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Price: EUR 3

(Continued overleaf)

<sup>(1)</sup> Text with EEA relevance

EN

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## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION REGULATION (EU) No 847/2012

of 19 September 2012

**amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards mercury**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC<sup>(1)</sup>, and in particular Article 68(1) thereof,

Whereas:

- (1) In its Communication to the Council and the European Parliament on a Community Strategy Concerning Mercury<sup>(2)</sup> the Commission outlined that it is necessary to reduce mercury levels in the environment and human exposure and proposed as objectives, among others, the reduction of entry into circulation of mercury in society by cutting supply and demand, the reduction of mercury emissions and the protection against mercury emissions.
- (2) The strategy was reviewed in 2010 in the Communication from the Commission to the European Parliament and the Council on the review of the community strategy concerning mercury<sup>(3)</sup>, in which the Commission acknowledged that work will continue on the extension

of the existing marketing restrictions for certain measuring devices containing mercury to additional devices used in the healthcare sector, in particular sphygmomanometers and for other professional and industrial uses.

- (3) The Council has reaffirmed several times its commitment to the overall objective of protecting human health and the environment from the release of mercury and its compounds by minimising and, where feasible, ultimately eliminating global anthropogenic mercury releases to air, water and land. In this context, the Council underlined that mercury-added products, where viable alternatives exist, should be phased out as rapidly and as completely as possible, with the ultimate goal that all mercury-added products should be phased-out, taking into due account technical and economic circumstances and the needs for scientific research and development<sup>(4)</sup>.
- (4) Mercury and its compounds are highly toxic to humans, ecosystems and wildlife. High doses can be fatal to humans, but even relatively low doses can have serious adverse neurodevelopmental impacts and have also been linked with possible harmful effects on the cardiovascular, immune and reproductive systems. Mercury is considered as a global persistent pollutant, circulating between air, water, sediments, soil and biota in various forms. It can change in the environment into methylmercury, its most toxic form. Methylmercury biomagnifies especially in the aquatic food chain, making the human population and wildlife with a high intake of fish and seafood particularly vulnerable. Methylmercury readily passes both the placental barrier and the blood-brain barrier, inhibiting potential mental development even before birth, making the exposure of women of child-bearing age and children of greatest

<sup>(1)</sup> OJ L 396, 30.12.2006, p. 1.

<sup>(2)</sup> COM(2005) 20 final.

<sup>(3)</sup> COM(2010) 723 final.

<sup>(4)</sup> Council conclusions of 15 March 2011 'Review of the Community Strategy concerning Mercury', of 4 December 2008 'Addressing global mercury challenges' and of 24 June 2005 'On the Community Strategy Concerning Mercury'.

- concern. Mercury and its degradation products, mainly methylmercury, present an equivalent level of concern to persistent, bioaccumulative and toxic substances (PBTs) and have long range transport properties.
- (5) Mercury measuring devices are used widely across Europe, leading to a possible release of mercury to the environment during all the stages of their lifecycle and contributing to the overall emissions of mercury, and thereby also to the exposure of human population and other species via the environment.
- (6) Regulation (EC) No 1907/2006, in entry 18a of Annex XVII, provides for a ban on the placing on the market of fever thermometers containing mercury, as well as other mercury containing measuring devices intended for sale to the general public, and requests the Commission to carry out a review of the availability of reliable safer alternatives that are technically and economically feasible for mercury containing sphygmomanometers and other measuring devices in healthcare and in other professional and industrial uses. On the basis of that review, or as soon as new information on reliable safer alternatives for sphygmomanometers and other measuring devices containing mercury becomes available, the Commission is requested, if appropriate, to present a legislative proposal to extend the restrictions already provided in that entry to sphygmomanometers and other measuring devices in healthcare and in other professional and industrial uses, so that mercury in measuring devices is phased out whenever technically and economically feasible.
- (7) Based on the significant amount of new information collected, the Commission sent the European Chemicals Agency (hereinafter 'the Agency') its review report and requested the Agency to prepare a dossier conforming to the requirements of Annex XV to Regulation (EC) No 1907/2006 in accordance with Article 69 of that Regulation.
- (8) The Agency has prepared a dossier proposing to restrict mercury in the following measuring devices used in industrial and professional (including healthcare) applications: mercury containing barometers, hygrometers, manometers, sphygmomanometers, strain gauges used with plethysmographs, tensiometers, thermometers and other non-electrical thermometric applications, mercury metering devices for the determination of softening point and mercury pycnometers. The dossier demonstrates that action on a Union-wide basis is necessary to address the risk to human health and environment posed by the use of mercury in these measuring devices.
- (9) Alternative measuring devices without mercury have become available and show significantly lower associated risks than the health and environmental risks posed by mercury measuring devices.
- (10) For ongoing epidemiological studies using mercury sphygmomanometers the method of measurement should not be changed, therefore a derogation should be granted until these studies are completed. For sphygmomanometers used as reference standard for validation of mercury free devices it was not possible to establish the time needed to develop and recognise as reference standard mercury-free alternatives, therefore the derogation for these devices should be without time limit.
- (11) For thermometers exclusively intended to perform tests according to standards that require the use of mercury thermometers a time period is needed to amend those standards, therefore derogation should be granted for a period of five years. Given that mercury is needed as a reference point in the 1990 International Temperature Scale a derogation should also be granted, without time limit, for mercury triple point cells which are used for the calibration of platinum resistance thermometers.
- (12) For porosimeters, mercury electrodes used in voltammetry and mercury probes used for capacitance voltage determination, feasible alternatives are not yet available, therefore no restriction is proposed for these measuring devices.
- (13) A derogation should be granted to allow the general selling and buying of old, historically valuable mercury measuring devices which can be regarded as antiques or cultural goods. Regulation (EC) No 1907/2006, in entry 18a of Annex XVII, allows the placing on the market of mercury containing measuring devices intended for sale to the general public, other than fever thermometers, if they were more than 50 years old on 3 October 2007. For reasons of clarity, the same age determinants should apply for the exception concerning the old measuring devices used in industrial and professional (including healthcare) applications.
- (14) A derogation should also be granted for measuring devices displayed in exhibitions for cultural and historical purposes, including those that were less than 50 years old on 3 October 2007 but have nevertheless historical and cultural value.
- (15) On 8 June 2011, the Committee for Risk Assessment of the Agency adopted its opinion on the proposed restriction, which it considered as the most appropriate Union-wide measure to address the identified risks in terms of the effectiveness in reducing the risks.
- (16) On 15 September 2011 the Committee for Socio-economic Analysis of the Agency adopted its opinion on the proposed restriction, which it considered as the

most appropriate Union-wide measure to address the identified risks in terms of the proportionality of its socioeconomic benefits to its socioeconomic costs.

