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Legislation

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Contents

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.

[1] Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2022/1934

of 13 October 2022

amending Regulation (EU) 2019/1716 concerning restrictive measures in view of the situation in Nicaragua

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2019/1720 of 14 October 2019 concerning restrictive measures in view of the situation in Nicaragua ([1]),

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and of the European Commission,

Whereas:

(1) On 14 October 2019, the Council adopted Decision (CFSP) 2019/1720 and Regulation (EU) 2019/1716 ([2]) concerning restrictive measures in view of the situation in Nicaragua.

(2) In order to ensure uniform conditions for the implementation of Regulation (EU) 2019/1716, the Commission should be empowered to amend Annex II, containing the websites for information on the competent authorities and the address for notifications to the Commission.

(3) Annex II to Regulation (EU) 2019/1716 should be replaced.

(4) Those amendments fall within the scope of the Treaty and therefore regulatory action at the Union level is necessary in order to implement them, in particular with a view to ensure uniform application in all Member States.

(5) Regulation (EU) 2019/1716 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2019/1716 is amended as follows:

(1) in Article 17, the following paragraph is added:

'4. The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.';

(2) Annex II is replaced by the Annex to this Regulation.

([1]) OJ L 262, 15.10.2019, p. 58.

([2]) Council Regulation (EU) 2019/1716 of 14 October 2019 concerning restrictive measures in view of the situation in Nicaragua (OJ L 262, 15.10.2019. p. 1).

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 Luxembourg, 13 October 2022.

For the Council
The President
P. BLAŽEK

ANNEX

Annex II to Regulation (EU) 2019/1716 is replaced by the following:

'ANNEX II

Websites for information on the competent authorities and address for notifications to the Commission

BELGIUM

https://diplomatie.belgium.be/en/policy/policy-areas/peace-and-security/sanctions/belgian-authorities-in-charge-implementation-restrictive-measures-eu

BULGARIA

https://www.mfa.bg/en/EU-sanctions

CZECHIA

www.financnianalytickyurad.cz/mezinarodni-sankce.html

DENMARK

http://um.dk/da/Udenrigspolitik/folkeretten/sanktioner/

GERMANY

https://www.bmwi.de/Redaktion/DE/Artikel/Aussenwirtschaft/embargos-aussenwirtschaftsrecht.html

ESTONIA

https://vm.ee/sanktsioonid-ekspordi-ja-relvastuskontroll/rahvusvahelised-sanktsioonid

IRELAND

https://www.dfa.ie/our-role-policies/ireland-in-the-eu/eu-restrictive-measures/

GREECE

http://www.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html

SPAIN

https://www.exteriores.gob.es/es/PoliticaExterior/Paginas/SancionesInternacionales.aspx

FRANCE

http://www.diplomatie.gouv.fr/fr/autorites-sanctions/

CROATIA

https://mvep.gov.hr/vanjska-politika/medjunarodne-mjere-ogranicavanja/22955

ITALY

https://www.esteri.it/it/politica-estera-e-cooperazione-allo-sviluppo/

CYPRUS

https://mfa.gov.cy/themes/

LATVIA

http://www.mfa.gov.lv/en/security/4539

LITHUANIA

http://www.urm.lt/sanctions

LUXEMBOURG

https://maee.gouvernement.lu/fr/directions-du-ministere/affaires-europeennes/organisations-economiques-int/mesures-restrictives.html

HUNGARY

https://kormany.hu/kulgazdasagi-es-kulugyminiszterium/ensz-eu-szankcios-tajekoztato

MALTA

https://foreignandeu.gov.mt/en/Government/SMB/Pages/SMB-Home.aspx

NETHERLANDS

https://www.rijksoverheid.nl/onderwerpen/internationale-sancties

AUSTRIA

https://www.bmeia.gv.at/themen/aussenpolitik/europa/eu-sanktionen-nationale-behoerden/

POLAND

https://www.gov.pl/web/dyplomacja/sankcje-miedzynarodowe

https://www.gov.pl/web/diplomacy/international-sanctions

PORTUGAL

https://portaldiplomatico.mne.gov.pt/politica-externa/medidas-restritivas

ROMANIA

http://www.mae.ro/node/1548

SLOVENIA

http://www.mzz.gov.si/si/omejevalni_ukrepi

SLOVAKIA

https://www.mzv.sk/europske_zalezitosti/europske_politiky-sankcie_eu

FINLAND

https://um.fi/pakotteet

SWEDEN

https://www.regeringen.se/sanktioner

Address for notifications to the European Commission:

European Commission
Directorate-General for Financial Stability, Financial Services and Capital Markets Union (DG FISMA)
Rue de Spa 2
B-1049 Brussels, Belgium
E-mail: relex-sanctions@ec.europa.eu'.

COUNCIL IMPLEMENTING REGULATION (EU) 2022/1935

of 13 October 2022

implementing Regulation (EU) 2019/1716 concerning restrictive measures in view of the situation in Nicaragua

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2019/1716 of 14 October 2019 concerning restrictive measures in view of the situation in Nicaragua ([1]), and in particular Article 13(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 14 October 2019, the Council adopted Regulation (EU) 2019/1716 concerning restrictive measures in view of the situation in Nicaragua.

(2) The Council has reviewed the list of natural and legal persons, entities and bodies subject to restrictive measures set out in Annex I to Regulation (EU) 2019/1716. On the basis of that review, the statement of reasons for two natural persons should be updated.

(3) Annex I to Regulation (EU) 2019/1716 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) 2019/1716 is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the date 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 Luxembourg, 13 October 2022.

For the Council
The President
P. BLAŽEK

([1]) OJ L 262, 15.10.2019, p. 1.

ANNEX

In Annex I to Regulation (EU) 2019/1716, under the heading 'A. Natural persons referred to in Article 2', entries 3 and 19 are replaced by the following:

	Name	Identifying information	Reasons	Date of listing
'3.	Francisco Javier DÍAZ MADRIZ	Date of birth: 3 August 1961 Gender: male	General Director of the Nicaraguan National Police (NNP) since 23 August 2018 and former Deputy General Director of NNP. Responsible for serious human rights violations and for the repression of civil society and democratic opposition in Nicaragua, including by leading police forces committing violence against civilians, including excessive use of force, arbitrary arrests and detentions and torture. In 2021, he carried out the investigations to set up cases against the opposition leaders arrested before the elections.	4.5.2020
19.	Lumberto Ignacio CAMPBELL HOOKER	Member of the Supreme Electoral Council, acting President of the Supreme Electoral Council in 2018 Date of birth: 3.12.1949 Place of birth: Raas, Nicaragua Gender: male Nationality: Nicaraguan Passport number: A00001109 (Nicaragua) ID number: 6010302490003J	Lumberto Ignacio Campbell Hooker has been since 2014 a member of the Supreme Electoral Council (SEC) – a body responsible for the preparation, holding and certification of the general elections of 7 November 2021 which, by their lack of transparency, true opposition and democratic debate, undermined democratic institutions and processes. The SEC deprived the opposition of the opportunity to stand for free elections and ensured the organisation of polls in non-democratic conditions. His mandate as member of the SEC was renewed by the General Assembly in May 2021. He spoke to the media during the 7 November 2021 elections, justifying and praising their organisation. He is therefore responsible for the repression of democratic opposition and for undermining democracy and the rule of law in Nicaragua.	10.1.2022'

COUNCIL IMPLEMENTING REGULATION (EU) 2022/1936

of 13 October 2022

implementing Regulation (EU) 2018/1542 concerning restrictive measures against the proliferation and use of chemical weapons

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2018/1542 of 15 October 2018 concerning restrictive measures against the proliferation and use of chemical weapons ([1]), and in particular Article 12 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 15 October 2018, the Council adopted Regulation (EU) 2018/1542.

(2) In accordance with Article 12 of Regulation (EU) 2018/1542, the Council has reviewed the list of natural and legal persons, entities and bodies referred to in Article 2, as set out in Annex I to that Regulation. One entry on that list should be updated.

(3) Annex I to Regulation (EU) 2018/1542 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) 2018/1542 is amended as set out in the Annex to this Regulation.

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 Luxembourg, 13 October 2022.

For the Council
The President
P. BLAŽEK

([1]) OJ L 259, 16.10.2018, p. 12.

ANNEX

Entry No 12 on the list of natural and legal persons, entities and bodies referred to in Article 2, as set out in Annex I to Regulation (EU) 2018/1542, under the heading 'A. Natural persons', is replaced by the following entry:

	Name	Identifying information	Grounds for designation	Date of listing
'12.	Sergei Ivanovich MENYAILO (Сергей Иванович МЕНЯЙЛО)	Gender: male; Date of birth: 22 August 1960; Place of birth: Alagir; Nationality: Russian; Title: Head of North Ossetia-Alania.	Sergei Menyailo is the Head of North Ossetia-Alania. He was the Plenipotentiary Representative of the President of the Russian Federation in the Siberian Federal District between 2016 and April 2021. In that capacity he was responsible for ensuring the implementation of the constitutional powers of the President including the implementation of domestic and foreign policy of the State. Sergei Menyailo was a member of the Security Council of the Russian Federation until August 2021. Alexei Navalny has been the target of systematic harassment and repression by State and judicial actors in the Russian Federation due to his prominent role in the political opposition. Alexei Navalny's activities were closely monitored by the authorities of the Russian Federation during his journey to Siberia in August 2020. On 20 August 2020, he was taken seriously ill and admitted to a hospital in Omsk, Russian Federation. On 22 August 2020, he was transported to a hospital in Berlin, Germany. A specialised laboratory in Germany subsequently found clear evidence, also corroborated by laboratories in France and Sweden, that Alexei Navalny had been poisoned with a toxic nerve agent of the Novichok group. This toxic agent is accessible only to State authorities in the Russian Federation. In those circumstances, it is reasonable to conclude that the poisoning of Alexei Navalny was only possible with the consent of the Presidential Executive Office. Given his senior leadership role as the former representative of that Office in the Siberian Federal District, Sergei Menyailo is therefore responsible for inducing and providing support to the persons who carried out or were involved in the poisoning of Alexei Navalny with the Novichok nerve agent, which constitutes a use of chemical weapons under the Chemical Weapons Convention.	15.10.2020'.

