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⁽¹⁾ Text with EEA relevance

EN

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1076/2013

of 31 October 2013

amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code as regards the temporary import, export and re-import of portable music instruments

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, and in particular Article 247 thereof,

Whereas:

(1) Section 2 of Chapter 3 of Title VII of Part I of Commission Regulation (EEC) No 2454/93 ⁽²⁾ sets out the rules concerning 'customs declarations made by any other act'. In accordance with Articles 230, 231 and 232 of that Regulation, certain categories of goods are to be considered to have been declared for release for free circulation, for export or for temporary importation by an act which is considered to be a customs declaration in the forms set out in Article 233.

(2) However, portable musical instruments which are temporarily imported by travellers with the intention of using them as professional equipment are to be presented to customs and to be declared explicitly for the temporary importation procedure.

(3) Recent incidents, where artists in the music sector have been negatively affected by the application of customs rules at import, have indicated that there is a need to simplify the access to the temporary importation procedure by allowing such portable musical instruments to be declared by any other act. In order to avoid that similar problems occur in connection with export and reimport, such simplification should also cover portable musical instruments which have been declared for export

or which have been re-imported and declared for release for free circulation as returned goods by travellers.

(4) Regulation (EEC) No 2454/93 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2454/93 is amended as follows:

(1) In Article 230, the following point (e) is added:

'(e) portable musical instruments imported by travellers and entitled to relief as returned goods.'

(2) In Article 231, the following point (e) is added:

'(e) portable musical instruments of travellers.'

(3) In Article 232, paragraph 1, the following point (d) is added:

'(d) portable musical instruments referred to in Article 569(1a).'

(4) In Article 569, the following paragraph 1a is inserted:

'1a. Total relief from import duties shall be granted for portable musical instruments temporarily imported by a traveller as defined in Article 236(A) with the intention of using them as professional equipment.'

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

Article 2

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

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

Done at Brussels, 31 October 2013.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 1077/2013

of 31 October 2013

concerning the authorisation of a preparation of *Enterococcus faecium* NBIMCC 8270, *Lactobacillus acidophilus* NBIMCC 8242, *Lactobacillus helveticus* NBIMCC 8269, *Lactobacillus delbrueckii ssp. lactis* NBIMCC 8250, *Lactobacillus delbrueckii ssp. bulgaricus* NBIMCC 8244, and *Streptococcus thermophilus* NBIMCC 8253 as a feed additive for suckling piglets (holder of authorisation Lactina Ltd)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

and *Streptococcus thermophilus* NBIMCC 8253 as a feed additive for suckling piglets, to be classified in the additive category 'zootechnical additives'.

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

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

Whereas:

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

(2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of a preparation of *Enterococcus faecium* NBIMCC 8270, *Lactobacillus acidophilus* NBIMCC 8242, *Lactobacillus helveticus* NBIMCC 8269, *Lactobacillus delbrueckii ssp. lactis* NBIMCC 8250, *Lactobacillus delbrueckii ssp. bulgaricus* NBIMCC 8244, and *Streptococcus thermophilus* NBIMCC 8253. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.

(3) That application concerns the authorisation of a preparation of *Enterococcus faecium* NBIMCC 8270, *Lactobacillus acidophilus* NBIMCC 8242, *Lactobacillus helveticus* NBIMCC 8269, *Lactobacillus delbrueckii ssp. lactis* NBIMCC 8250, *Lactobacillus delbrueckii ssp. bulgaricus* NBIMCC 8244,

(4) The European Food Safety Authority ('the Authority') concluded in its opinion of 12 March 2013⁽²⁾ that, under the proposed conditions of use, the preparation of *Enterococcus faecium* NBIMCC 8270, *Lactobacillus acidophilus* NBIMCC 8242, *Lactobacillus helveticus* NBIMCC 8269, *Lactobacillus delbrueckii ssp. lactis* NBIMCC 8250, *Lactobacillus delbrueckii ssp. bulgaricus* NBIMCC 8244, and *Streptococcus thermophilus* NBIMCC 8253 does not have an adverse effect on animal health, human health or the environment. The Authority recognised that it has the potential to increase the body weight in suckling piglets. 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.

(5) 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 that preparation should be authorised as specified in the Annex to this Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ EFSA Journal 2013; 11(4):3170.