- (17) The Agency has submitted to the Commission the opinions of the Committees for Risk Assessment and Socioeconomic Analysis.
- (18) Regulation (EC) No 1907/2006 should therefore be amended accordingly.
- (19) It is appropriate to provide for a reasonable period of time for the stakeholders concerned to take the measures that may be required to comply with the measures set out in this Regulation.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex XVII to Regulation (EC) No 1907/2006 is amended in accordance with the Annex to this Regulation.

*Article 2*

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

It shall apply from 10 April 2014.

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

Done at Brussels, 19 September 2012.

*For the Commission*  
*The President*  
José Manuel BARROSO

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## ANNEX

In Annex XVII to Regulation (EC) No 1907/2006, the entry 18a is amended as follows:

- (1) paragraph 4 is deleted;
- (2) the following paragraphs 5 to 8 are added:

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<p>5. The following mercury-containing measuring devices intended for industrial and professional uses shall not be placed on the market after 10 April 2014:</p> <ol style="list-style-type: none"><li>(a) barometers;</li><li>(b) hygrometers;</li><li>(c) manometers;</li><li>(d) sphygmomanometers;</li><li>(e) strain gauges to be used with plethysmographs;</li><li>(f) tensiometers;</li><li>(g) thermometers and other non-electrical thermometric applications.</li></ol> <p>The restriction shall also apply to measuring devices under points (a) to (g) which are placed on the market empty if intended to be filled with mercury.</p> <p>6. The restriction in paragraph 5 shall not apply to:</p> <ol style="list-style-type: none"><li>(a) sphygmomanometers to be used:<ol style="list-style-type: none"><li>(i) in epidemiological studies which are ongoing on 10 October 2012;</li><li>(ii) as reference standards in clinical validation studies of mercury-free sphygmomanometers;</li></ol></li><li>(b) thermometers exclusively intended to perform tests according to standards that require the use of mercury thermometers until 10 October 2017;</li><li>(c) mercury triple point cells which are used for the calibration of platinum resistance thermometers.</li></ol> <p>7. The following mercury-using measuring devices intended for professional and industrial uses shall not be placed on the market after 10 April 2014:</p> <ol style="list-style-type: none"><li>(a) mercury pycnometers;</li><li>(b) mercury metering devices for determination of the softening point.</li></ol> <p>8. The restrictions in paragraphs 5 and 7 shall not apply to:</p> <ol style="list-style-type: none"><li>(a) measuring devices more than 50 years old on 3 October 2007;</li><li>(b) measuring devices which are to be displayed in public exhibitions for cultural and historical purposes.</li></ol>
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## COMMISSION REGULATION (EU) No 848/2012

of 19 September 2012

**amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards phenylmercury compounds**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC<sup>(1)</sup>, and in particular Article 68(1) thereof,

Whereas:

- (1) In its Communication to the Council and the European Parliament on a Community Strategy Concerning Mercury<sup>(2)</sup> the Commission outlined that it is necessary to reduce mercury levels in the environment and human exposure and proposed as objectives, among others, the reduction of entry into circulation of mercury in society, by cutting supply and demand, the reduction of mercury emissions and the protection against mercury emissions. That Communication was reviewed in 2010<sup>(3)</sup>.
- (2) The Council has reaffirmed several times its commitment to the overall objective of protecting human health and the environment from the release of mercury and its compounds by minimising and, where feasible, ultimately eliminating global anthropogenic mercury releases to air, water and land. In this context, the Council underlined that mercury-added products, where viable alternatives exist, should be phased out as rapidly and as completely as possible, with the ultimate goal that all mercury-added products should be phased-out, taking into due account technical and economic circumstances and the needs for scientific research and development<sup>(4)</sup>.
- (3) Mercury and its compounds are highly toxic to humans, ecosystems and wildlife. High doses can be fatal to humans, but even relatively low doses can have serious adverse neurodevelopmental impacts and have also been linked with possible harmful effects on the cardiovascular, immune and reproductive systems. Mercury is

considered as a global persistent pollutant, circulating between air, water, sediments, soil and biota in various forms and can change in the environment into methylmercury, its most toxic form.

- (4) Regulation (EC) No 1907/2006 provides that, if a Member State considers that the manufacture, placing on the market or use of a substance on its own, in a mixture or in an article poses a risk to human health or the environment that is not adequately controlled and needs to be addressed, it shall prepare a dossier after notifying that intention to the European Chemicals Agency (hereinafter 'the Agency').
- (5) Pursuant to Decision of the EEA Joint Committee No 25/2008 of 14 March 2008 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement<sup>(5)</sup>, Regulation (EC) No 1907/2006 was incorporated into the Agreement on the European Economic Area.
- (6) Norway has prepared a dossier concerning five phenylmercury compounds, namely phenylmercury acetate, phenylmercury propionate, phenylmercury 2-ethylhexanoate, phenylmercury octanoate and phenylmercury neodecanoate, which demonstrates that action on a Union-wide basis is necessary to address the risk to human health and the environment posed by the manufacture, use and placing on the market of those substances, on their own, in mixtures and articles. That dossier was submitted to the Agency in order to initiate the restriction process.
- (7) The five phenylmercury compounds are known to be used especially as catalysts in polyurethane systems used for coatings, adhesives, sealants and elastomer applications. The mercury catalysts are incorporated into the polymer structure and remain in the final article from which mercury or phenylmercury compounds are not released intentionally. Other phenylmercury compounds are not known to be used as catalysts in polyurethane systems and therefore they were not included in the assessment performed in the dossier.
- (8) The life-cycle of the phenylmercury compounds leads to a significant release of mercury to the environment and adds to the overall emissions of mercury. In particular, the phenylmercury compounds are degraded in the environment and give degradation products, including methylmercury, with equivalent level of concern to persistent, bioaccumulative and toxic substances (PBTs). The interconversion of metabolites of phenylmercury

<sup>(1)</sup> OJ L 396, 30.12.2006, p. 1.

<sup>(2)</sup> COM(2005) 20 final.

<sup>(3)</sup> COM(2010) 723 final.