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1937

of 7 October 2022

entering a name in the register of protected designations of origin and protected geographical indications ('Garam Amed Bali / Bunga Garam Amed Bali' (PDO))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ([1]), and in particular Article 52(2) thereof,

Whereas:

(1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Indonesia's application to register the name 'Garam Amed Bali / Bunga Garam Amed Bali' was published in the *Official Journal of the European Union* ([2]).

(2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Garam Amed Bali / Bunga Garam Amed Bali' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Garam Amed Bali / Bunga Garam Amed Bali' (PDO) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 2.6. Salt, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ([3]).

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, 7 October 2022.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

([1]) OJ L 343, 14.12.2012, p. 1.
([2]) OJ C 231, 15.6.2022, p. 31.
([3]) Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1938

of 7 October 2022

approving amendments to the specification for a Protected Designation of Origin or a Protected Geographical Indication ('Sicilia' (PDO))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ([1]), and in particular Article 99 thereof,

Whereas:

(1) The Commission has examined the application for the approval of amendments to the specification for the Protected Designation of Origin 'Sicilia', forwarded by Italy in accordance with Article 105 of Regulation (EU) No 1308/2013.

(2) The Commission has published the application for the approval of the amendments to the specification in the *Official Journal of the European Union* ([2]), as required by Article 97(3) of Regulation (EU) No 1308/2013

(3) No statement of objection has been received by the Commission under Article 98 of Regulation (EU) No 1308/2013.

(4) The amendments to the specification should therefore be approved in accordance with Article 99 of Regulation (EU) No 1308/2013.

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

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Sicilia' (PDO) are hereby approved.

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, 7 October 2022.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

([1]) OJ L 347, 20.12.2013, p. 671.
([2]) OJ C 150, 5.4.2022, p. 57.

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1939

of 7 October 2022

approving amendments to the specification for a Protected Designation of Origin or a Protected Geographical Indication ('Vicenza' (PDO))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ([1]), and in particular Article 99 thereof,

Whereas:

(1) The Commission has examined the application for the approval of amendments to the specification for the Protected Designation of Origin 'Vicenza', forwarded by Italy in accordance with Article 105 of Regulation (EU) No 1308/2013.

(2) The Commission has published the application for the approval of the amendments to the specification in the *Official Journal of the European Union* ([2]), as required by Article 97(3) of Regulation (EU) No 1308/2013.

(3) No statement of objection has been received by the Commission under Article 98 of Regulation (EU) No 1308/2013.

(4) The amendments to the specification should therefore be approved in accordance with Article 99 of Regulation (EU) No 1308/2013.

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

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Vicenza' (PDO) are hereby approved.

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, 7 October 2022.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

([1]) OJ L 347, 20.12.2013, p. 671.
([2]) OJ C 159, 12.4.2022, p. 23

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1940

of 7 October 2022

conferring protection under Article 99 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the name 'Vézelay' (PDO)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ([1]), and in particular Article 99 thereof,

Whereas:

(1) In accordance with Article 97(2) and (3) of Regulation (EU) No 1308/2013, the Commission examined France's application to register the name 'Vézelay' and published it in the *Official Journal of the European Union* ([2]).

(2) No statement of objection has been received by the Commission under Article 98 of Regulation (EU) No 1308/2013.

(3) In accordance with Article 99 of Regulation (EU) No 1308/2013, the name 'Vézelay' should be protected and entered in the register referred to in Article 104 of that Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Vézelay' (PDO) is hereby protected.

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, 7 October 2022.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

([1]) OJ L 347, 20.12.2013, p. 671.
([2]) OJ C 147, 4.4.2022, p. 6.

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1941

of 13 October 2022

on the prohibition of introduction, movement, holding, multiplication or release of certain pests pursuant to Article 30(1) of Regulation (EU) 2016/2031 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC ([1]), and in particular Article 30(1) thereof,

Whereas:

(1) In 2021, several Member States notified the Commission of the officially confirmed presence, in consignments of plants, plant products and other objects originating from third countries, of pests which are not listed as a Union quarantine pest, as a protected zone quarantine pest or as a Union regulated non-quarantine pest in accordance with Commission Implementing Regulation (EU) 2019/2072 ([2]) and are not regulated under Article 30(1) of Regulation (EU) 2016/2031.

(2) On the basis of data from preliminary risk assesments or risk analyses carried out so far by competent authorities and organisations, the Commission concludes that those pests fulfil the criteria set out in Subsection 2 of Section 3 of Annex I to Regulation (EU) 2016/2031.

(3) *Chloridea virescens, Leucinodes orbonalis, Leucinodes pseudorbonalis, Resseliella citrifrugis* and *Spodoptera ornithogalli* are amongst the pests for which actions under Article 29(1) of Regulation (EU) 2016/2031 have been taken by competent authorities. Those pests have been intercepted several times at Union borders and they are not known to be present in the Union territory.

(4) A preliminary risk assessment for *Chloridea virescens* ([3]) and a pest risk analysis for American *Spodoptera* species, which includes *Spodoptera ornithogalli* ([4]), have been performed by the Netherlands for the Union territory. Both conclude that those pests fulfill the criteria for quarantine pests set out in Section 1 of Annex I to Regulation (EU) 2016/2031, as regards the Union territory. However, further risk assessment is required to support their inclusion in Annex II to Implementing Regulation (EU) 2019/2072.

(5) On the basis of pest categorizations performed by the European Food Safety Authority ('the Authority') for *Leucinodes orbonalis* ([5]) and *Leucinodes pseudorbonalis* ([6]), those pests fulfill the criteria for quarantine pests set out in Section 1 of Annex I to Regulation (EU) 2016/2031, as regards the Union territory. However, uncertainties concerning their impact due to climatic suitability have been pointed out. Further assessment of the climatic suitability, the assessment of the effect of climate change on the establishment of those pests in the Union and their subsequent impact is ongoing.

([1]) Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).

([2]) Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019 (OJ L 319, 10.12.2019, p. 1).

([3]) Quickscan Chloridea virescens | Publication | NVWA-English

([4]) American Spodoptera species risk assessment | Publication | NVWA-English

([5]) EFSA PLH Panel (EFSA Panel on Plant Health). Scientific Opinion on the pest categorisation of *Leucinodes orbonalis*.EFSA Journal 2021;19(11):6890, 28 pp.https://doi.org/10.2903/j.efsa.2021.6890.

([6]) EFSA PLH Panel (EFSA Panel on Plant Health). Scientific Opinion on the pest categorisation of *Leucinodes pseudorbonalis*. EFSA Journal 2021;19(11):6889, 21 pp. https://doi.org/ 10.2903/j.efsa.2021.6889.

(6) On the basis of pest categorisation performed by the Authority, *Resseliella citrifrugis* ([7]) fulfills the criteria for quarantine pests set out in Section 1 of Annex I to Regulation (EU) 2016/2031, as regards the Union territory. Currently, further risk assessment is ongoing regarding the entry and spread pathways of this pest.

(7) Those pests have been intercepted multiple times at the Union borders and large volumes of their host plants continue to be imported from countries where those pests are known to be present, while they present a high phytosanitary risk for the Union territory. It is therefore considered that there exists an imminent danger of entry of those pests into the Union territory. It is thus appropriate to take the measure of temporary prohibition of their entry into the Union until their full risk analyses have been carried out. Those pests should also be subject to risk-based surveys concerning their signs or symptoms as set out in Article 22(1) of Regulation (EU) 2016/2031.

(8) This Regulation should apply for a sufficient length of time to allow for the completion of those risk assessments and analyses.

(9) The provisions of this Regulation are in accordance with the opinion of the Standing Committee for Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Prohibition of pests

The pests listed in the Annex shall not be introduced into, moved within, or held, multiplied or released in the Union territory.

Article 2

Entry into force and application

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 until 31 May 2027.

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

Done at Brussels, 13 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

([7]) EFSA PLH Panel (EFSA Panel on Plant Health). Scientific Opinion on the pestcategorisation of *Resseliella citrifrugis*. EFSA Journal 2021;19(8):6802, 19 pp.https://doi.org/10.2903/j.efsa.2021.6802.

ANNEX

List of pests and their codes assigned by the European and Mediterranean Plant Protection Organisation

1.	*Chloridea virescens* Fabricius [HELIVI]
2.	*Leucinodes orbonalis* Guenée [LEUIOR]
3.	*Leucinodes pseudorbonalis* Mally *et al.* [LEUIPS]
4.	*Resseliella citrifrugis* Jiang [RESSCI]
5.	*Spodoptera ornithogalli* Guenée [PRODOR]

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1942

of 13 October 2022

amending Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Jasminum polyanthum* Franchet originating in Uganda, amending Implementing Regulation (EU) 2020/1213 as regards the phytosanitary measures for the introduction of those plants for planting into the Union territory and correcting Implementing Regulation (EU) 2020/1213 as regards the phytosanitary measures for the introduction of certain plants for planting of *Jasminum polyanthum* Franchet originating in Israel, into the Union territory

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC ([1]), and in particular Article 42(4), third subparagraph, thereof,

Whereas:

(1) Commission Implementing Regulation (EU) 2018/2019 ([2]) establishes, on the basis of a preliminary risk assessment, a list of high risk plants, plant products and other objects.