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, 31 October 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			

Category of zootechnical additives. Functional group: gut flora stabilisers

4b1891	Lactina Ltd	<p><i>Enterococcus faecium</i> NBIMCC 8270</p> <p><i>Lactobacillus acidophilus</i> NBIMCC 8242, <i>Lactobacillus helveticus</i> NBIMCC 8269,</p> <p><i>Lactobacillus delbrueckii</i> ssp. <i>lactis</i> NBIMCC 8250, <i>Lactobacillus delbrueckii</i> ssp. <i>bulgaricus</i> NBIMCC 8244,</p> <p>and</p> <p><i>Streptococcus thermophilus</i> NBIMCC 8253</p>	<p>Additive composition</p> <p>Preparation of:</p> <p><i>Enterococcus faecium</i> NBIMCC 8270 (minimum of $1,4 \times 10^9$ CFU/g of additive),</p> <p><i>Lactobacillus acidophilus</i> NBIMCC 8242 (minimum of 8×10^8 CFU/g of additive), <i>Lactobacillus helveticus</i> NBIMCC 8269 (minimum of 5×10^8 CFU/g of additive), <i>Lactobacillus delbrueckii</i> ssp. <i>lactis</i> NBIMCC 8250 (minimum of 2×10^8 CFU/g of additive), <i>Lactobacillus delbrueckii</i> ssp. <i>bulgaricus</i> NBIMCC 8244 (minimum of 3×10^8 CFU/g of additive), and</p> <p><i>Streptococcus thermophilus</i> NBIMCC 8253 (minimum of $1,8 \times 10^9$ CFU/g of additive) containing a minimum of 5×10^9 CFU/g of additive (total amount)</p> <p>Solid form</p> <p>Characterisation of the active substance</p> <p>Viable cells of:</p> <p><i>Enterococcus faecium</i> NBIMCC 8270</p> <p><i>Lactobacillus acidophilus</i> NBIMCC 8242, <i>Lactobacillus helveticus</i> NBIMCC 8269, <i>Lactobacillus delbrueckii</i> ssp. <i>lactis</i> NBIMCC 8250, <i>Lactobacillus delbrueckii</i> ssp. <i>bulgaricus</i> NBIMCC 8244, and</p>	Suckling piglets	—	5×10^9	—	<ol style="list-style-type: none"> 1. In the directions for use of the additive and premixture, indicate the storage conditions and stability to pelleting. 2. For suckling piglets up to 35 days. 3. For safety: it is recommended to use breathing protection and gloves during handling. 	21 November 2023
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Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
			<p><i>Streptococcus thermophilus</i> NBIMCC 8253</p> <p>Analytical method ⁽¹⁾</p> <p>Enumeration of:</p> <p><i>Enterococcus faecium</i> NBIMCC 8270,</p> <p><i>Lactobacillus acidophilus</i> NBIMCC 8242, <i>Lactobacillus helveticus</i> NBIMCC 8269, <i>Lactobacillus delbrueckii</i> ssp. <i>lactis</i> NBIMCC 8250, <i>Lactobacillus delbrueckii</i> ssp. <i>bulgaricus</i> NBIMCC 8244 and <i>Streptococcus thermophilus</i> NBIMCC 8253: Spread plate method (EN 15787).</p> <p>Identification of <i>Enterococcus faecium</i> NBIMCC 8270, <i>Lactobacillus acidophilus</i> NBIMCC 8242, <i>Lactobacillus helveticus</i> NBIMCC 8269, <i>Lactobacillus delbrueckii</i> ssp. <i>lactis</i> NBIMCC 8250, <i>Lactobacillus delbrueckii</i> ssp. <i>bulgaricus</i> NBIMCC 8244, and</p> <p><i>Streptococcus thermophilus</i> NBIMCC 8253: Pulsed Field Gel Electrophoresis (PFGE).</p>						

⁽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

COMMISSION IMPLEMENTING REGULATION (EU) No 1078/2013
of 31 October 2013
concerning the authorisation of fumaric acid as a feed additive for all animal species
(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC⁽²⁾.
- (2) Fumaric acid was authorised in accordance with Directive 70/524/EEC as a feed additive, without a time limit, for use on all animal species by Commission Directive 80/678/EEC⁽³⁾. That additive was subsequently entered in the Register of feed additives as an existing product, in accordance with Article 10(1)(b) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 of that Regulation, an application was submitted for the re-evaluation of fumaric acid, as a feed additive for all animal species, requesting that additive to be classified in the additive category 'technological additives'. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 29 January 2013⁽⁴⁾ that, under the proposed conditions of use, fumaric acid does not have an adverse effect on animal health, human health or the environment and it has the

potential to preserve feed. 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.

