origin and other provisions set out in Protocol 3 to the Agreement between the European Economic Community and Iceland, as amended by Decision No 2/2005 of the EC-Iceland Joint Committee.

Article 4

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

It shall apply from 1 May 2018.

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

Done at Brussels, 16 May 2018.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products shall be considered as having no more than an indicative value, the scope of the preferential scheme being determined, within the context of this Annex, by the HS heading set out in the second column of the table.

Order No	HS Heading	Description of products	Annual Tariff Quota volume (tonnes net weight)	Rate of quota duty (%)
09.0830	0207	Poultry	From 1.5.2018 to 31.12.2018: 100 For each calendar year from 1.1.2019: 300	0

COMMISSION IMPLEMENTING REGULATION (EU) 2018/721**of 16 May 2018****amending Regulation (EU) No 37/2010 to classify the substance porcine prolactin as regards its maximum residue limit****(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 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and the Council ⁽¹⁾, and in particular Article 14 in conjunction with Article 17 thereof,

Having regard to the opinion of the European Medicines Agency ('EMA') formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

- (1) Article 17 of Regulation (EC) No 470/2009 requires that the maximum residue limit ('MRL') for pharmacologically active substances intended for use in the Union in veterinary medicinal products for food-producing animals or in biocidal products used in animal husbandry is established in a Regulation.
- (2) Table 1 of the Annex to Commission Regulation (EU) No 37/2010 ⁽²⁾ sets out the pharmacologically active substances and their classification regarding MRLs in foodstuffs of animal origin.
- (3) The substance porcine prolactin is not included in that table.
- (4) An application for the establishment of MRLs for porcine prolactin in porcine species has been submitted to EMA.
- (5) EMA, based on the opinion of the Committee for Medicinal Products for Veterinary Use, has recommended that the establishment of an MRL for porcine prolactin in porcine species is not necessary for the protection of human health.
- (6) According to Article 5 of Regulation (EC) No 470/2009, EMA is to consider using MRLs established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or MRLs established for a pharmacologically active substance in one or more species for other species.
- (7) EMA has considered that the extrapolation of the 'no MRL required' classification for porcine prolactin from porcine species to other species is not appropriate at this time due to insufficient data.
- (8) Regulation (EU) No 37/2010 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 37/2010 is amended as set out in the Annex to this Regulation.

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (OJ L 15, 20.1.2010, p. 1).

Article 2

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

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

Done at Brussels, 16 May 2018.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

In Table 1 of the Annex to Regulation (EU) No 37/2010, an entry for the following substance is inserted in alphabetical order:

Pharmacologically active Substance	Marker residue	Animal Species	MRL	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic Classification
Porcine prolactin	NOT APPLICABLE	Porcine	No MRL required	NOT APPLICABLE	For oral use in newborn piglets at a dose of up to 0,2 mg/animal. For use in sows at a total dose of up to 5 mg/animal.	Agents acting on the reproductive system'

COMMISSION IMPLEMENTING REGULATION (EU) 2018/722**of 16 May 2018****amending Regulation (EU) No 37/2010 to classify the substance eprinomectin as regards its maximum residue limit****(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 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and the Council ⁽¹⁾, and in particular Article 14 in conjunction with Article 17 thereof,

Having regard to the opinion of the European Medicines Agency ('EMA') formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

- (1) Article 17 of Regulation (EC) No 470/2009 requires that the maximum residue limit ('MRL') for pharmacologically active substances intended for use in the Union in veterinary medicinal products for food-producing animals or in biocidal products used in animal husbandry is established in a Regulation.
- (2) Table 1 of the Annex to Commission Regulation (EU) No 37/2010 ⁽²⁾ sets out the pharmacologically active substances and their classification regarding MRLs in foodstuffs of animal origin.
- (3) Eprinomectin is already included in that table as an allowed substance for all ruminants, applicable to muscle, fat, liver, kidney and milk.
- (4) An application for the extension of the existing entry for eprinomectin to fin fish has been submitted to EMA.
- (5) EMA, based on the opinion of the Committee for Medicinal Products for Veterinary Use, has recommended the establishment of an MRL for eprinomectin in fin fish.
- (6) According to Article 5 of Regulation (EC) No 470/2009, EMA is to consider using MRLs established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or MRLs established for a pharmacologically active substance in one or more species for other species.
- (7) EMA has considered that the extrapolation of the entry for eprinomectin to the tissues of horses and rabbits is appropriate.
- (8) Regulation (EU) No 37/2010 should therefore be amended accordingly.
- (9) It is appropriate to grant the stakeholders concerned a reasonable period of time to take measures that may be required to comply with the new MRL.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 37/2010 is amended as set out in the Annex to this Regulation.

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (OJ L 15, 20.1.2010, p. 1).

Article 2

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

It shall apply from 16 July 2018.

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

Done at Brussels, 16 May 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Table 1 of the Annex to Regulation (EU) No 37/2010, the entry for the substance 'eprinomectin' is replaced by the following:

Pharmacologically active Substance	Marker residue	Animal Species	MRLs	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic Classification
'Eprinomectin	Eprinomectin B1a	All ruminants, <i>equidae</i>	50 µg/kg 250 µg/kg 1 500 µg/kg 300 µg/kg 20 µg/kg	Muscle Fat Liver Kidney Milk	NO ENTRY	Antiparasitic agents/Agents acting against endo- and ectoparasites'
		Fin fish	50 µg/kg	Muscle and skin in natural proportions		
		Rabbits	50 µg/kg 250 µg/kg 1 500 µg/kg 300 µg/kg	Muscle Fat Liver Kidney		

COMMISSION IMPLEMENTING REGULATION (EU) 2018/723**of 16 May 2018****amending Annexes I and II to Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing as regards the approval of low atmospheric pressure stunning****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing ⁽¹⁾, and in particular Article 4(2) and point (b) of the first subparagraph of Article 14(3) thereof,

After consulting the Standing Committee on Plants, Animals, Food and Feed,

Whereas:

- (1) Annex I to Regulation (EC) No 1099/2009 sets out the list of approved stunning methods, related specifications and the specific requirements for certain methods.
- (2) Annex II to Regulation (EC) No 1099/2009 sets out the requirements regarding the layout, construction and equipment of slaughterhouses.
- (3) Following a request from a private business operator the Commission requested the European Food Safety Authority ('EFSA') to provide an opinion on low atmospheric pressure system ('the method') for the stunning of broiler chickens (chickens kept for meat production).
- (4) In its opinion ⁽²⁾ of 25 October 2017, EFSA established that:
 - the method can be considered to be at least equivalent, in terms of animal welfare outcomes, to at least one of the currently available stunning methods,
 - the method is only valid under certain conditions and in particular: the technical specifications (as the rate of decompression, the duration of each phase and the total exposure time), the animal characteristics (broiler chickens) and certain ambient conditions (as temperature and humidity),
 - the assessment is limited only to broiler chickens for slaughter weighing up to 4 kg and its use cannot be extended to other category of birds;
- (5) In order to allow the competent authorities to perform regular checks on compliance with that method, specific requirements for that method should be laid down.
- (6) The method is considered, in addition to commercial slaughter, to be suitable for killing chickens in case of depopulation.
- (7) The method is also suitable in other cases where killing of high number of chickens is necessary for other reasons than public health, animal health, animal welfare or environmental reasons.
- (8) Considering that the method is equivalent, in terms of animal welfare outcomes, to at least one of the existing approved methods, it is therefore necessary to amend Annex I of Regulation (EC) No 1099/2009.
- (9) To enable the effective operation and monitoring of the method certain specific requirements regarding its layout, construction and equipment should be respected. It is therefore necessary to amend also Annex II to Regulation (EC) No 1099/2009.
- (10) Annexes I and II to Regulation (EC) No 1099/2009 should therefore be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 303, 18.11.2009, p. 1.

⁽²⁾ EFSA Journal 2017;15(12):5056.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1099/2009 is amended as follows:

(1) Annex I is amended as follows:

(a) Table 3 of Chapter I is amended as follows:

(i) the title is replaced by the following:

'Table 3 — Controlled atmosphere methods';

(ii) the following row 7 is added:

No	Name	Description	Conditions of use	Key parameters	Specific requirements of Chapter II of this Annex
'7	Low atmospheric pressure stunning	Exposure of conscious animals to gradual decompression with reduction in available oxygen to less than 5 %.	Broiler chickens up to 4 kg live weight. Slaughter, depopulation and other situations.	Rate of decompression. Duration of exposure. Ambient temperature and humidity.	Points 10.1 to 10.5'

(b) in Chapter II, the following point 10 is added:

'10. Low atmospheric pressure stunning

10.1. During the first phase, the decompression rate shall not be greater than equivalent to a reduction in pressure from standard sea level atmospheric pressure 760 to 250 Torr for a period of not less than 50 seconds.

10.2. During a second phase, a minimum standard sea level atmospheric pressure of 160 Torr shall be reached within the following 210 seconds.

10.3. The pressure time curve shall be adjusted to ensure that all birds are irreversibly stunned within the cycle time.

10.4. The chamber shall be leak tested and pressure gauges calibrated before each operational session and not less than daily.

10.5. Records of absolute vacuum pressure, time of exposure, temperature and humidity shall be kept for at least one year.';

(2) in Annex II, the following point 7 is added:

'7. Low atmospheric pressure stunning

7.1. Low atmospheric pressure stunning equipment shall be designed and built to ensure a vacuum of the chamber enabling slow gradual decompression with reduction in available oxygen and holding at minimal pressure.

7.2. The system shall be equipped to measure continuously, display and record the absolute vacuum pressure, the time of exposure, the temperature, the humidity and to give a clearly visible and audible warning if the pressure deviates from the required levels. The device shall be clearly visible to the personnel.'.

Article 2

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

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

Done at Brussels, 16 May 2018.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2018/724**of 16 May 2018****on certain commercial policy measures concerning certain products originating in the United States of America**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 654/2014 of the European Parliament and of the Council of 15 May 2014 concerning the exercise of the Union's rights for the application and enforcement of international trade rules ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) On 8 March 2018 the United States of America ('United States') adopted safeguard measures in the form of a tariff increase on imports of certain steel and aluminium products, effective from 23 March 2018 and with an unlimited duration. On 22 March the effective date of the tariff increase with respect to the European Union was deferred to 1 May 2018.
- (2) Notwithstanding the United States' characterisation of these measures as security measures, they are in essence safeguard measures. They consist of remedial action that disturbs the balance of concessions and obligations resulting from the World Trade Organisation ('WTO') Agreement and restricts imports for the purpose of protecting domestic industry against foreign competition, for the sake of that industry's commercial prosperity. The security exceptions of the General Agreement on Tariffs and Trade 1994 ('GATT 1994') do not apply to or justify such safeguard measures, and have no bearing on the right of rebalancing under the relevant provisions of the WTO Agreement.
- (3) The WTO Agreement on Safeguards provides for the right of any exporting Member affected by a safeguard measure to suspend the application of substantially equivalent concessions or other obligations to the trade of the WTO Member applying the safeguard measure, provided that no satisfactory solution is reached in consultations and the WTO Council for Trade in Goods does not disapprove.
- (4) Consultations between the United States and the Union as envisaged in Articles 8 and 12.3 of the WTO Agreement on Safeguards did not reach any satisfactory solution ⁽²⁾.
- (5) The suspension by the Union of substantially equivalent concessions or other obligations should take effect following the expiration of 30 days after its notification to the Council for Trade in Goods, unless the Council for Trade in Goods disapproves. The WTO Agreement allows for the right of suspension to be exercised (a) immediately, provided that the safeguard measure has not been taken as a result of an absolute increase in imports, or does not conform to the relevant provisions of the WTO Agreement; or (b) after the expiry of a period of three years as from the application of the safeguard measure.
- (6) The Commission exercises the right to suspend the application of substantially equivalent concessions or other obligations with the intention of rebalancing concessions or other obligations in the trade relations with third countries, on the basis of Article 4(1) of Regulation (EU) No 654/2014. The appropriate action takes the form of commercial policy measures which may consist of, inter alia, the suspension of tariff concessions and the imposition of new or increased customs duties.
- (7) In designing and selecting appropriate commercial policy measures, the Commission applies objective criteria in accordance with Article 4(2)(c) and Article 4(3) of Regulation (EU) No 654/2014, including as relevant the proportionality of any measures, their potential to provide relief to the Union industries affected by the safeguard measures, and the aim of minimising negative economic impact on the Union, including with regard to essential raw materials.