<sup>(4)</sup> Council Conclusions of 15 March 2011 'Review of the Community Strategy Concerning Mercury', of 4 December 2008 'Addressing global mercury challenges' and of 24 June 2005 'On the Community Strategy Concerning Mercury'.

<sup>(5)</sup> OJ L 182, 10.7.2008, p. 11.



compounds allows for long range transport properties. Therefore as transformation/degradation products with PBT-properties are being generated, the phenylmercury compounds themselves must be treated like PBT-substances with regard to emission and exposure control. To this end, the exposures and emissions to humans and the environment should be minimised as much as possible.

- (9) The main exposure to humans via the environment may be through food, in which the phenylmercury compounds degradation products, including methylmercury, may be found. Methylmercury biomagnifies especially in the aquatic food chain, making human population and wildlife with a high intake of fish and seafood particularly vulnerable. Methylmercury readily passes both the placental barrier and the blood-brain barrier, inhibiting potential mental development even before birth, making the exposure of women of child-bearing age and children of greatest concern.
- (10) On 10 June 2011, the Committee for Risk Assessment of the Agency (RAC) adopted its opinion on the proposed restriction, taking into account its effectiveness in reducing the risks to human health and the environment. Moreover, RAC identified that other organomercury compounds might be used as catalysts in the polymer production. However, these substances were not included in the assessment performed in the dossier.
- (11) On 15 September 2011 the Committee for Socio-economic Analysis of the Agency adopted its opinion on the proposed restriction, taking into account its

effectiveness in addressing the identified risks in terms of the proportionality of its socioeconomic benefits to its socioeconomic costs.

- (12) The Agency has submitted to the Commission the opinions of the Committees for Risk Assessment and Socioeconomic Analysis.
- (13) It is appropriate to provide for a reasonable period of time for the stakeholders concerned to take the measures that may be required to comply with the measures set out in this Regulation.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex XVII to Regulation (EC) No 1907/2006 is amended in accordance with the Annex to this Regulation.

*Article 2*

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

It shall apply from 10 October 2017.

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

Done at Brussels, 19 September 2012.

*For the Commission*

*The President*

José Manuel BARROSO



## ANNEX

In Annex XVII to Regulation (EC) No 1907/2006, the following entry 62 is added:

<p>'62.</p> <p>(a) Phenylmercury acetate EC No: 200-532-5 CAS No: 62-38-4</p> <p>(b) Phenylmercury propionate EC No: 203-094-3 CAS No: 103-27-5</p> <p>(c) Phenylmercury 2-ethylhexanoate EC No: 236-326-7 CAS No: 13302-00-6</p> <p>(d) Phenylmercury octanoate EC No: - CAS No: 13864-38-5</p> <p>(e) Phenylmercury neodecanoate EC No: 247-783-7 CAS No: 26545-49-3</p>	<p>1. Shall not be manufactured, placed on the market or used as substances or in mixtures after 10 October 2017 if the concentration of mercury in the mixtures is equal to or greater than 0,01 % by weight.</p> <p>2. Articles or any parts thereof containing one or more of these substances shall not be placed on the market after 10 October 2017 if the concentration of mercury in the articles or any part thereof is equal to or greater than 0,01 % by weight.'</p>
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## COMMISSION IMPLEMENTING REGULATION (EU) No 849/2012

of 19 September 2012

concerning the authorisation of the preparation of citric acid, sorbic acid, thymol and vanillin as a feed additive for chickens for fattening, chickens reared for laying, all minor avian species for fattening and reared for laying and weaned *Suidae* other than *Sus scrofa domesticus* (holder of the authorisation Vetagro SpA)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition<sup>(1)</sup>, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of a preparation of citric acid, sorbic acid, thymol and vanillin. The application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of a preparation of citric acid, sorbic acid, thymol and vanillin as a feed additive for chickens for fattening, chickens reared for laying, all minor avian species for fattening and reared for laying and all minor porcine species (weaned), to be classified in the additive category 'zootechnical additives'.
- (4) The use of a preparation of citric acid, sorbic acid, thymol and vanillin was authorised for 10 years as a feed additive for use in weaned piglets by Commission Regulation (EU) No 1117/2010<sup>(2)</sup>.
- (5) The European Food Safety Authority ('the Authority') concluded in its opinion of 25 May 2012<sup>(3)</sup> that

under the proposed conditions of use, the preparation of citric acid, sorbic acid, thymol and vanillin set out in the Annex does not have an adverse effect on animal health, human health or the environment, and that this additive has the potential to improve performance of the target species. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

- (6) The assessment of that preparation shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of this preparation should be authorised as specified in the Annex to this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1*

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'other zootechnical additives', is authorised as an additive in animal nutrition as specified in that Annex.

*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, 19 September 2012.

For the Commission  
The President  
José Manuel BARROSO

<sup>(1)</sup> OJ L 268, 18.10.2003, p. 29.

<sup>(2)</sup> OJ L 317, 3.12.2010, p. 3.

<sup>(3)</sup> EFSA Journal (2012); 10(5):2670.

## ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg/kg of complete feedingstuff with a moisture content of 12 %			
<b>Category of zootechnical additives. Functional group: other zootechnical additives (improvement of zootechnical parameters)</b>									
4d 3	Vetagro SpA	Preparation of citric acid, sorbic acid, thymol and vanillin	<p><i>Additive composition</i></p> <p>Preparation of protected microbeads containing citric acid, sorbic acid, thymol and vanillin with a minimum of:</p> <p>Citric acid: 25 g/100 g</p> <p>Sorbic acid: 16,7 g/100 g</p> <p>Thymol: 1,7 g/100 g</p> <p>Vanillin: 1 g/100 g</p> <p><i>Characterisation of active substances</i></p> <p>Citric acid C<sub>6</sub>H<sub>8</sub>O<sub>7</sub> (purity ≥ 99,5 %)</p> <p>2-hydroxy-1,2,3-propanetricarboxylic acid, CAS number 77-92-9 anhydrous</p> <p>Sorbic acid C<sub>6</sub>H<sub>8</sub>O<sub>2</sub> (purity ≥ 99,5 %)</p> <p>2,4-hexadienoic acid, CAS number 110-44-1</p> <p>Thymol (purity ≥ 98 %)</p> <p>5-methyl-2-(1-methylethyl)phenol, CAS number 89-83-8)</p> <p>Vanillin (purity ≥ 99,5 %)</p> <p>4-hydroxy-3-methoxybenzaldehyde, CAS number 121-33-5)</p> <p><i>Analytical methods</i> <sup>(1)</sup></p> <p>Determination of sorbic acid and thymol in feed: reverse phase high performance liquid chromatography method equipped</p>	<p>Chickens for fattening and reared for laying</p> <p>Minor avian species for fattening and reared for laying</p> <p>Weaned <i>Suidae</i></p> <p>other than <i>Sus scrofa domesticus</i></p>	—	200	—	For safety: breathing protection, glasses and gloves shall be used during handling.	10 October 2022
						1 000			

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg/kg of complete feedingstuff with a moisture content of 12 %			
			with ultraviolet/diode array detection (RP-HPLC-UV/DAD). Determination of citric acid in the additive and premixtures: (RP-HPLC-UV/DAD). Determination of citric acid in feedingstuff: enzymatic determination of citric content-NADH (reduced form of nicotinamide adenine dinucleotide) spectrometric method.						