(2) Commission Implementing Regulation (EU) 2018/2018 ([3]) lays down specific rules concerning the procedure to be followed in order to carry out the risk assessment referred to in Article 42(4) of Regulation (EU) 2016/2031 for high risk plants, plant products and other objects.

(3) Following a preliminary assessment, 34 genera and one species of plants for planting originating from all third countries were included in the Annex to Implementing Regulation (EU) 2018/2019 as high risk plants. That Annex includes the genus *Jasminum* L.

(4) The list of plants, plant products or other objects, removed from the Annex to Implementing Regulation (EU) 2018/2019 and that may only be introduced into, or moved within, the Union territory if special requirements are fulfilled is provided for in Commission Implementing Regulation (EU) 2020/1213 ([4]).

(5) On 4 December 2019, Uganda submitted to the Commission a request for export to the Union of unrooted cuttings of *Jasminum polyanthum* Franchet. That request was supported by the relevant technical dossier.

([1]) OJ L 317, 23.11.2016, p. 4.

([2]) Commission Implementing Regulation (EU) 2018/2019 of 18 December 2018 establishing a provisional list of high risk plants, plant products or other objects, within the meaning of Article 42 of Regulation (EU) 2016/2031 and a list of plants for which phytosanitary certificates are not required for introduction into the Union, within the meaning of Article 73 of that Regulation (OJ L 323, 19.12.2018, p. 10).

([3]) Commission Implementing Regulation (EU) 2018/2018 of 18 December 2018 laying down specific rules concerning the procedure to be followed in order to carry out the risk assessment of high risk plants, plant products and other objects within the meaning of Article 42(1) of Regulation (EU) 2016/2031 of the European Parliament and of the Council (OJ L 323, 19.12.2018, p. 7).

([4]) Commission Implementing Regulation (EU) 2020/1213 of 21 August 2020 concerning the phytosanitary measures for the introduction into the Union of certain plants, plant products and other objects which have been removed from the Annex to Implementing Regulation (EU) 2018/2019 (OJ L 275, 24.8.2020, p. 5).

(6) On 31 March 2022, the European Food Safety Authority ('the Authority') adopted a scientific opinion regarding the commodity risk assessment of unrooted cuttings of *Jasminum polyanthum* Franchet from Uganda ([5]). The Authority identified *Bemisia tabaci* (non-European populations), *Coccus viridis*, *Diaphania indica*, *Pulvinaria psidii*, *Scirtothrips dorsalis* and *Selenaspidus articulatus* as pests relevant for those plants for planting.

(7) The Authority evaluated the risk mitigation measures described in the dossier for *Bemisia tabaci* (non-European populations), *Coccus viridis*, *Diaphania indica*, *Pulvinaria psidii*, *Scirtothrips dorsalis* and *Selenaspidus articulatus* and estimated the likelihood of freedom of the commodity from those pests.

(8) On the basis of that opinion, the phytosanitary risk from introduction into the Union territory of unrooted cuttings of *Jasminum polyanthum* Franchet originating in Uganda is considered to be reduced to an acceptable level, provided that appropriate mitigation measures are applied to address the risk of pests related to those plants for planting. As a consequence, unrooted cuttings of *Jasminum polyanthum* Franchet originating in Uganda should no longer be considered high risk plants.

(9) The Annex to Implementing Regulation (EU) 2018/2019 should therefore be amended accordingly.

(10) The measures described by Uganda in the dossier are considered sufficient to reduce to an acceptable level the risk from introduction into the Union territory of the commodity. Those measures should therefore be adopted as phytosanitary import requirements to ensure the phytosanitary protection of the Union territory from introduction of that commodity into it.

(11) *Bemisia tabaci* (non-European populations) and *Scirtothrips dorsalis* are listed as Union quarantine pests in Annex II to Commission Implementing Regulation (EU) 2019/2072 ([6]). *Coccus viridis*, *Pulvinaria psidii* and *Selenaspidus articulatus* are not yet included in the list of Union quarantine pests, but may fulfil the conditions to be included once a complete risk assessment has been carried out.

(12) The Annex to Implementing Regulation (EU) 2020/1213 should therefore be amended accordingly.

(13) The Authority's opinion indicates that, no records of *Diaphania indica* associated with *Jasminum polyanthum* Franchet as host are available so far. For this reason, no import requirements are necessary with respect to that pest.

(14) Implementing Regulation (EU) 2021/419 ([7]) amended Implementing Regulation (EU) 2018/2019 by specifying that it is prohibited to introduce into the Union plants for planting of *Jasminum* L., other than unrooted cuttings of plants for planting of *Jasminum polyanthum* Franchet originating in Israel. The Annex to Implementing Regulation (EU) 2020/1213 was amended to include the phytosanitary import requirements necessary to ensure that the risk from introduction of those plants for planting into the Union from Israel is acceptable. Those phytosanitary requirements erroneously included measures regarding a Union quarantine pest *Scirtothrips dorsalis*. Since pursuant to Article 5(1) of Regulation (EU) 2016/2031 Union quarantine pests are prohibited from introduction into, movement within, or holding, multiplication or release in, the Union territory, it was unnecessary to include any measures for *Scirtothrips dorsalis* in the Annex to Implementing Regulation (EU) 2020/1213.

([5]) EFSA PLH Panel (EFSA Panel on Plant Health), 2022. Scientific Opinion on the commodity risk assessment of Jasminum polyanthum unrooted cuttings from Uganda. EFSA Journal 2022;20(5):7300, 83 pp. https://doi.org/10.2903/j.efsa.2022,7300.

([6]) Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019 (OJ L 319, 10.12.2019, p. 1).

([7]) Commission Implementing Regulation (EU) 2021/419 of 9 March 2021 amending Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Jasminum polyanthum* Franchet originating in Israel and adapting Combined Nomenclature codes for *Ullucus tuberosus* and amending Implementing Regulation (EU) 2020/1213 as regards the phytosanitary measures for the introduction of those plants for planting into the Union territory (OJ L 83, 10.3.2021, p. 6).

(15) The Annex to Implementing Regulation (EU) 2020/1213 should therefore be corrected accordingly.

(16) In order to comply with the Union obligations deriving from the World Trade Organization agreement on the application of sanitary and phytosanitary measures ([8]), the import of unrooted cuttings of *Jasminum polyanthum* Franchet from Uganda should resume within the shortest possible time. Therefore, this Regulation should enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

(17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) 2018/2019 is amended in accordance with Annex I to this Regulation.

Article 2

The Annex to Implementing Regulation (EU) 2020/1213 is amended in accordance with Annex II to this Regulation.

Article 3

The Annex to Implementing Regulation (EU) 2020/1213 is corrected in accordance with Annex III to this Regulation.

Article 4

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

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

Done at Brussels, 13 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

([8]) The World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), https://www.wto.org/english/tratop_e/sps_e/spsagr_e.htm.

ANNEX I

Amendment of Implementing Regulation (EU) 2018/2019

In point 1 of the Annex to Implementing Regulation (EU) 2018/2019, in the second column of the table 'Description', the entry '*Jasminum* L., other than unrooted cuttings of plants for planting of *Jasminum polyanthum* Franchet originating in Israel' is replaced by the following:

'*Jasminum* L., other than unrooted cuttings of plants for planting of *Jasminum polyanthum* Franchet originating in Israel and Uganda'.

ANNEX II

Amendment of Implementing Regulation (EU) 2020/1213

In the table in the Annex to Implementing Regulation (EU) 2020/1213, the following entry is inserted after '*Jasminum polyanthum* Franchet, unrooted cuttings of plants for planting' originating in Israel:

Plants, plant products or other objects	CN Code	Third countries of origin	Measures
'*Jasminum polyanthum* Franchet, unrooted cuttings of plants for planting	ex 0602 10 90	Uganda	(a) Official statement that: (i) the plants are free from *Coccus viridis*, *Pulvinaria psidii* and *Selenaspidus articulatus*; (ii) the plants have been grown in a site with physical protection against the introduction of *Coccus viridis*, *Pulvinaria psidii* and *Selenaspidus articulatus*; (iii) the production site has been subject to at least once a month official inspection for the presence of *Coccus viridis*, *Pulvinaria psidii* and *Selenaspidus articulatus*, and found free from those pests; (iv) immediately prior to export, consignments of the plants have been subjected to an official inspection for the presence of *Coccus viridis*, *Pulvinaria psidii* and *Selenaspidus articulatus* with such a sample size as to enable at least the detection of 1 % level of infestation with a level of confidence of 99 % for each pest; (b) the phytosanitary certificates for those plants include under the heading 'Additional Declaration': (i) the following statement: 'The consignment complies with Commission Implementing Regulation (EU) 2020/1213'; and (ii) the specification of the registered sites of production.'

ANNEX III

Correction of Implementing Regulation (EU) 2020/1213

In the table in the Annex to Implementing Regulation (EU) 2020/1213, the entry '*Jasminum polyanthum* Franchet, unrooted cuttings of plants for planting' originating in Israel, is replaced by the following:

Plants, plant products or other objects	CN Code	Third countries of origin	Measures
'*Jasminum polyanthum* Franchet, unrooted cuttings of plants for planting	ex 0602 10 90	Israel	(a) Official statement that: (i) the plants are free from *Aonidiella orientalis*, *Milviscutulus mangiferae*, *Paracoccus marginatus*, *Pulvinaria psidii* and *Colletotrichum siamense*; (ii) the plants have been grown throughout their life in a place of production, which, together with the sites of production that form part of it, is registered and supervised by the national plant protection organisation of the country of origin; (iii) the plants have been grown in a site with physical protection against the introduction of *Aonidiella orientalis*, *Milviscutulus mangiferae*, *Paracoccus marginatus*, *Pulvinaria psidii*; (iv) the production site has been subject to official inspections for the presence of *Aonidiella orientalis*, *Milviscutulus mangiferae*, *Paracoccus marginatus*, *Pulvinaria psidii*, and *Colletotrichum siamense* every three weeks and found free from those pests; (v) immediately prior to export, consignments of the plants have been subjected to an official inspection for the presence of *Aonidiella orientalis*, *Milviscutulus mangiferae*, *Paracoccus marginatus*, and *Pulvinaria psidii* with such a sample size as to enable at least the detection of 1 % level of infestation with a level of confidence of 99 %, and to an official inspection for the presence of *Colletotrichum siamense* including testing of symptomatic plants; (b) the phytosanitary certificates for those plants include under the heading 'Additional Declaration': (i) the following statement: 'The consignment complies with Commission Implementing Regulation (EU) 2020/1213'; and (ii) the specification of the registered sites of production.'