⁽¹⁾ OJ L 189, 27.6.2014, p. 50.

⁽²⁾ Consultations were requested by the Union on 16 April 2018. Agreement has not been reached and the 30-day period for consultations referred to in Article 8 of the WTO Safeguards Agreement has expired.

- (8) In accordance with Article 9 of Regulation (EU) No 654/2014, the Commission provided an opportunity for stakeholders to express their views and submit information regarding the Union's economic interests in this respect ⁽³⁾.
- (9) The United States' safeguard measures are capable of having a considerable negative economic impact on the Union industries concerned. They would significantly limit Union exports of the steel and aluminium products concerned to the United States. The affected Union imports of the relevant steel and aluminium products into the United States are worth at least EUR 6,41 billion in 2017 (of which EUR 5,30 billion is total steel imports and EUR 1,11 billion is total aluminium imports).
- (10) Therefore, a suspension of trade concessions on certain products up to a level which reflects and does not exceed the amount that would result from the application of the United States' duties to the imports of the steel and aluminium products from the Union into the United States represents an appropriate suspension of the application of substantially equivalent trade concessions in line with the WTO Agreement on Safeguards.
- (11) Subsequently, with a separate implementing act, the Commission may decide to implement the suspension of the application of trade concessions, if necessary or to the extent necessary, through the application of additional customs duties on certain products originating in the United States imported into the Union. The Commission should decide on the scope of the application, and reflecting the timing requirements described in recital (5), depending on whether the United States excludes certain products or companies from the safeguard measures.
- (12) Reflecting the timing requirements described in recital (5), the additional customs duties should apply, if necessary or to the extent necessary, in two stages. At the first stage, *ad valorem* duties of a maximum rate of 25 % on imports of the products listed in Annex I, may be applied immediately and until the United States ceases to apply its safeguard measures to products from the Union.
- (13) The total amount of *ad valorem* duties at the first stage reflects the United States' tariff increase of 25 % on imports of 'carbon and alloy flat products' and 'carbon and alloy long products' ⁽⁴⁾ from the Union into the United States (EUR 2,83 billion total value of Union imports into the United States in 2017). These are the steel products for which the United States' safeguard measures have not been taken as a result of an absolute increase in imports.
- (14) At the second stage, further additional *ad valorem* duties of a maximum rate of 10 %, 25 %, 35 % and 50 % on imports of the products listed in Annex II, may be applied as from 23 March 2021 or upon the adoption by, or notification to, the WTO Dispute Settlement Body of a ruling that the United States' safeguard measures are inconsistent with the relevant provisions of the WTO Agreement, if that is earlier, until the United States' safeguard measures cease to apply.
- (15) The total amount of *ad valorem* duties at the second stage reflects the United States' tariff increase of 10 % on imports of the aluminium products ⁽⁵⁾ and of 25 % on imports of 'carbon and alloy pipe and tube products', 'carbon and alloy semi-finished products' and 'stainless steel products' ⁽⁶⁾ from the Union into the United States (EUR 3,58 billion total value of Union imports into the United States in 2017 of which EUR 2,47 billion is steel imports and EUR 1,11 billion is aluminium imports). These are the products for which there appears to have been an absolute increase in imports.
- (16) The commercial policy measures and the products concerned have been selected in accordance with the criteria of Article 4(2)(c) and (3) of Regulation (EU) No 654/2014.
- (17) By not exceeding the value of the Union imports affected by the United States' safeguard measures as described in recitals (9) and (10), the commercial policy measures are proportionate to the effect of the United States' safeguard measures and not excessive. It is also noted that only a fraction of the total value available will be initially exercised, as described in recitals (12) and (13).
- (18) The commercial policy measures should provide some relief to the steel and aluminium Union industries affected by the United States' safeguard measures.

⁽³⁾ http://trade.ec.europa.eu/consultations/index.cfm?consul_id=253

⁽⁴⁾ Products referred to by the U.S. Department of Commerce Report of 11 January 2018 (https://www.commerce.gov/sites/commerce.gov/files/the_effect_of_imports_of_steel_on_the_national_security_-_with_redactions_-_20180111.pdf).

⁽⁵⁾ Products referred to by the U.S. Department of Commerce Report of 17 January 2018 (https://www.commerce.gov/sites/commerce.gov/files/the_effect_of_imports_of_aluminum_on_the_national_security_-_with_redactions_-_20180117.pdf).

⁽⁶⁾ *Ibid* footnote 4.

- (19) The commercial policy measures should apply to imports of products originating in the United States on which the Union is not substantially dependent for its supply. The commercial policy measures may also apply with respect to the steel and aluminium sectors. This approach avoids as much as possible a negative impact on the various actors on the Union market, including consumers.
- (20) Products for which an import licence with an exemption from or a reduction of duty has been issued prior to the date entry into force of this regulation should not be subject to these additional customs duties.
- (21) Products for which the importers can prove that they have been exported from the United States to the Union prior to the date of application of the additional customs duties should not be subject to the additional customs duties.
- (22) This Regulation is without prejudice to the question of the consistency of the United States' safeguard measures with the relevant provisions of the WTO Agreement.
- (23) In light of the applicable WTO time limits and the preliminary nature of this act, it is appropriate that it should enter into force on the day on which it is published in the *Official Journal of the European Union*.
- (24) The measures provided for in this Regulation are in accordance with the opinion of the Trade Barriers Committee, established by Regulation (EU) 2015/1843 of the European Parliament and of the Council ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The Commission shall immediately, and in any event no later than 18 May 2018, give written notice to the WTO Council for Trade in Goods that, absent disapproval by the Council for Trade in Goods, the Union suspends, from 20 June 2018, the application to the trade of the United States of import duty concessions under the GATT 1994 in respect of the products listed in Annex I and Annex II, so as to allow for an application of additional customs duties on the importation of these products originating in the United States.