(1) Details of the analytical methods are available at the following address of the Reference Laboratory: [http://irmm.jrc.ec.europa.eu/EURLs/EURL\\_feed\\_additives/Pages/index.aspx](http://irmm.jrc.ec.europa.eu/EURLs/EURL_feed_additives/Pages/index.aspx)

**COMMISSION IMPLEMENTING REGULATION (EU) No 850/2012****of 19 September 2012****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,

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

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

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

Done at Brussels, 19 September 2012.

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 157, 15.6.2011, p. 1.

## ANNEX

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

<i>(EUR/100 kg)</i>		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	MK	57,9
	XS	59,9
	ZZ	58,9
0707 00 05	MK	23,6
	TR	106,4
	ZZ	65,0
0709 93 10	TR	113,9
	ZZ	113,9
0805 50 10	AR	94,9
	CL	89,9
	UY	84,5
	ZA	105,7
	ZZ	93,8
0806 10 10	MK	65,0
	TN	197,3
	TR	122,2
	ZZ	128,2
0808 10 80	AR	201,7
	BR	89,7
	CL	159,1
	NZ	92,7
	US	119,9
	ZA	109,7
	ZZ	128,8
0808 30 90	CN	68,2
	TR	114,8
	ZA	149,6
	ZZ	110,9
0809 30	TR	148,3
	ZZ	148,3
0809 40 05	IL	63,3
	TR	107,6
	XS	74,4
	ZZ	81,8

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

**COMMISSION IMPLEMENTING REGULATION (EU) No 851/2012****of 19 September 2012****on the issue of import licences for applications lodged during the first seven days of September 2012 under the tariff quotas opened by Regulation (EC) No 533/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences <sup>(2)</sup>, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 533/2007 of 14 May 2007 opening and providing for the administration of tariff quotas in the poultrymeat sector <sup>(3)</sup>, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 533/2007 opened tariff quotas for imports of poultrymeat products.
- (2) The applications for import licences lodged during the first seven days of September 2012 for the subperiod from 1 October to 31 December 2012 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities for which import licence applications have been lodged under Regulation (EC) No 533/2007 for the subperiod from 1 October to 31 December 2012 shall be multiplied by the allocation coefficients set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 20 September 2012.

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

Done at Brussels, 19 September 2012.

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 125, 15.5.2007, p. 9.



## ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.10.2012-31.12.2012 (%)
P1	09.4067	3,257358
P3	09.4069	0,376937

**COMMISSION IMPLEMENTING REGULATION (EU) No 852/2012****of 19 September 2012****on the issue of import licences for applications lodged during the first seven days of September 2012 under the tariff quotas opened by Regulation (EC) No 539/2007 for certain products in the egg sector and for egg albumin**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) <sup>(1)</sup>,Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences <sup>(2)</sup>, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 539/2007 of 15 May 2007 opening and providing for the administration of tariff quotas in the egg sector and for egg albumin <sup>(3)</sup>, and in particular Article 5(6) thereof,

Whereas:

- (1) Regulation (EC) No 539/2007 opened tariff quotas for imports of egg products and egg albumin.
- (2) The applications for import licences lodged during the first seven days of September 2012 for the subperiod from 1 October to 31 December 2012 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities for which import licence applications have been lodged under Regulation (EC) No 539/2007 for the subperiod from 1 October to 31 December 2012 shall be multiplied by the allocation coefficients set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 20 September 2012.

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

Done at Brussels, 19 September 2012.

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 128, 16.5.2007, p. 19.

## ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.10.2012-31.12.2012 (%)
E2	09.4401	26,788977

**COMMISSION IMPLEMENTING REGULATION (EU) No 853/2012****of 19 September 2012****on the issue of import licences for applications lodged during the first seven days of September 2012 under the tariff quota opened by Regulation (EC) No 1385/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences <sup>(2)</sup>, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EC) No 1385/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat <sup>(3)</sup>, and in particular Article 5(6) thereof,

Whereas:

The applications for import licences lodged during the first seven days of September 2012 for the subperiod from 1 October to 31 December 2012 relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities for which import licence applications have been lodged for the subperiod from 1 October to 31 December 2012 under Regulation (EC) No 1385/2007 shall be multiplied by the allocation coefficients set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 20 September 2012.

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

Done at Brussels, 19 September 2012.

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

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 238, 1.9.2006, p. 13.

<sup>(3)</sup> OJ L 309, 27.11.2007, p. 47.

## ANNEX

Group No	Order No	Allocation coefficient for import licence applications lodged for the subperiod from 1.10.2012-31.12.2012 (%)
1	09.4410	0,30601
2	09.4411	0,338411
3	09.4412	0,333262
4	09.4420	0,432525
6	09.4422	0,437276

# DECISIONS

## DECISION OF THE EUROPEAN CENTRAL BANK

of 7 September 2012

amending Decision ECB/2010/14 on the authenticity and fitness checking and recirculation of euro banknotes

(ECB/2012/19)

(2012/507/EU)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

fitness checking should be integrated into the rules and procedures for the testing of banknote handling machines, data collection and monitoring.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 128(1) thereof,

(4) In the light of experience gained in relation to Decision ECB/2010/14 it is necessary to improve some of the rules and procedures for reasons of clarity and efficiency.

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 16 thereof,

(5) Decision ECB/2010/14 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Whereas:

### Article 1

#### Amendments

(1) On 16 September 2010 the European Central Bank (ECB) adopted Decision ECB/2010/14 on the authenticity and fitness checking and recirculation of euro banknotes <sup>(1)</sup>, which lays down common rules and procedures protecting the integrity of euro banknotes as a means of payment.