DECISIONS

COUNCIL DECISION (CFSP) 2022/1943

of 13 October 2022

amending Decision (CFSP) 2019/1720 concerning restrictive measures in view of the situation in Nicaragua

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 14 October 2019, the Council adopted Decision (CFSP) 2019/1720 ([1]) concerning restrictive measures in view of the situation in Nicaragua.

(2) Decision (CFSP) 2019/1720 applies until 15 October 2022. On the basis of a review of that Decision, the restrictive measures set out therein should be extended until 15 October 2023 and the statement of reasons for two natural persons listed in the Annex thereto updated.

(3) Decision (CFSP) 2019/1720 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2019/1720 is amended as follows:

(1) Article 9 is replaced by the following:

'*Article 9*

This Decision shall apply until 15 October 2023 and shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.';

(2) the Annex is amended as set out in the Annex to this Decision.

Article 2

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

Done at Luxembourg, 13 October 2022.

For the Council
The President
P. BLAŽEK

([1]) Council Decision (CFSP) 2019/1720 of 14 October 2019 concerning restrictive measures in view of the situation in Nicaragua (OJ L 262, 15.10.2019, p. 58).

ANNEX

In the Annex to Decision (CFSP) 2019/1720, under the heading 'A. Natural persons referred to in Articles 1(1) and 2(1)', entries 3 and 19 are replaced by the following:

	Name	Identifying information	Reasons	Date of listing
'3.	Francisco Javier DÍAZ MADRIZ	Date of birth: 3 August 1961 Gender: male	General Director of the Nicaraguan National Police (NNP) since 23 August 2018 and former Deputy General Director of NNP. Responsible for serious human rights violations and for the repression of civil society and democratic opposition in Nicaragua, including by leading police forces committing violence against civilians, including excessive use of force, arbitrary arrests and detentions and torture. In 2021, he carried out the investigations to set up cases against the opposition leaders arrested before the elections.	4.5.2020
19.	Lumberto Ignacio CAMPBELL HOOKER	Member of the Supreme Electoral Council, acting President of the Supreme Electoral Council in 2018 Date of birth: 3.12.1949 Place of birth: Raas, Nicaragua Gender: male Nationality: Nicaraguan Passport number: A00001109 (Nicaragua) ID number: 6010302490003J	Lumberto Ignacio Campbell Hooker has been since 2014 a member of the Supreme Electoral Council (SEC) – a body responsible for the preparation, holding and certification of the general elections of 7 November 2021 which, by their lack of transparency, true opposition and democratic debate, undermined democratic institutions and processes. The SEC deprived the opposition of the opportunity to stand for free elections and ensured the organisation of polls in non-democratic conditions. His mandate as member of the SEC was renewed by the General Assembly in May 2021. He spoke to the media during the 7 November 2021 elections, justifying and praising their organisation. He is therefore responsible for the repression of democratic opposition and for undermining democracy and the rule of law in Nicaragua.	10.1.2022'.

COUNCIL DECISION (CFSP) 2022/1944

of 13 October 2022

amending Decision (CFSP) 2018/1544 concerning restrictive measures against the proliferation and use of chemical weapons

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 15 October 2018, the Council adopted Decision (CFSP) 2018/1544 ([1]) concerning restrictive measures against the proliferation and use of chemical weapons.

(2) Decision (CFSP) 2018/1544 applies until 16 October 2022. On the basis of a review of that Decision, the restrictive measures set out therein should be extended until 16 October 2023 and one entry on the list of natural and legal persons, entities and bodies referred to in Articles 2 and 3, as set out in the Annex to that Decision, should be updated.

(3) Decision (CFSP) 2018/1544 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2018/1544 is amended as follows:

(1) Article 8 is replaced by the following:

'*Article 8*

This Decision shall apply until 16 October 2023. This Decision shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.';

(2) the Annex is amended as set out in the Annex to this Decision.

Article 2

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

Done at Luxembourg, 13 October 2022.

For the Council
The President
P. BLAŽEK

([1]) Council Decision (CFSP) 2018/1544 of 15 October 2018 concerning restrictive measures against the proliferation and use of chemical weapons (OJ L 259, 16.10.2018, p. 25).

ANNEX

Entry No 12 on the list of natural and legal persons, entities and bodies referred to in Articles 2 and 3, as set out in the Annex to Decision (CFSP) 2018/1544, under the heading 'A. Natural persons', is replaced by the following entry:

	Name	Identifying information	Grounds for designation	Date of listing
'12.	Sergei Ivanovich MENYAILO (Сергей Иванович МЕНЯЙЛО)	Gender: male; Date of birth: 22 August 1960; Place of birth: Alagir; Nationality: Russian; Title: Head of North Ossetia-Alania.	Sergei Menyailo is the Head of North Ossetia-Alania. He was the Plenipotentiary Representative of the President of the Russian Federation in the Siberian Federal District between 2016 and April 2021. In that capacity he was responsible for ensuring the implementation of the constitutional powers of the President including the implementation of domestic and foreign policy of the State. Sergei Menyailo was a member of the Security Council of the Russian Federation until August 2021. Alexei Navalny has been the target of systematic harassment and repression by State and judicial actors in the Russian Federation due to his prominent role in the political opposition. Alexei Navalny's activities were closely monitored by the authorities of the Russian Federation during his journey to Siberia in August 2020. On 20 August 2020, he was taken seriously ill and admitted to a hospital in Omsk, Russian Federation. On 22 August 2020, he was transported to a hospital in Berlin, Germany. A specialised laboratory in Germany subsequently found clear evidence, also corroborated by laboratories in France and Sweden, that Alexei Navalny had been poisoned with a toxic nerve agent of the Novichok group. This toxic agent is accessible only to State authorities in the Russian Federation. In those circumstances, it is reasonable to conclude that the poisoning of Alexei Navalny was only possible with the consent of the Presidential Executive Office. Given his senior leadership role as the former representative of that Office in the Siberian Federal District, Sergei Menyailo is therefore responsible for inducing and providing support to the persons who carried out or were involved in the poisoning of Alexei Navalny with the Novichok nerve agent, which constitutes a use of chemical weapons under the Chemical Weapons Convention.	15.10.2020'.

COMMISSION IMPLEMENTING DECISION (EU) 2022/1945

of 21 February 2020

on documents to be issued by Member States pursuant to Article 18(1) and (4) and Article 26 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

(notified under document C(2020) 1114)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union,

Having regard to Council Decision (EU) 2020/135 of 30 January 2020 on the conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ([1]), and in particular Article 5 thereof,

Whereas:

(1) Article 18(1) of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ([2]) (the 'Agreement') provides that the host State may require United Kingdom nationals, their respective family members and other persons, who reside in its territory in accordance with the conditions set out in Title II of the Agreement, to apply for a new residence status which confers the rights under that Title and a document evidencing such status.

(2) As provided for in Article 18(4) of the Agreement, where a host State has chosen not to require United Kingdom nationals, their family members, and other persons, residing in its territory in accordance with the conditions set out in Title II of the Agreement, to apply for the new residence status as a condition for legal residence, those eligible for residence rights have the right to receive, in accordance with the conditions set out in Directive 2004/38/EC of the European Parliament and of the Council ([3]), a residence document that includes a statement that it has been issued in accordance with the Agreement.

(3) Article 26 of the Agreement provides that the State of work may require United Kingdom nationals who have rights as frontier workers under Title II of the Agreement to apply for a document certifying that they have such rights under that Title and that those nationals have the right to be issued with such a document.

(4) Council Regulation (EC) No 1030/2002 ([4]) lays down a uniform format for residence permits for third-country nationals. That format contains all the necessary information and meets very high technical standards, in particular as regards safeguards against counterfeiting and falsification.

(5) Therefore, that format should also be used for residence documents to be issued to United Kingdom nationals, their respective family members and other persons who reside on a Member State's territory in accordance with the conditions set out in Title II of the Agreement, following the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union.

([1]) OJ L 29, 31.1.2020, p. 1.
([2]) OJ L 29, 31.1.2020, p. 7.
([3]) Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158 30.4.2004, p. 77).
([4]) Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ L 157, 15.6.2002, p. 1).

(6) That format is also appropriate for documents to be issued to United Kingdom nationals who have rights as frontier workers in the Member State of work.

(7) As those documents will serve to evidence rights provided under Title II of the Agreement, a statement indicating that those documents have been issued under the Agreement should be included as entry under No 10 'Type of permit'.

(8) Member States should indicate under entry No 12 'Remarks' whether the residence document is issued under Article 18(1) or 18(4) of the Agreement.

(9) In order to ensure that the identity of the holder can be checked without doubts, the documents should have a minimum period of validity of five years and a maximum validity of 10 years so as to enable updating the picture of the holder.

(10) In accordance with Article 19(2) of the Agreement, the documents issued by Member States under Article 18(1) of the Agreement should only have effect after the end of the transition period provided for in Article 126 of the Agreement.