Article 2

The application of additional customs duties on these products, through a subsequent Commission implementing act, shall be effected within the following parameters, and take into account any subsequent exclusion of certain products or companies from the safeguard measures by the United States:

- (a) At the first stage, additional *ad valorem* duty of a maximum rate of 25 % may be applied on imports of products listed in Annex I from 20 June 2018.
- (b) At the second stage, further additional *ad valorem* duty of a maximum rate of 10 %, 25 %, 35 % or 50 % may be applied on imports of products listed in Annex II:
 - from 23 March 2021, or
 - from the fifth day following the date of the adoption by, or notification to, the WTO Dispute Settlement Body of a ruling that the United States' safeguard measures are inconsistent with the relevant provisions of the WTO Agreement, if that is earlier. In the latter event, the Commission shall publish in the *Official Journal of the European Union* a notice indicating the date on which such ruling is adopted or notified.

Article 3

The suspension provided for in Article 1 may be exercised as long as, and to the extent that, the United States applies or re-applies its safeguard measures in a manner that would affect products from the Union. The Commission shall publish in the *Official Journal of the European Union* a notice indicating the date on which the United States has ceased to apply its safeguard measures.

⁽⁷⁾ Regulation (EU) 2015/1843 of the European Parliament and of the Council of 6 October 2015 laying down Union procedures in the field of the common commercial policy in order to ensure the exercise of the Union's rights under international trade rules, in particular those established under the auspices of the World Trade Organization (codification) (OJ L 272, 16.10.2015, p. 1).

Article 4

1. Products listed in the Annexes for which an import licence with an exemption from or a reduction of duty has been issued prior to the date of entry into force of this regulation shall not be subject to additional duty.
2. Products listed in the Annexes for which the importers can prove that they have been exported from the United States to the Union prior to the date on which an additional duty is applied with respect to that product shall not be subject to the additional duty.

Article 5

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, 16 May 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

Products that may be subject to additional duties from 20 June 2018

CN 2018 ⁽¹⁾	Additional duty
0710 40 00	25 %
0711 90 30	25 %
0713 33 90	25 %
1005 90 00	25 %
1006 30 21	25 %
1006 30 23	25 %
1006 30 25	25 %
1006 30 27	25 %
1006 30 42	25 %
1006 30 44	25 %
1006 30 46	25 %
1006 30 48	25 %
1006 30 61	25 %
1006 30 63	25 %
1006 30 65	25 %
1006 30 67	25 %
1006 30 92	25 %
1006 30 94	25 %
1006 30 96	25 %
1006 30 98	25 %
1006 40 00	25 %
1904 10 30	25 %
1904 90 10	25 %
2001 90 30	25 %
2004 90 10	25 %
2005 80 00	25 %
2008 11 10	25 %
2009 12 00	25 %
2009 19 11	25 %
2009 19 19	25 %
2009 19 91	25 %

CN 2018 ⁽¹⁾	Additional duty
2009 19 98	25 %
2009 81 11	25 %
2009 81 19	25 %
2009 81 31	25 %
2009 81 59	25 %
2009 81 95	25 %
2009 81 99	25 %
2208 30 11	25 %
2208 30 19	25 %
2208 30 82	25 %
2208 30 88	25 %
2402 10 00	25 %
2402 20 10	25 %
2402 20 90	25 %
2402 90 00	25 %
2403 11 00	25 %
2403 19 10	25 %
2403 19 90	25 %
2403 91 00	25 %
2403 99 10	25 %
2403 99 90	25 %
3304 20 00	25 %
3304 30 00	25 %
3304 91 00	25 %
6109 10 00	25 %
6109 90 20	25 %
6109 90 90	25 %
6203 42 31	25 %
6203 42 90	25 %
6203 43 11	25 %
6204 62 31	25 %
6204 62 90	25 %
6302 31 00	25 %
6403 59 95	25 %
7210 12 20	25 %

CN 2018 ⁽¹⁾	Additional duty
7210 12 80	25 %
7219 12 10	25 %
7219 12 90	25 %
7219 13 10	25 %
7219 13 90	25 %
7219 32 10	25 %
7219 32 90	25 %
7219 33 10	25 %
7219 33 90	25 %
7219 34 10	25 %
7219 34 90	25 %
7219 35 90	25 %
7222 20 11	25 %
7222 20 21	25 %
7222 20 29	25 %
7222 20 31	25 %
7222 20 81	25 %
7222 20 89	25 %
7222 40 10	25 %
7222 40 50	25 %
7222 40 90	25 %
7223 00 11	25 %
7223 00 19	25 %
7223 00 91	25 %
7226 92 00	25 %
7228 30 20	25 %
7228 30 41	25 %
7228 30 49	25 %
7228 30 61	25 %
7228 30 69	25 %
7228 30 70	25 %
7228 30 89	25 %
7228 50 20	25 %
7228 50 40	25 %
7228 50 69	25 %