Decision ECB/2010/14 is amended as follows:

(2) In particular, the scope of Decision ECB/2010/14 needs to be amended to cover current and future series of euro banknotes thereby ensuring that the euro banknotes in circulation are genuine and fit and that suspect counterfeit euro banknotes are detected and handed over to the competent national authorities. To this end, a number of technical amendments to the annexes to Decision ECB/2010/14 should be made.

(1) in Article 2, the following definition is added:

'13. "euro banknotes" means those banknotes complying with the requirements of Decision ECB/2003/4 <sup>(\*)</sup> or any legal act replacing or complementing that Decision and with the technical specifications laid down by the Governing Council.

<sup>(\*)</sup> OJ L 78, 25.3.2003, p. 16.;

(3) The minimum standards for automated fitness checking of euro banknotes, as set out in Annex IIIa to Decision ECB/2010/14, constitute requirements applying to the functionalities of banknote handling machines. They are therefore only of interest to manufacturers of banknote handling machines and have no impact on the authenticity and fitness checking procedures laid down in Decision ECB/2010/14, with which cash handlers have to comply. As they are outside the scope of Decision ECB/2010/14, the minimum standards for automated

(2) in Article 3, paragraph 5 is replaced by the following:

'5. Staff-operated machines, when used for the purpose of authenticity and fitness checking, and customer-operated machines may only be put into operation by cash handlers if they have been successfully tested by an NCB and listed on the ECB's website as laid down in Article 9(2). The machines shall be used only for the denominations and series of euro banknotes listed on the ECB's website for the corresponding machines, with the standard factory settings, including any updates thereof, that have been successfully tested unless stricter settings are agreed between the NCB and the cash handler.;

<sup>(1)</sup> OJ L 267, 9.10.2010, p. 1.

(3) Article 6 is replaced by the following:

*'Article 6*

**Detection of unfit euro banknotes**

1. Manual fitness checking shall be carried out in accordance with the minimum standards laid down in Annex III.

2. Automated fitness checking shall be carried out by a successfully tested banknote handling machine according to the minimum standards which are published on the ECB's website and amended from time to time.

3. An NCB may, after informing the ECB, lay down stricter standards for one or more denominations or series of euro banknotes if this is justified, for example by a deterioration in the quality of the euro banknotes in circulation in its Member State. These stricter standards shall be published on that NCB's website.

4. Unfit euro banknotes shall be handed over to an NCB in consideration of national regulations.;

(4) in Article 8, paragraph 4 is replaced by the following:

'4. Cash handlers shall be informed by the Eurosystem of counterfeit threats when appropriate and may be required by the Eurosystem to take action, including imposing a temporary prohibition on the recirculation of the euro banknote denomination(s) of the series concerned.;

(5) in Article 9, paragraph 3 is replaced by the following:

'3. Where a type of banknote handling machine is successfully tested, the test results shall be valid throughout the euro area for one year from the end of the month in which the test was carried out, provided that it remains capable of detecting all counterfeit euro banknotes known to the Eurosystem during this period.;

(6) in Article 10, paragraph 3 is replaced by the following:

'3. When an NCB detects non-compliance by a cash handler with the provisions of this Decision, it shall require the adoption by the cash handler of corrective measures within a specified time limit. Until the non-compliance is rectified, the requiring NCB may, on behalf of the ECB, prohibit the cash handler from recirculating the euro banknote denomination(s) of the series concerned. If the non-compliance is due to a failure of the type of banknote handling machine, this may lead to its removal from the list referred to in Article 9(2).;

(7) Article 13 is replaced by the following:

*'Article 13*

**Final provisions**

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

2. Cash handlers of Member States that adopt the euro following the date of adoption of this Decision shall apply it from the date of adoption of the euro.;

(8) Annexes I, IIa, IIb, IIIa, IIIb and IV are amended in accordance with the Annex to this Decision.

*Article 2*

**Entry into force**

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

Done at Frankfurt am Main, 7 September 2012.

*The President of the ECB*

Mario DRAGHI



## ANNEX

Annexes I, IIa, IIb, IIIa, IIIb and IV to Decision ECB/2010/14 are amended as follows:

1. Annex I is replaced by the following:

## ‘ANNEX I

**BANKNOTE HANDLING MACHINES****1. General technical requirements**

- 1.1. To qualify as a banknote handling machine, a machine has to be capable of processing euro banknotes, classifying the individual euro banknotes and physically separating the euro banknotes according to their classifications without the intervention of the machine operator, subject to Annex IIa and IIb. Banknote handling machines need to have the required number of dedicated output stackers and/or other means to ensure the reliable separation of the euro banknotes processed.
- 1.2. Banknote handling machines have to be adaptable to ensure that they are capable of reliably detecting new counterfeits. Moreover, they have to be adaptable to enable the setting up of more or less restrictive fitness sorting standards, if applicable.

**2. Categories of banknote handling machines**

Banknote handling machines are either customer-operated machines or staff-operated machines:

Table 1

**Customer-operated machines****A. Customer-operated machines where cash is deposited with customer tracing**

1.	Cash-in machines (CIMs)	CIMs allow customers, by using a bank card or other means, to deposit euro banknotes in their bank accounts, but do not have any cash-dispensing function. CIMs check euro banknotes for authenticity and allow for traceability of the account holder; fitness checks are optional
2.	Cash-recycling machines (CRMs)	CRMs allow customers, by using a bank card or other means, to deposit euro banknotes in their bank accounts and to withdraw euro banknotes from their bank accounts. CRMs check euro banknotes for authenticity and fitness and allow for traceability of the account holder. For withdrawals, CRMs may use genuine fit euro banknotes that have been deposited by other customers in previous transactions
3.	Combined cash-in machines (CCMs)	CCMs allow customers, by using a bank card or other means, to deposit euro banknotes in their bank accounts and to withdraw euro banknotes from their bank accounts. CCMs check euro banknotes for authenticity and allow for traceability of the account holder; fitness checks are optional. For withdrawals, CCMs do not use euro banknotes that have been deposited by other customers in previous transactions but only euro banknotes loaded separately into them

**B. Other customer-operated machines**

4.	Cash-out machines (COM)	COMs are cash dispensers which check euro banknotes for authenticity and fitness before dispensing them to customers. COMs use euro banknotes loaded into them by cash handlers or other automated systems (e.g. vending machines)
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A CRM may be used as a CIM or CCM if the detector systems, software and other components for the performance of their core functionalities are the same as the CRM type listed on the ECB website.