(11) However, Member States may already start to issue residence permits to United Kingdom nationals under Article 18(1) or 18(4) of the Agreement during the transition period, if they choose to do so for administrative or other reasons. Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954 of the European Parliament and of the Council ([5]) is however not yet fully applicable. Therefore, Member States should use the current format for residence permits for third country nationals laid down in Regulation (EC) No 1030/2002 as amended by Council Regulation (EC) No 380/2008 ([6]) until Regulation (EU) 2017/1954 becomes applicable.

(12) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 6 of Council Regulation (EC) No 1683/95 ([7]),

HAS ADOPTED THIS DECISION:

Article 1

When issuing a residence document pursuant to Article 18(1) or (4) of the Agreement, Member States shall use the format laid down in Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954.

The entry in field No 10 of the Annex to Regulation (EC) No 1030/2002 'Type of permit' shall be 'Article 50 TEU'. Member States shall indicate in field No 12 of the Annex to Regulation (EC) No 1030/2002 'Remarks' whether the document is issued under Article 18(1) or 18(4) of the Agreement.

The validity of the residence document shall be of minimum five and of maximum 10 years.

Article 2

Member States shall issue the documents pursuant to Article 26 of the Agreement in the form of the uniform format for local border traffic permits for third country nationals, laid down by Regulation (EC) No 1030/2002 as amended by Regulation (EU) 2017/1954.

([5]) Regulation (EU) 2017/1954 of the European Parliament and of the Council of 25 October 2017 amending Council Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals (OJ L 286, 1.11.2017, p. 9).

([6]) Council Regulation (EC) No 380/2008 of 18 April 2008 amending Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals (OJ L 115, 29.4.2008, p. 1).

([7]) Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas (OJ L 164, 14.7.1995, p. 1).

The entry in field No 10 of the Annex to Regulation (EC) No 1030/2002 'Type of permit' shall be 'Art. 50 TEU- Frontier worker'.

The validity of the document shall be of minimum five and of maximum 10 years.

Article 3

Until Member States have implemented Regulation (EU) 2017/1954, they shall use the format laid down in in Regulation (EC) No 1030/2002 as amended by Regulation (EC) No 380/2008, using the same entries as set out in Articles 1 and 2 of this Decision.

Article 4

Member States shall apply this Decision on the day following that of the end of the transition period at the latest.

Article 5

This Decision is addressed to all Member States.

Done at Brussels, 21 February 2020.

For the Commission
Ylva JOHANSSON
Member of the Commission

COMMISSION DECISION (EU) 2022/1946

of 10 October 2022

amending Decision (EU) 2015/1937 as regards the length of the mandate of members of the European Fiscal Board

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union,

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

Whereas:

(1) Commission Decision (EU) 2015/1937 ([1]) established an independent advisory European Fiscal Board. The Decision contains provisions on the mission and tasks, composition, independence and functioning of the European Fiscal Board ('the Board') and its secretariat.

(2) The Board advises the Commission when the latter exercises its functions as regards multilateral fiscal surveillance.

(3) The Chair and four members of the Board were appointed by the Commission on 19 October 2016 ([2]), and their mandate was renewed on 10 April 2019 ([3]). On 9 September 2020, a member of the Board resigned, and the Commission subsequently appointed a new member for a three-year term. The mandate of the Chair and the other three members of the Board expires on 19 October 2022.

(4) A review of the EU fiscal framework was put on hold due to the COVID-19 pandemic. It was then re-launched with the Commission Communication of 19 October 2021 'The EU economy after COVID-19: implications for economic governance' and is ongoing.

(5) Given the impact of the COVID-19 pandemic, on 20 March 2020 the Commission proposed the activation of the general escape clause of the Stability and Growth Pact. The Council endorsed the proposal. The clause is to be applied through 2023.

(6) Taking into account the COVID-19 pandemic as well as the ongoing Russia's war of aggression against Ukraine and the ensuing energy crisis, the current exceptional economic conditions also have an impact on fiscal surveillance practices.

(7) A further extension of the mandate of the Board members should be made possible in exceptional circumstances.

(8) Pursuant to Article 3(7) and 3(8) of the Decision, the Board is supported by a secretariat. The appointing authority in the Commission should be able to make the necessary arrangements for the continuity of the secretariat, to match the mandate of the Board, for the same reasons.

(9) Decision (EU) 2015/1937 should therefore be amended accordingly,

([1]) Commission Decision (EU) 2015/1937 of 21 October 2015 establishing an independent advisory European Fiscal Board (OJ L 282, 28.10.2015, p. 37).
([2]) PV(2016) 2186 final, p. 10.
([3]) PV(2019) 2291 final, p. 22.

HAS DECIDED AS FOLLOWS:

Article 1

In Article 3, paragraph 4, of Decision (EU) 2015/1937, the following sentence is added:

'In exceptional circumstances, their mandates may be extended by a period of up to two years'.

Article 2

In Article 3, paragraph 8, of Decision (EU) 2015/1937, the following sentence is added:

'In exceptional circumstances, the mandate of the Head of Secretariat can be extended by the appointing authority in line with the mandate of the Board.'

Done at Brussels, 10 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/1947

of 13 October 2022

amending Implementing Decision (EU) 2020/1550 by updating the multiannual programme of controls for the period 2021-2025 and establishing the programme of controls for 2023

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ([1]), and in particular Article 118(1), point (b), and Article 118(2) thereof,

Whereas:

(1) The responsibility to enforce Union agri-food chain legislation lies with Member States, whose competent authorities monitor and verify, through the organisation of official controls, that relevant Union requirements are effectively complied with and enforced. Parallel to this monitoring and verification, Article 116 of Regulation (EU) 2017/625 requires Commission experts to perform controls, including audits, in Member States to verify the application of Union legislation. These Commission controls should be performed in the areas of food and feed safety, animal health and welfare, plant health, plant protection products, and the functioning of national control systems and competent authorities, which operate them, taking into account synergies with control arrangements under the common agricultural policy.

(2) Commission Implementing Decision (EU) 2020/1550 ([2]) established a multiannual programme of controls to be carried out by Commission experts in the Member States to verify the application of Union agri-food chain legislation for the period 2021-2025, aligned with the Commission's term of office and reflecting its priorities. During the implementation of that multiannual programme of controls, it has emerged that it was not sufficiently flexible to allow the Commission experts to investigate and collect information in relation to emergency situations, emerging problems, and new developments in the areas governed by the rules referred to in Article 1(2) of the Regulation (EU) 2017/625 and those provided for in that Regulation. A new priority area to cover such eventualities should be added in Chapter 10 of the Annex to Implementing Decision (EU) 2020/1550, as provided for in Article 116(1), point (c)(iii), of Regulation (EU) 2017/625.

(3) Setting a strict timeline for controls in the priority areas for each of the five years of the multiannual programme of controls is not consistent with the level of flexibility required to fulfil the objectives of verifying the functioning of national control systems, including investigating and collecting information on enforcement practices or problems, emergencies and new developments in Member States, and conducting Commission controls on a risk-basis. While keeping the 2021-2025 multiannual programme of controls, Chapter 11 of the Annex to Implementing Decision (EU) 2020/1550, setting the annual break-down of controls for the years 2021-2025, should therefore be replaced by a programme of controls for the following year and should be updated annually.

(4) The introductory text in the Annex to Implementing Decision (EU) 2020/1550 committing Commission experts to perform controls including on-the-spot verifications and desk-based analyses in each of the priority areas in all Member States should be amended to better align it with the requirements of Article 116 of Regulation (EU) 2017/625.

([1]) OJ L 95, 7.4.2017, p. 1.

([2]) Commission Implementing Decision (EU) 2020/1550 of 23 October 2020 establishing the multiannual programme of controls for the period 2021-2025 to be carried out by Commission experts in the Member States to verify the application of Union agri-food chain legislation (OJ L 354, 26.10.2020, p. 9).

(5) The area of genetically modified organisms should be introduced separately in Chapters 10 and 11 of the Annex to Implementing Decision (EU) 2020/1550 as a new priority area to align the text better with the existing sub-division under Article 1(2) of Regulation (EU) 2017/625. Further references to this priority area should be removed from Chapters 1, 2 and 7 of the Annex to Implementing Decision (EU) 2020/1550.

(6) The results of the previous Commission controls on *Salmonella* national control programmes and the analysis of the European Food Safety Authority (EFSA), which can be consulted in the 2019 ([3]) and 2020 ([4]) zoonoses reports, indicate that most Member States met the Union targets for all poultry categories. Member States report annually to the Commission the results of their *Salmonella* controls for the *Gallus gallus*, laying hens, broilers and breeding and fattening turkey flocks. In this context and taking into account the Commission controls on the implementation of the obligations imposed by Commission Regulation (EC) No 2073/2005 ([5]) regarding official samplings related to process hygiene criteria, there is no need for specific audits on *Salmonella* national control programmes in 2023.

(7) Annual assessments of Member States' national residue monitoring plans form an integral part of Commission controls carried out under the priority area of residues in live animals and food of animal origin. A separate reference to those assessments is therefore not necessary and should be removed from the multiannual programme of controls.

(8) Two of the priority areas, active epizootic diseases and enzootic diseases, under animal health, should be renamed as Category A and Category B and C diseases, respectively, under Regulation (EU) 2016/429 of the European Parliament and of the Council ([6]). This will align the terminology used in the multiannual programme of controls with the one introduced by that Regulation.

(9) The Commission has recently covered by its controls the existing national veterinary programmes on non-foodborne zoonoses which it has co-funded. Therefore, there should be no controls on non-foodborne zoonoses in 2023.