CN 2018 ⁽¹⁾	Additional duty
7228 50 80	25 %
7229 90 20	25 %
7229 90 50	25 %
7229 90 90	25 %
7301 20 00	25 %
7304 31 20	25 %
7304 31 80	25 %
7304 41 00	25 %
7306 30 11	25 %
7306 30 19	25 %
7306 30 41	25 %
7306 30 49	25 %
7306 30 72	25 %
7306 30 77	25 %
7306 30 80	25 %
7306 40 20	25 %
7306 40 80	25 %
7307 11 10	25 %
7307 11 90	25 %
7307 19 10	25 %
7307 19 90	25 %
7308 30 00	25 %
7308 40 00	25 %
7308 90 51	25 %
7308 90 59	25 %
7308 90 98	25 %
7309 00 10	25 %
7309 00 51	25 %
7309 00 59	25 %
7310 29 10	25 %
7310 29 90	25 %
7311 00 13	25 %
7311 00 19	25 %
7311 00 99	25 %
7314 14 00	25 %

CN 2018 ⁽¹⁾	Additional duty
7314 19 00	25 %
7314 49 00	25 %
7315 11 10	25 %
7315 11 90	25 %
7315 12 00	25 %
7315 19 00	25 %
7315 89 00	25 %
7315 90 00	25 %
7318 14 10	25 %
7318 14 91	25 %
7318 14 99	25 %
7318 16 40	25 %
7318 16 60	25 %
7318 16 92	25 %
7318 16 99	25 %
7321 11 10	25 %
7321 11 90	25 %
7322 90 00	25 %
7323 93 00	25 %
7323 99 00	25 %
7324 10 00	25 %
7325 10 00	25 %
7325 99 10	25 %
7325 99 90	25 %
7326 90 30	25 %
7326 90 40	25 %
7326 90 50	25 %
7326 90 60	25 %
7326 90 92	25 %
7326 90 96	25 %
7606 11 10	25 %
7606 11 91	25 %
7606 12 20	25 %
7606 12 92	25 %
7606 12 93	25 %

CN 2018 ⁽¹⁾	Additional duty
8711 40 00	25 %
8711 50 00	25 %
8903 91 10	25 %
8903 91 90	25 %
8903 92 10	25 %
8903 92 91	25 %
8903 92 99	25 %
8903 99 10	25 %
8903 99 91	25 %
8903 99 99	25 %
9504 40 00	25 %

⁽¹⁾ The nomenclature codes are taken from the Combined Nomenclature as defined in Article 1(2) of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1) and as set out in Annex I thereto, which are valid at the time of publication of this Regulation and mutatis mutandis as amended by subsequent legislation, including most recently Commission Implementing Regulation (EU) 2017/1925 of 12 October 2017 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 282, 31.10.2017, p. 1).

ANNEX II

Products that may be subject to further additional duties from 23 March 2021 or upon determination of WTO inconsistency of the US safeguard measures

CN 2018 ⁽¹⁾	Additional duty
2008 93 11	25 %
2008 93 19	25 %
2008 93 29	25 %
2008 93 91	25 %
2008 93 93	25 %
2008 93 99	25 %
2208 30 11	25 %
2208 30 19	25 %
2208 30 82	25 %
2208 30 88	25 %
3301 12 10	10 %
3301 13 10	10 %
3301 90 10	10 %
3301 90 30	10 %
3301 90 90	10 %
3302 90 10	10 %
3302 90 90	10 %
3304 10 00	10 %
3305 30 00	10 %
4818 20 10	25 %
4818 20 91	35 %
4818 20 99	25 %
4818 30 00	25 %
4818 50 00	35 %
4818 90 10	25 %
4818 90 90	35 %
5606 00 91	10 %
5606 00 99	10 %
5907 00 00	10 %
5911 10 00	10 %
5911 20 00	10 %

CN 2018 ⁽¹⁾	Additional duty
5911 31 11	10 %
5911 31 19	10 %
5911 31 90	10 %
5911 32 11	10 %
5911 32 19	10 %
5911 32 90	10 %
6203 42 11	50 %
6203 42 33	50 %
6203 42 35	50 %
6203 42 51	50 %
6203 42 59	50 %
6203 43 19	50 %
6203 43 31	50 %
6203 43 39	50 %
6203 43 90	50 %
6204 62 11	50 %
6204 62 33	50 %
6204 62 39	50 %
6204 62 51	50 %
6204 62 59	50 %
6205 30 00	50 %
6301 30 10	50 %
6301 30 90	50 %
6402 19 00	25 %
6402 99 10	50 %
6402 99 31	25 %
6402 99 39	25 %
6402 99 50	25 %
6402 99 91	25 %
6402 99 93	25 %
6402 99 96	25 %
6402 99 98	25 %
6403 59 05	25 %
6403 59 11	25 %
6403 59 31	25 %

CN 2018 ⁽¹⁾	Additional duty
6403 59 35	25 %
6403 59 39	25 %
6403 59 50	25 %
6403 59 91	25 %
6403 59 99	25 %
6601 10 00	50 %
6911 10 00	50 %
6911 90 00	50 %
6912 00 21	50 %
6912 00 23	50 %
6912 00 25	50 %
6912 00 29	50 %
6912 00 81	50 %
6912 00 83	50 %
6912 00 85	50 %
6912 00 89	50 %
6913 10 00	50 %
6913 90 10	50 %
6913 90 93	50 %
6913 90 98	50 %
6914 10 00	50 %
6914 90 00	50 %
7005 21 25	25 %
7005 21 30	25 %
7005 21 80	25 %
7007 19 10	10 %
7007 19 20	10 %
7007 19 80	10 %
7007 21 20	10 %
7007 21 80	10 %
7007 29 00	10 %
7009 10 00	25 %
7009 91 00	10 %
7013 28 10	10 %
7013 28 90	10 %

CN 2018 ⁽¹⁾	Additional duty
7102 31 00	10 %
7113 11 00	25 %
7113 19 00	25 %
7113 20 00	25 %
7228 50 61	25 %
7326 90 98	10 %
7604 29 90	25 %
7606 11 93	25 %
7606 11 99	25 %
8422 11 00	50 %
8450 11 11	50 %
8450 11 19	50 %
8450 11 90	50 %
8450 12 00	50 %
8450 19 00	50 %
8506 10 11	10 %
8506 10 18	10 %
8506 10 91	10 %
8506 10 98	10 %
8506 90 00	10 %
8543 70 01	50 %
8543 70 02	50 %
8543 70 03	50 %
8543 70 04	50 %
8543 70 05	50 %
8543 70 06	50 %
8543 70 07	50 %
8543 70 08	50 %
8543 70 09	50 %
8543 70 10	50 %
8543 70 30	50 %
8543 70 50	50 %
8543 70 60	50 %
8543 70 90	25 %
8704 21 10	10 %