A CCM may be used as a CIM if the detector systems, software and other components for the performance of its core functionalities are the same as the CCM type listed on the ECB website.

Table 2

**Staff-operated machines**

1.	Banknote processing machines (BPMs)	BPMs check euro banknotes for authenticity and fitness
2.	Banknote authentication machines (BAMs)	BAMs check euro banknotes for authenticity
3.	Teller assistant recycling machines (TARMs)	TARMs are cash recycling machines operated by cash handlers that check euro banknotes for authenticity and fitness. For withdrawals, TARMs may use genuine fit euro banknotes that have been deposited by other customers in previous transactions. In addition, they keep euro banknotes in safe custody and allow cash handlers to credit or debit the bank accounts of customers
4.	Teller assistant machines (TAMs)	TAMs are machines operated by cash handlers that check euro banknotes for authenticity. In addition, they keep euro banknotes in safe custody and allow cash handlers to credit or debit the bank accounts of customers

Staff operated machines must process the banknotes in batches.

TARMs and TAMs may be used as customer-operated machines if the machine type has been tested and listed on the ECB's website as a CRM or CIM/CCM, respectively. In this case, a TARM is to be considered as a CRM and a TAM is to be considered as a CIM/CCM.

### 3. Types of banknote handling machines

The Eurosystem tests types of banknote handling machines. Types of banknote handling machines can be distinguished from each other through their specific detector systems, software and other components for the performance of their core functionalities. These are: (a) the authentication of genuine euro banknotes; (b) the detection and separation of euro banknotes suspected to be counterfeit; (c) the detection and separation of unfit euro banknotes from fit euro banknotes, if applicable; and (d) the tracing of objects identified as suspect counterfeit euro banknotes and of euro banknotes that are not clearly authenticated, if applicable.;

2. Annex IIa is replaced by the following:

'ANNEX IIa

#### **CLASSIFICATION AND TREATMENT OF EURO BANKNOTES BY CUSTOMER-OPERATED MACHINES**

Euro banknotes are classified into one of the following categories and are physically separated by category. Machines which do not check euro banknotes for fitness do not need to distinguish between categories 4a and 4b euro banknotes.

Table 1

**Classification and treatment of euro banknotes by customer-operated machines in which cash is deposited with customer tracing**

	Category	Properties	Treatment
1.	Objects not recognised as euro banknotes	Not recognised as euro banknotes because of any of the following: <ul style="list-style-type: none"> <li>— euro banknotes not supported by the machine</li> <li>— non-euro banknotes</li> <li>— euro banknote-like objects</li> <li>— wrong image or format</li> <li>— large folded corner(s) or missing part(s)</li> <li>— feeding or transportation error of the machine</li> </ul>	Return by the machine to the customer
2.	Suspect counterfeit euro banknotes	Image and format recognised, but one or more authentication feature checked by the machine not detected or clearly out of tolerance	Withdraw from circulation  To be handed over for authentication, together with information related to the account holder, to the competent national authorities immediately, at the latest 20 working days after deposit in the machine. Do not credit to the account holder
3.	Euro banknotes that are not clearly authenticated	Image and format recognised, but not all authentication features checked by the machine are recognised because of quality and/or tolerance deviations. In most cases unfit euro banknotes	Withdraw from circulation  The euro banknotes are processed separately and handed over for authentication to the NCB immediately, at the latest 20 working days after deposit in the machine  Information on the account holder is stored for eight weeks after the euro banknotes have been detected by the machine. This information is made available on request to the NCB. Alternatively, in agreement with the NCB, information allowing the traceability of the account holder can be handed over together with the euro banknotes to that NCB  May be credited to the account holder
4a.	Euro banknotes that are identified as genuine and fit	All authenticity and fitness checks carried out by the machine giving positive results	Can be used for recirculation  Credited to the account holder
4b.	Euro banknotes that are identified as genuine and unfit	All authenticity checks carried out by the machine giving positive results. At least one fitness criterion checked giving a negative result	Cannot be used for recirculation and are returned to the NCB  Credited to the account holder

Specific rules regarding Table 1:

1. Categories 2 and 3 euro banknotes are not returned to the customer by a machine if the machine allows the cancellation of a deposit transaction. Retaining such euro banknotes when a transaction is cancelled can be done by storing them in a temporary storage area in the machine.
2. Category 3 euro banknotes may not be physically separated from category 4b euro banknotes. In such case the timeframe for handing over the mixed category 3 and 4b euro banknotes to the NCB and the requirements for the customer tracing of the category 3 euro banknotes as specified for category 3 still apply.

Table 2

**Classification and treatment of euro banknotes by other customer-operated machines**

Category	Properties	Treatment	
1.	Objects not recognised as euro banknotes	Not recognised as euro banknotes because of any of the following: <ul style="list-style-type: none"> <li>— euro banknotes not supported by the machine</li> <li>— non-euro banknotes</li> <li>— euro banknote-like objects</li> <li>— wrong image or format</li> <li>— large folded corner(s) or missing part(s)</li> <li>— feeding or transportation error of the machine</li> </ul>	Cannot be dispensed to customers
2.	Suspect counterfeit euro banknotes	Image and format recognised, but one or more authentication feature checked by the machine not detected or clearly out of tolerance	Cannot be dispensed to customers  To be handed over for authentication to the competent national authorities immediately, at the latest 20 working days after detection by the machine together with information related to the account holder if available
3.	Euro banknotes that are not clearly authenticated	Image and format recognised, but not all authentication features checked by the machine are recognised because of quality and/or tolerance deviations. In most cases unfit euro banknotes	Cannot be dispensed to customers  The euro banknotes are processed separately and handed over to the NCB for authentication immediately, at the latest 20 working days after deposit in the machine
4a.	Euro banknotes that are identified as genuine and fit	All authenticity and fitness checks carried out by the machine giving positive results	Can be dispensed to customers
4b.	Euro banknotes that are identified as genuine and unfit	All authenticity checks carried out by the machine giving positive results. At least one fitness criterion checked giving a negative result	Cannot be dispensed to customers and are returned to the NCB

Specific rules regarding Table 2:

1. Category 1, 2 and 3 euro banknotes may not be physically separated. Mixed, all three categories must be treated as category 2 euro banknotes. If category 1, 2 and 3 euro banknotes can be separated on another banknote handling machine or, if agreed by an NCB, by trained staff members, they must be treated in accordance with Table 2.
2. Category 3 euro banknotes may not be physically separated from category 4b euro banknotes. In such case the timeframe for handing over the mixed category 3 and 4b euro banknotes to the NCB as specified in category 3 still applies.;
3. Annex IIb is replaced by the following:

‘ANNEX IIb

**CLASSIFICATION AND TREATMENT OF EURO BANKNOTES BY STAFF-OPERATED MACHINES**

Euro banknotes are classified into one of the categories set out in Table 1. Categories 4a and 4b euro banknotes are to be physically separated from categories 1, 2 and 3 euro banknotes. Machines which do not check euro banknotes for fitness do not need to distinguish between categories 4a and 4b euro banknotes.