- (5) The assessment of fumaric acid shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of fumaric acid should be authorised as specified in the Annex to this Regulation.
- (6) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (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 feed additive specified in the Annex, belonging to the additive category 'technological additives' and to the functional group 'preservatives', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

The feed additive specified in the Annex and feed containing that additive, which are produced and labelled before 21 May 2014 in accordance with the rules applicable before 21 November 2013 may continue to be placed on the market and used until the existing stocks are exhausted.

Article 3

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

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Council Directive 70/524/EEC of the Council of 23 November 1970 concerning additives in feeding-stuffs (OJ L 270, 14.12.1970, p. 1).

⁽³⁾ Thirty-third Commission Directive 80/678/EEC of 4 July 1980 amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs (OJ L 185, 18.7.1980, p. 48).

⁽⁴⁾ EFSA Journal 2013; 11(2):3102.

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

Done at Brussels, 31 October 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

Identification number of the additive	Additive	Chemical formula, description, methods of analysis	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg of active substance/kg of complete feedingstuff with a moisture content of 12 %			
Category of technological additives. Functional group: preservatives								
1a297	Fumaric acid	<i>Additive composition</i>	Poultry and pigs	—	—	20 000	For safety: breathing protection, glasses and gloves shall be used during handling	21 November 2023
		Fumaric acid 99,5 % Solid form						
		<i>Characterisation of active substance</i>						
		Fumaric acid C ₄ H ₄ O ₄ CAS no 110-17-8	Young animals fed with milk replacers	—	—	10 000 ^(?)		
		<i>Analytical method</i> ⁽¹⁾ For the determination of fumaric acid in feed additive: infrared absorption spectrophotometry and titration with sodium hydroxide (Food Chemical Codex 7). For the determination of fumaric acid (as total fumaric acid) in feed premixture and feedingstuffs: ion exclusion High Performance Liquid Chromatography with UV detection (HPLC-UV).	Other animal species	—	—	—		

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

^(?) mg of fumaric acid per kg of milk replacer.

COMMISSION REGULATION (EU) No 1079/2013**of 31 October 2013****laying down transitional measures for the application of Regulations (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽¹⁾, and in particular the first paragraph of Article 9 thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽²⁾, and in particular the first paragraph of Article 16 thereof,

Whereas:

- (1) Regulations (EC) No 853/2004 and (EC) No 854/2004 provide for significant changes to the rules and procedures to be complied with by food business operators and the competent authorities of the Member States. Those Regulations apply from 1 January 2006. However, the application of a number of those rules and procedures with immediate effect from that date would have presented practical difficulties in certain cases.
- (2) Accordingly, Commission Regulation (EC) No 1162/2009 of 30 November 2009 laying down transitional measures for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council ⁽³⁾ lays down transitional measures for a transitional period ending on 31 December 2013, in order to permit a smooth transition to the full implementation of the rules and procedures laid down in those three Regulations. The duration of the transitional period was fixed taking into account the review of this regulatory framework on hygiene provided for in those Regulations.
- (3) The Report of 28 July 2009 from the Commission to the European Parliament and the Council on the experience gained from the application of the hygiene Regulations (EC) No 852/2004, (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 ⁽⁴⁾ 'aims at presenting factually the experience gained, including the difficulties

encountered, in 2006, 2007 and 2008 from the implementation of the hygiene package by all interested actors' (the report').