CN 2018 ⁽¹⁾	Additional duty
8704 21 31	10 %
8704 21 39	10 %
8704 21 91	10 %
8704 21 99	10 %
8711 40 00	25 %
8711 50 00	25 %
8901 90 10	50 %
8901 90 90	50 %
8902 00 10	50 %
8902 00 90	50 %
8903 10 10	10 %
8903 10 90	10 %
8903 92 91	25 %
8903 92 99	25 %
9401 61 00	50 %
9401 69 00	50 %
9401 71 00	50 %
9401 79 00	50 %
9401 80 00	50 %
9404 90 10	25 %
9404 90 90	25 %
9405 99 00	25 %

⁽¹⁾ The nomenclature codes are taken from the Combined Nomenclature as defined in Article 1(2) of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1) and as set out in Annex I thereto, which are valid at the time of publication of this Regulation and mutatis mutandis as amended by subsequent legislation, including most recently Commission Implementing Regulation (EU) 2017/1925 of 12 October 2017 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 282, 31.10.2017, p. 1).

DIRECTIVES

COMMISSION DIRECTIVE (EU) 2018/725

of 16 May 2018

amending, for the purpose of adaptation to technical and scientific developments, point 13 of part III of Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards chromium VI

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys ⁽¹⁾, and in particular Article 46(1)(b) thereof,

Whereas:

- (1) Directive 2009/48/EC sets a limit value for chromium VI in scraped-off toy material such as paints on toys, hard and soft polymers, wood, textiles, and others. The current limit value (0,2 mg/kg) is based on a virtually safe dose of 0,0053 µg of chromium VI per kg bodyweight per day proposed by the Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency ⁽²⁾.
- (2) At the request of the European Commission, the Scientific Committee on Health and Environmental Risks (SCHER) assessed in 2015 the relevance of the oral cancer potency of chromium VI. In its opinion on 'Chromium VI in toys' adopted on 22 January 2015 ⁽³⁾, SCHER reported to have reviewed, among others, the OEHHA technical support document for the Public Health Goal for chromium VI in drinking water ⁽⁴⁾ and a US-National Toxicology Program (NTP) study ⁽⁵⁾. The SCHER considered 0,0002 µg of chromium VI per kg bodyweight per day, derived by the OEHHA as being associated with one additional cancer case in a million, as an appropriate virtually safe dose.
- (3) Since children are also exposed to chromium VI through sources other than toys, only a certain percentage of the virtually safe dose should be taken as the basis when calculating the limit value for chromium VI. The maximum contribution from toys to the daily intake of chromium VI recommended by the Scientific Committee on Toxicity, Ecotoxicity and the Environment in its 2004 opinion ⁽⁶⁾ is 10 %. This percentage was confirmed twice by the Scientific Committee on Health and Environmental Risks in 2010 ⁽⁷⁾ ⁽⁸⁾.

⁽¹⁾ OJ L 170, 30.6.2009, p. 1.

⁽²⁾ OEHHA (1999). Public health goal for chromium in drinking water. Pesticide and Environmental Toxicology Section, Office of Environmental Health Hazard Assessment, California Environmental Protection Agency. Dated February 1999. Cited in: Chemicals in Toys. A general methodology for assessment of chemical safety of toys with a focus on elements RIVM report 320003001/2008. National Institute for Public Health and the Environment (RIVM) of The Netherlands. p. 114, Table 8-1.

⁽³⁾ Scientific Committee on Health and Environmental Risks (SCHER), Opinion on 'Chromium VI in toys'. Adopted on 22 January 2015. http://ec.europa.eu/health/sites/health/files/scientific_committees/environmental_risks/docs/scher_o_167.pdf

⁽⁴⁾ OEHHA (2011). Public health goals for chemicals in drinking water. Hexavalent chromium (Cr VI). <http://oehha.ca.gov/water/phg/072911Cr6PHG.html>

⁽⁵⁾ National Toxicology Program (2008). Toxicology and Carcinogenesis Studies of Sodium Dichromate Dihydrate (CAS No 7789-12-0) in F344/N Rats and B6C3F1 Mice (Drinking Water Studies). NTP TR 546, NIEHS, Research Triangle Park, NC. NIH Publication No 08-5887.

⁽⁶⁾ Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE). Opinion on 'Assessment of the bioavailability of certain elements in toys'. Adopted on 22 June 2004. http://ec.europa.eu/health/archive/ph_risk/committees/sct/documents/out235_en.pdf

⁽⁷⁾ Scientific Committee on Health and Environmental Risks (SCHER). Opinion on 'Risk from organic CMR substances in toys'. Adopted on 18 May 2010.

⁽⁸⁾ Scientific Committee on Health and Environmental Risks (SCHER). Opinion on 'Evaluation of the migration limits for chemical elements in Toys'. Adopted on 1 July 2010.