Table 1

**Classification and treatment of euro banknotes by staff-operated machines**

Category	Properties	Treatment
1.	Objects not recognised as euro banknotes  Not recognised as euro banknotes because of any of the following: — euro banknotes not supported by the machine — non-euro banknotes — euro banknote-like objects — wrong image or format — large folded corner(s) or missing part(s) — feeding or transportation error of the machine	Return by the machine to the operator for further evaluation and treatment.  After visual evaluation by a staff member these can be returned by the cash handler to the customer.
2.	Suspect counterfeit euro banknotes  Image and format recognised, but one or more authentication feature checked by the machine not detected or clearly out of tolerance	Return by the machine to the operator for further treatment.  These are processed separately and handed over for final authentication to the competent national authorities immediately, at the latest 20 working days after processing by the machine.
3.	Euro banknotes that are not clearly authenticated  Image and format recognised, but not all authentication features checked by the machine are recognised because of quality and/or tolerance deviations. In most cases unfit euro banknotes	
4a.	Euro banknotes that are identified as genuine and fit  All authenticity and fitness checks carried out by the machine giving positive results	Can be used for recirculation.  Credited to the account holder.

Category		Properties	Treatment
4b.	Euro banknotes that are identified as genuine and unfit	All authenticity checks carried out by the machine giving positive results. At least one fitness criterion checked giving a negative result	Cannot be used for recirculation and are returned to the NCB.  Credited to the account holder.

Specific rule regarding Table 1:

If euro banknotes in categories 2 and 3 can be physically separated by the machine itself or by another banknote handling machine, or, if the NCB agrees, by trained staff members, then category 3 euro banknotes can be provided together with category 4b euro banknotes to the NCB. In such case the time limit for handing category 2 euro banknotes to the competent national authority and mixed category 3 and 4b euro banknotes to the NCB still apply as specified in the table.

#### Specific classification and sorting rules for some staff-operated machines

1. BPMs classify and physically sort euro banknotes of categories 1, 2 and 3 into one or more output stackers and euro banknotes of categories 4a and 4b into two separate output stackers as set out in Annex IIb, for which at least three dedicated output stackers are needed to avoid the intervention of the machine operator.
  2. BPMs with only two dedicated output stackers may however classify and sort euro banknotes if the following requirements are fulfilled:
    - (a) The authenticity and fitness checks are conducted in the same pass. In this pass, category 4a euro banknotes must be sorted into one stationary output stacker, whereas euro banknotes of the other categories must be sorted into a separate stationary output stacker that does not have any physical contact with category 4a euro banknotes.
    - (b) If a category 1, 2 or 3 euro banknote is identified as being present in the second output stacker, the operator must re-run the euro banknote(s) from the second output stacker. In this second pass, category 1, 2 and 3 euro banknotes must be separated from the category 4b euro banknotes by sorting the former into a dedicated output stacker and treated as specified in the table above. As the machine cannot physically separate category 1, 2 and 3 euro banknotes into different output stackers, they must all be considered and treated as category 2 euro banknotes.
  3. BAMS classify and physically sort euro banknotes of categories 1, 2 and 3 into one output stacker and euro banknotes of categories 4a and 4b into a second output stacker, for which at least two dedicated output stackers are needed to avoid the intervention of the machine operator.
  4. BAMS with only one dedicated output stacker may however classify and sort euro banknotes if the following requirements are fulfilled:
    - (a) Each time a category 1, 2 or 3 euro banknote is processed, the machine must stop the processing immediately and keep that euro banknote in a position that avoids any physical contact with authenticated euro banknotes.
    - (b) The result of the authenticity check must be indicated for any single euro banknote of category 1, 2 or 3 on a display. As the machine cannot physically separate category 1, 2 and 3 euro banknotes into different output stackers, they must all be considered and treated as category 2 euro banknotes.
    - (c) The machine must check for the presence of a category 1, 2 or 3 euro banknote when it stops processing, and processing can only be resumed after the physical removal of the category 1, 2 or 3 euro banknote by the operator.
    - (d) For each stop of the processing mode no more than one category 1, 2 or 3 euro banknote can be accessible to the operator;
4. Annex IIIa is deleted, Annex IIIb is renumbered as Annex III;

5. Annex IV is replaced by the following:

‘ANNEX IV

**DATA COLLECTION FROM CASH HANDLERS**

**1. Objectives**

The objectives of data collection are to enable the NCBs and the ECB to monitor the relevant activities of cash handlers and to oversee developments in the cash cycle.

**2. General principles**

2.1. Data on banknote handling machines are only reported when the machines are used to comply with this Decision.

2.2. Cash handlers regularly provide the NCB of their Member State with the following:

— information on establishments where cash is handled such as branch offices, and

— information on banknote handling machines and cash dispensers.

2.3. In addition, cash handlers that recirculate euro banknotes via banknote handling machines and cash dispensers regularly provide the NCB of their Member State with the following:

— information on the volume of cash operations (number of euro banknotes processed) involving banknote handling machines and cash dispensers,

— information on remote branches of credit institutions with a low level of cash operations where fitness checks are carried out manually.

**3. Type of data and reporting requirements**

3.1. Depending on its nature, the data collected are divided into master data and operational data.

*Master data*

3.2. Master data cover information on: (a) the individual cash handlers and their banknote handling machines and cash dispensers in operation; and (b) remote branches of credit institutions.

3.3. Master data are provided to the NCB at the date of application of this Decision and every six months thereafter. The data specified in the template set out in Appendix 1 must be provided, although the NCB may require them to be provided in a different format. NCBs may for a transitional period ask for monthly reporting, if this was their practice prior to this Decision entering into force, or for quarterly reporting.