(10) The objective for non-foodborne zoonoses in Chapter 3 of the Annex to Implementing Decision (EU) 2020/1550 limited the coverage only to those zoonoses, for which national veterinary programmes co-funded by the Commission were in place. In order to allow Commission experts to perform controls on non-foodborne zoonoses including those without such programmes, such as COVID-19 in mink, the objective should be amended in the multiannual programme of controls.

(11) The Commission has prioritised controls on diseases under the priority area of epizootic diseases, of Category A under Regulation (EU) 2016/429, such as African swine fever and highly pathogenic avian influenza in 2021 and 2022. Due to this prioritisation, there were no controls on enzootic diseases, of Category B and C under Regulation (EU) 2016/429, in those two years. The Commission should therefore perform controls under this priority area in 2023.

(12) The Commission committed itself to review animal welfare legislation in the framework of its Communication 'A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system' ([7]). In this context, work under the priority areas on animal welfare on farm and during slaughter should continue in 2023. Welfare of cattle kept for meat production and of fish on farms, during their transport and at killing, should therefore be added to the multiannual programme of controls.

([3]) EFSA Journal 2021;19(2):6406.
([4]) EFSA Journal 2021;19(12):6971.
([5]) Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1).
([6]) Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.3.2016, p. 1).
([7]) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 'A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system', COM(2020) 381 final of 20 May 2020.

(13) Regulation (EU) 2016/2031 of the European Parliament and of the Council ([8]) requires Member States to establish risk-based multiannual survey programmes for quarantine pests and introduces annual surveys of priority pests. Commission controls on the implementation of these survey programmes should therefore be added in Chapter 5 of the Annex to Implementing Decision (EU) 2020/1550.

(14) Due to COVID-19 restrictions, some of the Commission's controls in third countries had to be postponed, which allowed the Commission to commence a series of controls under the priority area of plant protection products in 2021, one year earlier than planned in the Annex to Implementing Decision (EU) 2020/1550. The Commission controls under this priority area should continue in 2023.

(15) Due to the ongoing discussion on a draft Regulation on the sustainable use of pesticides, which would replace Directive 2009/128/EC of the European Parliament and of the Council ([9]), there were no controls on sustainable use of pesticides in 2022 and there should also be no controls in 2023. Controls on this priority area are to be resumed once a new legal base is adopted.

(16) Due to the postponement of the date of application of the new legislative framework for organic production, Regulation (EU) 2018/848 of the European Parliament and of the Council ([10]), from 1 January 2021 to 1 January 2022, and in order to give Member States the necessary time to implement new measures before controlling their implementation, there were no controls in Member States in 2022 under the priority area on organics. The Commission should therefore perform controls under this priority area in 2023.

(17) The start of the series of controls under the priority area of monitoring of antimicrobial resistance in zoonotic and commensal bacteria originally planned to start in 2022 in the Annex to Implementing Decision (EU) 2020/1550, should start instead in 2023 to maximise the effectiveness of these controls, given the timeline when the data necessary for this series would be available for analysis.

(18) For the Commission to support the swift implementation by Member States' competent authorities of the new requirements for risk-based controls aimed at the detection of fraudulent and deceptive practices introduced by Article 9(2) of Regulation (EU) 2017/625, it was important to collect information and examples of good practices in order to provide guidance to Member States. This objective could best be achieved through fact-finding studies rather than audits as this approach would allow for a wider scope, open a dialogue with the Member States' competent authorities and hold meetings with other law enforcement authorities and fraud investigators. The objective for the priority area on fraud should therefore be amended to reflect this change.

(19) The multiannual programme of controls set out in Implementing Decision (EU) 2020/1550 identified export controls as a priority area warranting a degree of Commission oversight. Food business operators in the Union, exporting animals and goods to third countries, have primary responsibility for meeting third countries' import requirements. Where consignments of animals and goods require official certification of the operators' compliance with those requirements, certification is provided by the responsible competent authorities in the Member States. Recognising the roles and responsibilities of food business operators and Member State competent authorities in this regard, Commission controls on this aspect are no longer deemed to be a priority for inclusion in the revised multiannual programme of controls.

(20) The Annex to Implementing Decision (EU) 2020/1550 should therefore be amended accordingly,

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([8]) Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).

([9]) Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides (OJ L 309, 24.11.2009, p. 71).

([10]) Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2020/1550 is replaced by the text set out in the Annex to this Decision.

Article 2

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

Done at Brussels, 13 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

This Annex sets out the programme of controls to be carried out by Commission experts in the Member States in areas covered by Regulation (EU) 2017/625 for the period 2021-2025.

For the period concerned, the Commission has identified certain priority areas within the areas of food and feed safety, food quality, animal health and welfare, plant health, plant protection products, entry into the Union of animals and goods from third countries, antimicrobial resistance and general aspects within the agri-food chain (including the functioning of national control systems and competent authorities).

The Commission controls in Member States shall cover the areas set out in Article 1(2) of Regulation (EU) 2017/625. Specific issues covered by individual controls shall be adapted to the situation in each Member State.

Commission experts shall carry out controls, including, audits, in accordance with Article 116 of Regulation (EU) 2017/625.

The multiannual programme for Commission controls in Member States for the period 2021-2025 to verify the application of the rules in the areas covered by Article 1(2) of Regulation (EU) 2017/625 covers also other areas provided for in that Regulation, such as fraud and import controls. Not all priority areas result in a specific series of controls. Some are addressed under a more general series of controls, such as, for instance, aspects of animal welfare at the time of slaughter covered, where relevant, as part of the food of animal origin controls and compliance of border control posts covered as part of the official controls on animals and goods.

Chapters 1 to 10 of this Annex set out the multiannual programme of controls broken down by priority area and specific objective. Chapter 11 sets the programme of controls for 2023.

1. **Food and food safety**

Priority area	Specific Objectives
Food of animal origin *(e.g. safety of meat of mammals and birds and products thereof, milk and products thereof, fishery products and production hygiene of live bivalve molluscs)*	To verify Member States' compliance with the applicable Union food safety legislation governing the production and placing on the market of food of animal origin (covering also traceability and labelling), with a particular focus on meat of mammals and birds and products thereof, milk and products thereof, fishery products, and live bivalve molluscs, and the implementation of official controls thereon.
Foodborne zoonoses *(e.g. Salmonella)*	To verify Member States' national veterinary programmes co-funded by the Commission and the implementation of official controls thereon.
Food of non-animal origin *(e.g. safety of fruit and vegetables, herbs, spices and sprouts)*	To verify Member States' compliance with the applicable Union food safety legislation governing the production and placing on the market of food of non-animal origin (covering also traceability and labelling), with a particular focus on microbiological safety, and the implementation of official controls thereon.
Residues in live animals and food of animal origin *(residues of veterinary medicinal products, pesticides and contaminants)*	To verify Member States' compliance with the applicable Union legislation governing residues of veterinary medicinal products, pesticides and contaminants in live animals and food of animal origin.
Contaminants in food of non-animal origin *(e.g. mycotoxins)*	To verify, based on Member States' multiannual national control plans and reports thereon, that official controls on contaminants in food of non-animal origin comply with the requirements laid down in the relevant applicable Union legislation.

2. **Feed and feed safety**

Priority area	Specific Objectives
General feed hygiene *(feed hygiene, approval and registration of establishments, traceability, labelling and contaminants)*	To verify Member States' compliance with the applicable Union legislation governing feed hygiene (with a particular focus on feed hygiene, approval and registration of establishments, contaminants, traceability and labelling) and the implementation of official controls thereon.
Medicated feed	To verify Member States' compliance with the Union legal requirements governing the production of medicated feed, applicable from January 2022.
Animal by-products and derived products *(meat sector, processing plants)*	To verify Member States' compliance with the applicable Union legislation governing the handling, use and disposal of animal by-products and derived products generated in the Union or placed on the Union market and the implementation of official controls thereon, with a particular focus on the meat sector and processing plants.

3. **Animal health**

Priority area	Specific Objectives
Category A diseases under Regulation (EU) 2016/429 *(e.g. African swine fever, highly pathogenic avian influenza)*	To verify Member States' compliance with the applicable Union legislation governing the control of the major active animal diseases, such as African swine fever and highly pathogenic avian influenza, and the implementation of official controls thereon.
Non-foodborne zoonoses *(e.g. rabies)*	To check Member States' capacity to detect, monitor and control relevant non-foodborne zoonoses.
Category B and C diseases under Regulation (EU) 2016/429 *(e.g. tuberculosis, brucellosis)*	To verify Member States' compliance with the applicable Union legislation governing the control of enzootic diseases, with a particular focus on the level of implementation and effectiveness of the national veterinary programmes co-funded by the Commission, and the implementation of official controls thereon.
Preparedness and prevention *(e.g. contingency planning)*	To verify Member States' compliance with the applicable Union legislation governing preparedness to cope with multiple outbreaks of epizootic diseases and the implementation of official controls thereon.

4. **Animal welfare**

Priority area	Specific Objectives
Transport *(e.g. unfit animals, livestock vessels, unweaned calves, control posts used for animal transit)*	To verify Member States' compliance with the applicable Union legislation governing animal welfare during transport, with a particular focus on unfit animals, livestock vessels, unweaned calves and control posts used for animal transit, and the implementation of official controls thereon.
On farm *(e.g. laying hens)*	To verify Member States' compliance with the applicable Union legislation governing the welfare of animals during rearing and the implementation of official controls thereon.
Slaughter *(e.g. ruminants, poultry)*	To verify Member States' compliance with the applicable Union legislation governing the welfare of ruminants and poultry at slaughter, and the implementation of official controls thereon.