- (4) In addition, for chromium VI and other chemical substances which are particularly toxic, Directive 2009/48/EC suggests in its recital 22 to set limit values at half of those considered safe by the relevant Scientific Committee, in order to ensure that only traces that are compatible with good manufacturing practice will be present.
- (5) Applying 10 % of the virtually safe dose, multiplied by the average weight of a child under three years of age, estimated at 7,5 kg, divided by the daily quantity of scraped-off toy material ingested, estimated at 8 mg/day, and multiplied by $\frac{1}{2}$ led the SCHER to propose, in its above-mentioned opinion on 'Chromium VI in toys', 0,0094 mg/kg as a revised limit value for chromium VI in scraped-off toy material.
- (6) Compliance with the proposed limit value can, however, not be verified with the test method in European standard EN 71-3:2013+A1:2014, the reference of which has been published in the *Official Journal of the European Union* ⁽¹⁾. The proposed limit value is almost six times lower than the lowest concentration that can be reliably quantified with the test method in the standard, which is 0,053 mg/kg.
- (7) In those circumstances, the subgroup 'Chemicals' of the Expert Group on Toys Safety established by the Commission ⁽²⁾ recommended at its meeting on 14 October 2016 to lower the limit value for chromium VI from the current 0,2 mg/kg to 0,053 mg/kg. The subgroup 'Chemicals' equally recommended to review available test methods for chromium VI every two years to possibly identify a test method that can reliably measure even lower concentrations, until the limit value proposed by SCHER has been reached.
- (8) The European Committee for Standardisation (CEN) is currently reviewing the test method in standard EN 71-3 with regard to improving the detection of chromium VI. A revised test method is expected to be available soon allowing to reliably measure concentrations down to 0,0025 mg/kg. It would then be possible to strengthen further the limit value for chromium VI in scraped-off toy material.
- (9) Directive 2009/48/EC should therefore be amended accordingly.
- (10) The measures provided for in this Directive are in accordance with the opinion of the Toy Safety Committee,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In point 13 of Part III of Annex II to Directive 2009/48/EC, the entry for chromium VI is replaced by the following entry:

Element	mg/kg in dry, brittle, powder-like or pliable toy material	mg/kg in liquid or sticky toy material	mg/kg in scraped-off toy material
'Chromium (VI)	0,02	0,005	0,053'

Article 2

1. Member States shall adopt and publish, 17 November 2019 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 18 November 2019.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

⁽¹⁾ OJ C 378, 13.11.2015, p. 1.

⁽²⁾ See Register of Commission Expert Groups, Expert Group on Toys Safety (E01360). <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail&groupDetail&groupID=1360>

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 16 May 2018.

For the Commission

The President

Jean-Claude JUNCKER

DECISIONS

POLITICAL AND SECURITY COMMITTEE DECISION (CFSP) 2018/726

of 2 May 2018

on the appointment of the Head of Mission of the European Union CSDP mission in Niger (EUCAP Sahel Niger) (EUCAP Sahel Niger/1/2018)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third paragraph of Article 38 thereof,

Having regard to Council Decision 2012/392/CFSP of 16 July 2012 on the European Union CSDP mission in Niger (EUCAP Sahel Niger) ⁽¹⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Pursuant to Article 9(1) of Decision 2012/392/CFSP, the Political and Security Committee (PSC) is authorised, in accordance with Article 38 of the Treaty, to take the relevant decisions for the purpose of exercising the political control and strategic direction of EUCAP Sahel Niger including, in particular, the decision to appoint a Head of Mission.
- (2) On 6 May 2014, the PSC adopted Decision EUCAP Sahel Niger/2/2014 ⁽²⁾, appointing Mr Filip DE CEUNINCK as Head of Mission of EUCAP Sahel Niger from 6 May 2014 to 15 July 2014.
- (3) On 22 July 2014, the Council adopted Decision 2014/482/CFSP ⁽³⁾, extending the mandate of EUCAP Sahel Niger from 16 July 2014 to 15 July 2016.
- (4) On 24 July 2014, the PSC adopted Decision EUCAP Sahel Niger/3/2014 ⁽⁴⁾, extending the mandate of Mr Filip DE CEUNINCK as Head of Mission of EUCAP Sahel Niger from 16 July 2014 to 15 July 2015.
- (5) On 15 April 2015, the PSC adopted Decision (CFSP) 2015/611 ⁽⁵⁾, extending the mandate of Mr Filip DE CEUNINCK as Head of Mission of EUCAP Sahel Niger from 16 July 2015 to 15 July 2016.
- (6) On 18 July 2016, the Council adopted Decision (CFSP) 2016/1172 ⁽⁶⁾, extending the mandate of EUCAP Sahel Niger from 16 July 2016 to 15 July 2018.
- (7) On 26 July 2016, the PSC adopted Decision (CFSP) 2016/1632 ⁽⁷⁾, appointing Ms Kirsi HENRIKSSON as Head of EUCAP Sahel Niger from 1 September 2016 to 15 July 2017.
- (8) On 13 June 2017, the PSC adopted Decision (CFSP) 2017/1174 ⁽⁸⁾, extending the mandate of Ms Kirsi HENRIKSSON as Head of Mission of EUCAP Sahel Niger from 16 July 2017 to 15 July 2018.
- (9) On 25 April 2018, the High Representative of the Union for Foreign Affairs and Security Policy proposed the appointment of Mr Frank VAN DER Mueren as Head of Mission of EUCAP Sahel Niger,

⁽¹⁾ OJ L 187, 17.7.2012, p. 48.

⁽²⁾ Political and Security Committee Decision EUCAP Sahel Niger/2/2014 of 6 May 2014 on the appointment of the Head of Mission of the European Union CSDP mission in Niger (EUCAP Sahel Niger) (2014/259/CFSP) (OJ L 136, 9.5.2014, p. 26).

⁽³⁾ Council Decision 2014/482/CFSP of 22 July 2014 amending Decision 2012/392/CFSP on the European Union CSDP mission in Niger (EUCAP Sahel Niger) (OJ L 217, 23.7.2014, p. 31).

⁽⁴⁾ Political and Security Committee Decision EUCAP Sahel Niger/3/2014 of 24 July 2014 extending the mandate of the Head of Mission of the European Union CSDP mission in Niger (EUCAP Sahel Niger) (2014/643/CFSP) (OJ L 267, 6.9.2014, p. 5).

⁽⁵⁾ Political and Security Committee Decision (CFSP) 2015/611 of 15 April 2015 extending the mandate of the Head of Mission of the European Union CSDP mission in Niger (EUCAP Sahel Niger) (EUCAP Sahel Niger/1/2015) (OJ L 101, 18.4.2015, p. 61).