- (4) The report includes experiences on the transitional measures laid down in Regulation (EC) No 1162/2009. The report indicates that difficulties are noted in relation to the local supply of small quantities of certain food, that further clarification of situations is necessary where national import rules apply in the absence of harmonised Union rules and that crises due to imported composite products have confirmed the need for greater control of such products.
- (5) Those difficulties need to be addressed by a review of Regulations (EC) No 853/2004 and (EC) No 854/2004. An impact assessment, accompanying such a review was launched immediately after the publication of the report. However, more time is needed to finalise the impact assessment before launching the ordinary procedure for the review.
- (6) In addition, based on the information received from the Food and Veterinary Office, the competent authorities in the Member States and the relevant food business sectors in the Union, certain transitional measures laid down in Regulation (EC) No 1162/2009 should be maintained pending the completion of that review.
- (7) Provision should therefore be made for a further transitional period during which certain transitional measures currently laid down in Regulation (EC) No 1162/2009 should continue to apply.
- (8) Regulation (EC) No 853/2004 excludes from its scope of application the direct supply, by the producer, of small quantities of meat from poultry and lagomorphs slaughtered on the farm to the final consumer or to local retail establishments supplying directly the final consumer as fresh meat. However, limiting that provision to fresh meat before the end of the review exercise of that Regulation would be an additional burden for small producers. Accordingly, Regulation (EC) No 1162/2009 provides for a derogation from the provisions of Regulation (EC) No 853/2004 for the direct supply of such commodities under certain conditions, without limiting it to fresh meat. That exclusion should be maintained during the additional transitional period provided for in this Regulation.

⁽¹⁾ OJ L 139, 30.4.2004, p. 55.

⁽²⁾ OJ L 139, 30.4.2004, p. 206.

⁽³⁾ OJ L 314, 1.12.2009, p. 10.

⁽⁴⁾ COM(2009) 403 final.

- (9) Regulations (EC) No 853/2004 and (EC) No 854/2004 lay down certain rules for imports into the Union of products of animal origin and food containing both products of plant origin and processed products of animal origin (composite products). Regulation (EC) No 1162/2009 provides for transitional measures derogating from certain of those rules for certain composite products for which the public health import conditions for imports into the Union have not yet been harmonised at Union level. Those conditions were amended by Commission Regulation (EU) No 28/2012 of 11 January 2012 laying down requirements for the certification for imports into and transit through the Union of certain composite products and amending Decision 2007/275/EC and Regulation (EC) No 1162/2009⁽¹⁾ and will not be completely harmonised before 31 December 2013. Accordingly, pending future harmonisation of Union legislation, it is necessary to provide for derogations during the additional transitional period laid down in this Regulation.
- (10) In the interests of clarity, Regulation (EC) No 1162/2009 should be repealed.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council have opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down transitional measures for the application of Regulations (EC) No 853/2004 and (EC) No 854/2004 for a transitional period from 1 January 2014 to 31 December 2016.

Article 2

Direct supply of small quantities of meat from poultry and lagomorphs

By way of derogation from Article 1(3)(d) and without prejudice to Article 1(4) of Regulation (EC) No 853/2004, the provisions laid down in that Regulation shall not apply to the direct supply, by the producer, of small quantities of meat from

poultry and lagomorphs slaughtered on the farm to the final consumer or to local retail establishments directly supplying to the final consumer.

Article 3

Health conditions for imports of products of animal origin

1. Article 6(1) of Regulation (EC) No 853/2004 shall not apply to imports of products of animal origin for which no harmonised public health import conditions have been established at Union level.

Imports of those products of animal origin shall comply with the public health import conditions of the Member State of import.

2. By way of derogation from Article 6(4) of Regulation (EC) No 853/2004, food business operators importing food containing both products of plant origin and processed products of animal origin, other than the composite products referred to in Article 3(1) of Regulation (EU) No 28/2012 shall be exempt from the obligations provided for in Article 6(4) of Regulation (EC) No 853/2004.

Imports of such food shall comply with harmonised Union rules, where applicable, and with the national rules implemented by the Member States in other cases.

Article 4

Procedures concerning imports of products of animal origin

Chapter III of Regulation (EC) No 854/2004 shall not apply to imports of products of animal origin for which no harmonised public health import conditions have been established at Union level, including lists of third countries and parts of third countries and of establishments from which imports are permitted.

Imports of such products of animal origin shall comply with the public health import conditions of the Member State of import.

Article 5

Repeal of Regulation (EC) No 1162/2009

Regulation (EC) No 1162/2009 is hereby repealed.

⁽¹⁾ OJ L 12, 14.1.2012, p. 1.

*Article 6***Entry into force and applicability**

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 apply from 1 January 2014 to 31 December 2016.