5. **Plant health**

Priority area	Specific Objectives
Plant pest outbreaks *(presenting a significant threat)*	To verify Member States' compliance with the applicable Union legislation governing the control of plant pests found on the Union territory, with a particular focus on pests presenting a significant threat, for example, *Xylella fastidiosa*, tomato brown rugose fruit virus, pinewood nematode, anoplophora long-horn beetles, trioza and other harmful organisms identified as a priority and the implementation of official controls thereon.
Preparedness and prevention *(e.g. contingency planning, plant health survey programmes)*	To verify Member States' compliance with the applicable Union legislation governing the drawing up and update of plant health contingency plans. To assess the planning and implementation of survey programmes for priority and other quarantine pests under Plant Health Law.
Movement of plants, plant products and other objects within the Union *(plant passports)*	To verify Member States' compliance with the applicable Union plant health legislation governing the movement of plants, plant products and other objects within the Union, with a particular focus on plant passports, and the implementation of official controls thereon.

6. Placing on the market and use of **plant protection products** and the **sustainable use of pesticides**

Priority area	Specific Objectives
Plant protection products *(authorisation, marketing and use of pesticides, pesticides residues)*	To verify Member States' compliance with the applicable Union legislation governing the authorisation, marketing and use of plant protection products and pesticide residues, and the implementation of official controls thereon.
Sustainable use of pesticides	To verify Member States' compliance with the applicable Union legislation governing the sustainable use of pesticides, and the implementation of official controls thereon.

7. **Food quality**

Priority area	Specific Objectives
Organic farming	To verify Member States' compliance with the applicable Union legislation governing the production and labelling of organic products, and the implementation of official controls thereon.
Geographical indications	To verify Member States' compliance with the applicable Union legislation governing the production and labelling of geographical indications, such as protected designation of origin (PDO), protected geographical indication (PGI) and traditional speciality guaranteed (TSG), and the implementation of official controls thereon.

8. **Entry into the Union of animals and goods from third countries**

Priority area	Specific Objectives
Official controls on animals and goods	To verify that Member States meet their obligations with regard to conducting official controls on animals and goods entering the Union from third countries. To verify that animals and goods entering the Union from third countries comply with the applicable general and specific Union requirements for entry into the Union. There will be a special focus on rules established by Regulation (EU) 2017/625 and related delegated and implementing acts.
Compliance of border control posts	To verify that border control posts proposed for designation by Member States comply with the minimum requirements for border control posts including inspection centres laid down in the applicable Union legislation before such posts are designated. To verify that border inspection posts, designated points of entry, points of entry and first points of introduction re-designated in accordance with Article 61(2) of Regulation (EU) 2017/625 comply with the applicable minimum requirements. To verify that control points other than border control posts, referred to in Article 53(1), point (a), of Regulation (EU) 2017/625, comply with the applicable minimum requirements.
Official plant health controls	To verify that Member States meet their obligations with regard to conducting official plant health controls on plants, plant products and other objects entering the Union from third countries. To provide assurances that plants, plant products and other objects entering the Union from third countries comply with the applicable Union plant health requirements for entry into the Union.

9. **Antimicrobial resistance**

Priority area	Specific Objectives
Monitoring of antimicrobial resistance in zoonotic and commensal bacteria	To verify Member States' compliance with the legislation governing the monitoring of antimicrobial resistance in zoonotic and commensal bacteria and by this contribute to the full implementation of the 2017 European One Health Action Plan against Antimicrobial Resistance (AMR) ([1]).

([1]) Communication from the Commission to the Council and the European Parliament, 'A European One Health Action Plan against Antimicrobial Resistance (AMR)', COM(2017) 339 final, 29.6.2017.

10. **General aspects within the agri-food chain**

Priority area	Specific Objectives
Fraud	To collect information on the suitability and effective implementation of national arrangements to fight fraud along the agri-food chain in accordance with Regulation (EU) 2017/625.
Follow-up of audit recommendations *(sectoral and general)*	To verify that Member States take appropriate follow-up measures to remedy any specific or systematic shortcomings identified by Commission controls.
Genetically modified organisms (GMOs) *(e.g. authorisation, marketing, traceability, labelling)*	To verify Member States' compliance with the applicable Union legislation governing the authorisation and marketing of Genetically Modified Organisms, their traceability and labelling in food and feed and the implementation of official controls thereon. To contribute to and build up expertise on enforcement in relation to products obtained by new genomic techniques.
Any emergency situations, emerging problems and new developments	To investigate and collect information in relation to any emergency situations, emerging problems or new developments in the Member States.

11. **Programme of controls for 2023**

Area	Priority area	Focus in 2023
Food & food safety	**Food of animal origin**	Safety of meat of mammals and birds and products thereof Safety of milk and products thereof Safety of fishery products Production hygiene of live bivalve molluscs
	Food of non-animal origin	Microbiological safety
	Residues in live animals and food of animal origin	Chemical safety – residues
	Contaminants in food of non-animal origin	Chemical safety – contaminants
Feed & feed safety	**Feed safety**	General feed hygiene (including medicated feed)
		Animal by-products and derived products
Animal health	**Category A diseases under Regulation (EU) 2016/429**	African swine fever Highly pathogenic avian influenza
	Category B and C diseases under Regulation (EU) 2016/429	Fish diseases
	Preparedness & prevention	Contingency planning
Animal welfare	**Transport**	Unweaned calves including the stops at control posts
	On farm	Cattle (beef) Fish (including slaughter)
Plant health	**Plant pest outbreaks**	Plant pest outbreaks presenting a significant threat
	Movement of plants, plant products and other objects within the Union	Plant passports
PPP & SUD	**Plant protection products (PPP)**	Chemical safety (authorisation, marketing and use of pesticides)
Food quality	**Organic farming**	Organic farming
	Geographical indications	Geographical indications

Area	Priority area	Focus in 2023
Entry into the Union of animals and goods from third countries	**Official controls on animals and goods**	Animals and goods
	Border control posts	Compliance of border control posts
	Official plant health controls	Plants, plant products and other objects
AMR	**Monitoring of antimicrobial resistance in zoonotic and commensal bacteria**	Antimicrobial resistance in zoonotic and commensal bacteria
General aspects within the agri-food chain	**Follow-up of audit recommendations**	General and sectoral follow-up of audit recommendations
	Genetically modified organisms (GMOs)	Genetically modified organisms (GMOs)
	Any emergency situations, emerging problems and new developments	Emergency situations, emerging problems and new developments

COMMISSION IMPLEMENTING DECISION (EU) 2022/1948

of 13 October 2022

establishing the equivalence, for the purpose of facilitating the right of free movement within the Union, of COVID-19 certificates issued by the Federative Republic of Brazil to the certificates issued in accordance with Regulation (EU) 2021/953 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic ([1]), and in particular Article 8(2) thereof,

Whereas:

(1) Regulation (EU) 2021/953 lays down a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates ('EU Digital COVID Certificate') for the purpose of facilitating the holders' exercise of their right to free movement during the COVID-19 pandemic. It is also to contribute to facilitating the gradual lifting of restrictions to free movement put in place by Member States, in accordance with Union law, to limit the spread of SARS-CoV-2, in a coordinated manner.

(2) Regulation (EU) 2021/953 allows for the acceptance of COVID-19 certificates issued by third countries to Union citizens and their family members where the Commission finds that those COVID-19 certificates are issued in accordance with standards that are to be considered as equivalent to those established pursuant to that Regulation. Furthermore, in accordance with Regulation (EU) 2021/954 of the European Parliament and of the Council ([2]), Member States are to apply the rules laid down in Regulation (EU) 2021/953 to third-country nationals who do not fall within the scope of that Regulation, but who are legally staying or residing in their territory and who are entitled to travel to other Member States in accordance with Union law. Therefore, any equivalence findings laid down in this Decision should apply to COVID-19 vaccination certificates issued by the Federative Republic of Brazil to Union citizens and their family members. Similarly, on the basis of Regulation (EU) 2021/954, such equivalence findings should also apply to COVID-19 vaccination certificates issued by the Federative Republic of Brazil to third-country nationals legally staying or residing in the territory of the Member States under the conditions laid down in that Regulation.

(3) On 25 May 2022, the Federative Republic of Brazil provided the Commission with detailed information on the issuance of interoperable COVID-19 vaccination certificates under the system entitled 'Rede Nacional de Dados em Saúde'. The Federative Republic of Brazil informed the Commission that it considered that its COVID-19 certificates are being issued in accordance with a standard and a technological system, that are interoperable with the trust framework established by Regulation (EU) 2021/953 and that allow for the verification of the authenticity, validity and integrity of the certificates. In this regard, the Federative Republic of Brazil informed the Commission that COVID-19 vaccination certificates issued by the Federative Republic of Brazil in accordance with the 'Rede Nacional de Dados em Saúde' system contain the data set out in the Annex to Regulation (EU) 2021/953.

([1]) OJ L 211, 15.6.2021, p. 1.

([2]) Regulation (EU) 2021/954 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) with regard to third country nationals legally staying or residing in the territories of Member States during the COVID-19 pandemic (OJ L 211, 15.6.2021, p. 24).

(4) The Federative Republic of Brazil also informed the Commission that it accepts vaccination certificates issued by the Member States and EEA countries in accordance with Regulation (EU) 2021/953.

(5) On 12 September 2022, following a request by the Federative Republic of Brazil, the Commission carried out technical tests that demonstrated that the COVID-19 vaccination certificates issued by the Federative Republic of Brazil in accordance with the 'Rede Nacional de Dados em Saúde' system are interoperable with the trust framework established by Regulation (EU) 2021/953, allowing for the verification of the authenticity, validity and integrity of the certificates. The Commission also confirmed that the COVID-19 vaccination certificates issued by the Federative Republic of Brazil in accordance with the 'Rede Nacional de Dados em Saúde' system contain the necessary data.