⁽⁶⁾ Council Decision (CFSP) 2016/1172 of 18 July 2016 amending Decision 2012/392/CFSP on the European Union CSDP mission in Niger (EUCAP Sahel Niger) (OJ L 193, 19.7.2016, p. 106).

⁽⁷⁾ Political and Security Committee Decision (CFSP) 2016/1632 of 26 July 2016 on the appointment of the Head of Mission of the European Union CSDP mission in Niger (EUCAP Sahel Niger) (EUCAP Sahel Niger/1/2016) (OJ L 243, 10.9.2016, p. 6).

⁽⁸⁾ Political and Security Committee Decision (CFSP) 2017/1174 of 13 June 2017 extending the mandate of the Head of Mission of the European Union CSDP Mission in Niger (EUCAP Sahel Niger) (EUCAP Sahel Niger/1/2017) (OJ L 170, 1.7.2017, p. 92).

HAS ADOPTED THIS DECISION:

Article 1

Mr Frank VAN DER MUEREN is hereby appointed as Head of Mission of the European Union CSDP mission in Niger (EUCAP Sahel Niger) from 1 May 2018.

Article 2

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

Done at Brussels, 2 May 2018.

For the Political and Security Committee

The Chairperson

W. STEVENS

COUNCIL DECISION (EU) 2018/727**of 14 May 2018****appointing an alternate member, proposed by Romania, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Romanian Government,

Whereas:

- (1) On 26 January 2015, 5 February 2015 and 23 June 2015, the Council adopted Decisions (EU) 2015/116 ⁽¹⁾, (EU) 2015/190 ⁽²⁾ and (EU) 2015/994 ⁽³⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020. On 3 April 2017, by Council Decision (EU) 2017/665 ⁽⁴⁾, Mr Florin Grigore TECĂU was replaced by Mr Marius Horia ȚUȚUIANU as an alternate member.
- (2) On 25 September 2017, by Council Decision (EU) 2017/1762 ⁽⁵⁾, an alternate member's seat on the Committee of the Regions has become vacant following the appointment of Mr Marius Horia ȚUȚUIANU as a member of the Committee of the Regions,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed as an alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2020:

— Ms Daniela CÎMPEAN, *President of Sibiu County Council*.

Article 2

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

Done at Brussels, 14 May 2018.

For the Council

The President

E. ZAHARIEVA

⁽¹⁾ Council Decision (EU) 2015/116 of 26 January 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 20, 27.1.2015, p. 42).

⁽²⁾ Council Decision (EU) 2015/190 of 5 February 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 31, 7.2.2015, p. 25).

⁽³⁾ Council Decision (EU) 2015/994 of 23 June 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 159, 25.6.2015, p. 70).

⁽⁴⁾ Council Decision (EU) 2017/665 of 3 April 2017 appointing five members and nine alternate members, proposed by Romania, of the Committee of the Regions (OJ L 94, 7.4.2017, p. 40).

⁽⁵⁾ Council Decision (EU) 2017/1762 of 25 September 2017 appointing two members, proposed by Romania, of the Committee of the Regions (OJ L 250, 28.9.2017, p. 56).

CORRIGENDA**Corrigendum to Council Regulation (EU) No 1385/2013 of 17 December 2013 amending Council Regulations (EC) No 850/98 and (EC) No 1224/2009, and Regulations (EC) No 1069/2009, (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, following the amendment of the status of Mayotte with regard to the European Union**

(Official Journal of the European Union L 354 of 28 December 2013)

On page 88, Article 3 (amending Regulation (EU) No 1380/2013), point (2):

for: '(2) In Article 36, the following paragraphs are added:

"5. By way of derogation from paragraph 1, France shall be exempted until 31 December 2021 from the obligation to include in its register of Union fishing vessels those vessels which are less than 10 metres in overall length and which operate from Mayotte.

6. Until 31 December 2021, France shall keep a provisional register of fishing vessels which are less than 10 metres in overall length and which operate from Mayotte. That register shall contain at least the name, overall length and an identification code of each vessel. Vessels registered in the provisional register shall be considered to be vessels registered in Mayotte.”,

read: '(2) In Article 36, the following paragraphs are added:

"4. By way of derogation from paragraph 1, France shall be exempted until 31 December 2021 from the obligation to include in its register of Union fishing vessels those vessels which are less than 10 metres in overall length and which operate from Mayotte.

5. Until 31 December 2021, France shall keep a provisional register of fishing vessels which are less than 10 metres in overall length and which operate from Mayotte. That register shall contain at least the name, overall length and an identification code of each vessel. Vessels registered in the provisional register shall be considered to be vessels registered in Mayotte.”.

Corrigendum to Commission Delegated Regulation (EU) 2017/390 of 11 November 2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council with regard to regulatory technical standards on certain prudential requirements for central securities depositories and designated credit institutions offering banking-type ancillary services

(Official Journal of the European Union L 65 of 10 March 2017)

On page 17, Article 6(1)(a)(iii):

for: '(iii) the expected net income after tax for the most past financial year where audited results are not yet available’;

read: '(iii) the expected net income after tax for the previous financial year where audited results are not yet available’;

on page 32, Article 26(1):

for: '1. A CSD-banking service provider shall have effective reimbursement procedures of intraday credit, which comply with the requirements in paragraphs 2 and 3.’,

read: '1. A CSD-banking service provider shall have effective reimbursement procedures of intraday credit, which comply with the requirements in paragraph 2.’.

Corrigendum to Commission Delegated Regulation (EU) 2017/391 of 11 November 2016 supplementing Regulation (EU) No 909/2014 of the European Parliament and of the Council with regard to regulatory technical standards further specifying the content of the reporting on internalised settlements

(Official Journal of the European Union L 65 of 10 March 2017)

On page 44, in recital 6:

for: 'ESMA has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Securities and Markets Stakeholder Group established in accordance with Article 10 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council (?)'.

read: 'ESMA has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Securities and Markets Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council (?)'.