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

Done at Brussels, 31 October 2013.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 1080/2013**of 31 October 2013****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 31 October 2013.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	46,1
	MA	43,2
	MK	57,9
	TR	75,3
	ZZ	55,6
0707 00 05	AL	41,5
	EG	207,6
	MK	69,6
	TR	144,6
	ZZ	115,8
0709 93 10	AL	50,7
	TR	165,9
	ZZ	108,3
0805 50 10	CL	81,7
	TR	79,5
	ZA	54,1
	ZZ	71,8
0806 10 10	BR	224,6
	TR	171,4
	ZZ	198,0
0808 10 80	CL	138,2
	NZ	168,8
	US	146,4
	ZA	115,4
	ZZ	142,2
0808 30 90	CN	76,9
	TR	116,3
	ZZ	96,6

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

COMMISSION IMPLEMENTING REGULATION (EU) No 1081/2013**of 31 October 2013****fixing the import duties in the cereals sector applicable from 1 November 2013**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

(1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

(2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, in order to calculate the import duty

referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

(3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

(4) Import duties should be fixed for the period from 1 November 2013 and should apply until new import duties are fixed and enter into force.

(5) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 November 2013, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

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, 31 October 2013.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 1 November 2013

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 19 00 1001 11 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
ex 1001 91 20	Common wheat seed	0,00
ex 1001 99 00	High quality common wheat other than for sowing	0,00
1002 10 00 1002 90 00	Rye	0,00
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize other than seed ⁽²⁾	0,00
1007 10 90 1007 90 00	Grain sorghum other than hybrids for sowing	0,00

⁽¹⁾ The importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- EUR 3/t, where the port of unloading is located on the Mediterranean Sea (beyond the Strait of Gibraltar) or on the Black Sea, for goods arriving in the Union via the Atlantic Ocean or the Suez Canal,
- EUR 2/t, where the port of unloading is located in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or on the Atlantic coast of the Iberian Peninsula, for goods arriving in the Union via the Atlantic Ocean.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24/t where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

17.10.2013-30.10.2013

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾
Exchange	Minnéapolis	Chicago	—	—	—
Quotation	213,98	125,65	—	—	—
Fob price USA	—	—	218,68	208,68	188,68
Gulf of Mexico premium	—	23,38	—	—	—
Great Lakes premium	33,08	—	—	—	—

⁽¹⁾ Premium of EUR 14/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).⁽²⁾ Discount of EUR 10/t (Article 5(3) of Regulation (EU) No 642/2010).⁽³⁾ Discount of EUR 30/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico-Rotterdam: 18,11 EUR/t

Freight costs: Great Lakes-Rotterdam: 49,54 EUR/t

DECISIONS

COMMISSION DECISION

of 30 October 2013

amending Decision 2007/742/EC in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to electrically driven, gas driven or gas absorption heat pumps

(notified under document C(2013) 7154)

(Text with EEA relevance)

(2013/633/EU)

THE EUROPEAN COMMISSION

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

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel⁽¹⁾, and in particular point (c) of Article 8(3) thereof,

After consulting the European Union Eco-Labeling Board,

Whereas:

- (1) Commission Decision 2007/742/EC⁽²⁾ expires on 31 December 2013.
- (2) An assessment has been carried out to evaluate the relevance and appropriateness of the current ecological criteria, as well as of the related assessment and verification requirements, established by this Decision. Given the stage of the revision process for this Decision, it is appropriate to prolong the period of validity of the ecological criteria and the related assessment and verification requirements which it sets out. The period of validity of the ecological criteria and the related assessment and verification requirements set out in Decision 2007/742/EC should be prolonged until 31 October 2014.
- (3) Decision 2007/742/EC should therefore be amended accordingly.

(4) The measures provided for in this Decision are in accordance with the opinion of the Committee set up by Article 16 of Regulation (EC) No 66/2010,

HAS ADOPTED THIS DECISION:

Article 1

Article 4 of Decision 2007/742/EC is replaced by the following:

'Article 4

The ecological criteria for the product group "electrically driven, gas driven or gas absorption heat pumps", as well as the related assessment and verification requirements, shall be valid until 31 October 2014'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 October 2013.