(6) In addition, the Federative Republic of Brazil informed the Commission that it issues interoperable vaccination certificates for COVID-19 vaccines. Those vaccines currently include Comirnaty, Jcovden, Vaxzevria, CoronaVac, and Covid-19 (recombinant) by Fiocruz.

(7) The Federative Republic of Brazil also informed the Commission that it does not issue interoperable test certificates.

(8) Furthermore, the Federative Republic of Brazil informed the Commission that it does not issue interoperable certificates of recovery.

(9) In addition, the Federative Republic of Brazil informed the Commission that when verifiers in the Federative Republic of Brazil verify certificates, the personal data included in them will be processed only to verify and confirm the holder's vaccination status and will not be retained afterwards.

(10) The necessary elements for establishing that COVID-19 vaccination certificates issued by the Federative Republic of Brazil in accordance with the 'Rede Nacional de Dados em Saúde' system are to be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953 are thus fulfilled.

(11) Therefore, COVID-19 vaccination certificates issued by the Federative Republic of Brazil in accordance with the 'Rede Nacional de Dados em Saúde' system should be accepted under the conditions referred to in Article 5(5) of Regulation (EU) 2021/953.

(12) In order for this Decision to be operational, the Federative Republic of Brazil should be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.

(13) In order to protect the Union's interests, in particular in the area of public health, the Commission may use its powers to suspend application of this Decision or repeal it, if the conditions of Article 8(2) of Regulation (EU) 2021/953 are no longer met.

(14) In order to connect the Federative Republic of Brazil to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953 as rapidly as possible, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union*.

(15) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 14 of Regulation (EU) 2021/953,

HAS ADOPTED THIS DECISION:

Article 1

COVID-19 vaccination certificates issued by the Federative Republic of Brazil in accordance with the 'Rede Nacional de Dados em Saúde' system shall, for the purpose of facilitating the right of free movement within the Union, be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953.

Article 2

The Federative Republic of Brazil shall be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.

Article 3

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

Done at Brussels, 13 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/1949

of 13 October 2022

establishing the equivalence, for the purpose of facilitating the right of free movement within the Union, of COVID-19 certificates issued by New Zealand in respect of the Cook Islands, Niue and Tokelau to the certificates issued in accordance with Regulation (EU) 2021/953 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic ([1]), and in particular Article 8(2) thereof,

Whereas:

(1) Regulation (EU) 2021/953 lays down a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates ('EU Digital COVID Certificate') for the purpose of facilitating the holders' exercise of their right to free movement during the COVID-19 pandemic. It is also to contribute to facilitating the gradual lifting of restrictions to free movement put in place by Member States, in accordance with Union law, to limit the spread of SARS-CoV-2, in a coordinated manner.

(2) Regulation (EU) 2021/953 allows for the acceptance of COVID-19 certificates issued by third countries to Union citizens and their family members where the Commission finds that those COVID-19 certificates are issued in accordance with standards that are to be considered as equivalent to those established pursuant to that Regulation. Furthermore, in accordance with Regulation (EU) 2021/954 of the European Parliament and of the Council ([2]), Member States have to apply the rules laid down in Regulation (EU) 2021/953 to third-country nationals who do not fall within the scope of that Regulation, but who are legally staying or residing in their territory and who are entitled to travel to other Member States in accordance with Union law. Therefore, any equivalence findings laid down in this Decision should apply to COVID-19 vaccination and test certificates issued by New Zealand in respect of the Cook Islands, Niue and Tokelau to Union citizens and their family members. Similarly, on the basis of Regulation (EU) 2021/954, such equivalence findings should also apply to COVID-19 vaccination and test certificates issued by New Zealand in respect of the Cook Islands, Niue and Tokelau to third-country nationals legally staying or residing in the territory of the Member States under the conditions laid down in that Regulation.

(3) On 15 November 2021, the Commission adopted Implementing Decision (EU) 2021/1993 ([3]), establishing the equivalence, for the purpose of facilitating the right of free movement within the Union, of COVID-19 certificates issued by New Zealand under the system 'My Covid Record' to the certificates issued in accordance with Regulation (EU) 2021/953.

([1]) OJ L 211, 15.6.2021, p. 1.

([2]) Regulation (EU) 2021/954 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) with regard to third country nationals legally staying or residing in the territories of Member States during the COVID-19 pandemic (OJ L 211, 15.6.2021, p. 24).

([3]) Commission Implementing Decision (EU) 2021/1993 of 15 November 2021 establishing the equivalence, for the purpose of facilitating the right of free movement within the Union, of COVID-19 certificates issued by New Zealand to the certificates issued in accordance with Regulation (EU) 2021/953 of the European Parliament and of the Council (OJ L 405, 16.11.2021, p. 20).

(4) On 19 April 2022, New Zealand informed the Commission that the Cook Islands, Niue and Tokelau have requested it to seek an extension to Implementing Decision (EU) 2021/1993 so as to cover COVID-19 certificates issued in the Cook Islands, Niue and Tokelau. As noted by New Zealand, the Cook Islands and Niue are self-governing states in free association with New Zealand, while Tokelau is a non-self-governing territory of New Zealand. The request by New Zealand was made in the exercise of its obligations to take account of the vital interests of the Cook Islands, Niue and Tokelau.

(5) In this context, New Zealand provided the Commission with detailed information on the issuance of interoperable COVID-19 vaccination and test certificates in respect of the Cook Islands, Niue and Tokelau under the system entitled 'My Covid Record', that is, the system covered by Implementing Decision (EU) 2021/1993. New Zealand informed the Commission that it considered that the COVID-19 certificates issued in respect of the Cook Islands, Niue and Tokelau using the 'My Covid Record' system are being issued in accordance with a standard and a technological system that are interoperable with the trust framework established by Regulation (EU) 2021/953 and that allow for the verification of the authenticity, validity and integrity of the certificates. In this regard, New Zealand informed the Commission that COVID-19 certificates issued in respect of the Cook Islands, Niue and Tokelau in accordance with the 'My Covid Record' system contain the data set out in the Annex to Regulation (EU) 2021/953.

(6) New Zealand also informed the Commission that, the Cook Islands, Niue and Tokelau accept interoperable vaccination and test certificates issued by the Member States and EEA countries in accordance with Regulation (EU) 2021/953.

(7) On 25 July 2022, following a request by New Zealand made on behalf of the Cook Islands, Niue and Tokelau, the Commission carried out technical tests that demonstrated that the COVID-19 vaccination and test certificates issued by New Zealand in respect of the Cook Islands, Niue and Tokelau in accordance with the 'My Covid Record' system are interoperable with the trust framework established by Regulation (EU) 2021/953, allowing for the verification of the authenticity, validity and integrity of the certificates. The Commission also confirmed that the COVID-19 vaccination and test certificates issued by New Zealand in respect of the Cook Islands, Niue and Tokelau in accordance with the 'My Covid Record' system contain the necessary data.

(8) In addition, New Zealand informed the Commission that it issues interoperable vaccination certificates for COVID-19 vaccines in respect of the Cook Islands, Niue and Tokelau, which currently include Comirnaty.

(9) New Zealand also informed the Commission that it issues interoperable test certificates for nucleic acid amplification tests and for antigen tests agreed by the Health Security Committee, established by Article 17 of Decision No 1082/2013/EU of the European Parliament and of the Council ([4]), on the basis of the Council Recommendation of 21 January 2021 ([5]), in respect of the Cook Islands, Niue and Tokelau.

(10) Furthermore, New Zealand informed the Commission that it does not issue interoperable certificates of recovery in respect of the Cook Islands, Niue and Tokelau.

(11) In addition, New Zealand informed the Commission that when verifiers in the Cook Islands, Niue and Tokelau verify certificates, the personal data included in them will be processed only to verify and confirm the holder's vaccination or test result and will not retain the data afterwards.

(12) The necessary elements for establishing that COVID-19 certificates issued by New Zealand in respect of the Cook Islands, Niue and Tokelau in accordance with the 'My Covid Record' system are to be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953 are thus fulfilled.

([4]) Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC (OJ L 293, 5.11.2013, p. 1).

([5]) Council Recommendation of 21 January 2021 on a common framework for the use and validation of rapid antigen tests and the mutual recognition of COVID-19 test results in the EU (OJ C 24, 22.1.2021, p. 1).

(13) Therefore, COVID-19 certificates issued by New Zealand in respect of the Cook Islands, Niue and Tokelau in accordance with the 'My Covid Record' system should be accepted under the conditions referred to in Article 5(5), Article 6(5), and Article 7(8) of Regulation (EU) 2021/953.

(14) In order for this Decision to be operational, the connection of New Zealand to the EU Digital COVID Certificate trust framework established by Implementing Decision (EU) 2021/1993 should be extended to cover certificates issued in the Cook Islands, Niue and Tokelau.

(15) In order to protect the Union's interests, in particular in the area of public health, the Commission may use its powers to suspend or terminate this Decision if the conditions of Article 8(2) of Regulation (EU) 2021/953 are no longer met.

(16) In view of the need to extend the connection of New Zealand to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953 to cover certificates issued in respect of the Cook Islands, Niue and Tokelau as rapidly as possible, this Decision should enter into force on the day following that of its publication in the *Official Journal of the European Union*.

(17) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 14 of Regulation (EU) 2021/953,

HAS ADOPTED THIS DECISION:

Article 1

COVID-19 vaccination and test certificates issued by New Zealand in respect of the Cook Islands, Niue and Tokelau in accordance with the 'My Covid Record' system shall, for the purpose of facilitating the right of free movement within the Union, be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953.

Article 2

The connection of New Zealand to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953 shall be extended to include the certificates covered by Article 1.

Article 3

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

Done at Brussels, 13 October 2022.

For the Commission
The President
Ursula VON DER LEYEN

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