3.4. An NCB may decide, for monitoring reasons, to collect the data at local level, such as at branch offices.

3.5. An NCB may decide to exclude from the scope of the reporting requirements banknote handling machines only used to process euro banknotes distributed over the counter or that are not used for recirculation. An NCB may require the cash handlers to indicate the CRMs and CCMs which are used respectively as CCMs/CIMs or CIMs.

3.6. Data on remote branches specified in the template set out in Appendix 3 must be provided, although the NCB may require them to be provided in a different format.

*Operational data*

3.7. Data originating from the processing and recirculation of euro banknotes by cash handlers are classified as operational data.

3.8. An NCB may decide to exclude other economic agents, as referred to in Article 6(1) of Regulation (EC) No 1338/2001, from the obligation to report operational data if the number of euro banknotes they recirculate via cash dispensers is below a threshold determined by the NCB.



- 3.9. Data are provided on a six-monthly basis. The data are reported to the NCB at the latest two months after the relevant reporting period, i.e. end-February and end-August. Data may be provided using the template set out in Appendix 2. NCBs may for a transitional period ask for monthly reporting, if this was their practice prior to this Decision entering into force, or for quarterly reporting.
- 3.10. Data are provided by cash handlers which physically handle euro banknotes. If a cash handler has outsourced the checking for authenticity and fitness to another cash handler, the data are provided by the cash handler designated in accordance with Article 3(2).
- 3.11. Data are reported by cash handlers in terms of pieces (volume), aggregated at national level and broken down by euro banknote denomination. A breakdown by banknote series is not required. For remote branches of credit institutions, operational data is reported separately.
- 3.12. An NCB may decide, for monitoring reasons, to collect the data at local level, such as at branch offices.
- 3.13. An NCB may decide to exclude from the scope of the reporting requirements euro banknotes that are processed on banknote handling machines and distributed over the counter.
- 3.14. Cash handlers which have outsourced authenticity and fitness checking to other cash handlers may be requested to provide detailed information to the NCB on the latter, including the outsourcing arrangements.
- 3.15. Data on remote branches specified in the template set out in Appendix 3 must be provided, although the NCB may require them to be provided in a different format and may agree with cash handlers to collect more extensive data.
- 4. Confidentiality and publication of data**
- 4.1. Both master data and operational data are treated as confidential.
- 4.2. The NCBs and the ECB may decide to publish reports or statistics using data acquired under this Annex. Any such publication is aggregated in such a way that no data can be attributed to single reporting entities.

---

*Appendix 1*

**REPORTING TEMPLATE**

**Master data**

This information is to be provided to:

[Name of NCB; contact details for queries; address]

**1. Cash handler information**

Cash handler's name:

Headquarters address:

Zip/postal code:

City:

Street:

Type of company:

— Credit institution

— Bureau de change

— Cash in transit company which is not a payment institution

— Trader (retailer)

— Casino

— Other, including payment institutions where not already categorised as one of the above (specify)

Contact persons:

Names:

Telephone Nos:

Telefax Nos:

E-mail addresses:

Outsourcing partner (if relevant)

Name:

Address:

Zip/postal code:

City:

## 2. Customer-operated machines

Machine category	Identification number (*)	Manufacturer (*)	Machine name (*)	Identification (*) (detector system/software versions)	Total number in operation
CIMs					
CRMs					
CCMs					
COMs					

(\*) These entries are completed following the corresponding entries on the ECB website.

## 3. Staff-operated machines

Machine category	Identification number (*)	Manufacturer (*)	Machine name (*)	Identification (*) (detector system/software versions)	Total number in operation
BPMs					
BAMs					
TARMs					
TAMs					

(\*) These entries are completed following the corresponding entries on the ECB website.

## 4. Cash dispensers

	Total number in operation
ATMs	
SCoTs	
Others	

## Appendix 2

## REPORTING TEMPLATE

## Operational data

## 1. Cash handler information

Cash handler's name	
Reporting period	

## 2. Data

Please provide data aggregated at national or regional level, as decided by the NCB — excluding remote branches.

	Total number of euro banknotes processed <sup>(1)</sup>	Of which sorted as unfit <sup>(1)</sup>	Of which recirculated <sup>(2)</sup>
EUR 5			
EUR 10			
EUR 20			
EUR 50			
EUR 100			
EUR 200			
EUR 500			

<sup>(1)</sup> This item covers both staff-operated and customer-operated machines.

<sup>(2)</sup> Euro banknotes that are returned to NCBs, and euro banknotes recirculated over the counter, if the NCB so decides, are excluded.

Number of euro banknotes distributed via customer operated machines and cash dispensers	
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If an NCB applies the exception for remote branches laid down in Article 7, these data are mandatory for the credit institutions of that Member State. Credit institutions must consult their NCBs to ascertain whether these data must be reported.

## Appendix 3

## REMOTE BRANCHES OF CREDIT INSTITUTIONS

This information is provided only by credit institutions which have remote branches as referred to in Article 7(1).

## 1. Credit institution information

Credit institution's name	
Reporting period	

**2. Data**

Name of remote branch	Address	Number of euro banknotes distributed via customer-operated machines and cash dispensers'

## CORRIGENDA

**Corrigendum to Commission Implementing Decision 2011/435/EU of 19 July 2011 on the recognition of the 'Roundtable of Sustainable Biofuels EU RED' scheme for demonstrating compliance with the sustainability criteria under Directives 2009/28/EC and 2009/30/EC of the European Parliament and of the Council**

(Official Journal of the European Union L 190 of 21 July 2011)

On page 74, in the first paragraph of Article 1:

- for:* "The voluntary scheme "Roundtable of Sustainable Biofuels EU RED" for which the request for partial recognition was submitted to the Commission on 10 May 2011 demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a), (b) and (c) and Article 17(4) and (5) of Directive 2009/28/EC, and Article 7b(3)(a), (b) and (c) and Article 7b(4) and (5) of Directive 98/70/EC.",
- read:* "The voluntary scheme "Roundtable of Sustainable Biofuels EU RED" for which the request for recognition was submitted to the Commission on 10 May 2011 demonstrates that consignments of biofuels comply with the sustainability criteria as laid down in Article 17(3)(a), (b) and (c) and Article 17(4) and (5) of Directive 2009/28/EC, and Article 7b(3)(a), (b) and (c) and Article 7b(4) and (5) of Directive 98/70/EC.",
-



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