For the Commission

Janez POTOČNIK

Member of the Commission

⁽¹⁾ OJ L 27, 30.1.2010, p. 1.

⁽²⁾ Commission Decision 2007/742/EC of 9 November 2007 establishing the ecological criteria for the award of the Community eco-label to electrically driven, gas driven or gas absorption heat pumps (OJ L 301, 20.11.2007, p. 14).

COMMISSION IMPLEMENTING DECISION

of 31 October 2013

on the adjustments to Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council

(2013/634/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas reduction commitments up to 2020 ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

(1) To implement Article 10 of Decision No 406/2009/EC, Member States' annual emissions allocations for the period from 2013 to 2020 as determined pursuant to the Commission Decision 2013/162/EU ⁽²⁾ should be adjusted in accordance with the quantity of:

— allowances to be issued in respect of installations carrying out activities listed in Annex I of Directive 2003/87/EC of the European Parliament and of the Council ⁽³⁾ which are only included in the emissions trading scheme of the Union (EU ETS) from 2013 onwards,

— allowances issued pursuant to Commission Decisions approving the unilateral inclusion by certain Member States of additional activities and gases in the Emissions Trading Scheme under Article 24(1) of Directive 2003/87/EC in between 2008 and 2012 and,

— allowances corresponding to installations excluded from the EU ETS pursuant to Article 27 of Directive 2003/87/EC as of 2013 for the time they are excluded.

⁽¹⁾ OJ L 140, 5.6.2009, p. 136.

⁽²⁾ Commission Decision 2013/162/EU of 26 March 2013 on determining Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council (OJ L 90, 28.3.2013, p. 106).

⁽³⁾ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

(2) Data as submitted by the Member States pursuant to Article 9a(2) of Directive 2003/87/EC and as contained in Commission Decisions C(2011)3798, C(2008)7867, C(2009)3032, C(2009)9849 and C(2012)497 to accept the unilateral inclusion of additional greenhouse gases and activities by Italy, the Netherlands, Austria, Latvia and the United Kingdom pursuant to Article 24 of Directive 2003/87/EC, as well as taking in consideration the exclusion of installations with low emissions from the EU ETS by Germany, the United Kingdom, France, Spain, Croatia, Slovenia and Italy pursuant to Article 27 of Directive 2003/87/EC and adjusted by the Commission with the 1,74 % linear factor, were used in the calculation of the adjustment to each Member State's annual emission allocation, as relevant.

(3) The quantity relevant for the application of Article 7 of Decision No 406/2009/EC should be calculated as the difference between the annual emission allocations laid down in Decision 2013/162/EU and the adjustments as set out in this Decision. If the adjustment figure is negative, the relevant quantity should be calculated by increasing the annual emission allocations as laid down in Decision 2013/162/EU by the adjustments set out in this Decision.

(4) To ensure consistency between the determination of the annual emission allocations, the adjustments thereto and the reported greenhouse gas emissions for each year, Member States' adjustments to the annual emission allocations should also be calculated by applying the global warming potential values from the fourth assessment report of the Intergovernmental Panel on Climate Change adopted by Decision 15/CP.17 of the Conference of the Parties of the United Nations Framework Convention on Climate Change. The adjustments to the annual emission allocations calculated as such should become applicable from the first year for which the reporting of greenhouse gas inventories using these new global warming potential values becomes compulsory pursuant to Article 7(6)b of Regulation (EU) No 525/2013 of the European Parliament and of the Council ⁽⁴⁾.

⁽⁴⁾ Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

(5) In order to ensure the timely implementation of Decision No 406/2009/EC and to ensure legal certainty regarding Member States' adjusted annual emissions allocations and the quantity relevant for the application of Article 7 of Decision No 406/2009/EC, this Decision should enter into force three days after its publication in the *Official Journal of the European Union*.

HAS ADOPTED THIS DECISION:

Article 1

The adjustments to the annual emission allocations for each Member State for each year of the period from 2013 to 2020 are set out in Annex I.

Article 2

Where an act adopted pursuant to Article 7(6)b of Regulation (EU) No 525/2013 provides for Member States to submit greenhouse gas emissions inventories determined using global warming potential values from the 4th IPCC assessment report as adopted by Decision 15/CP.17 of the Conference of the

Parties of the United Nations Framework Convention on Climate Change, the adjustments to the annual emission allocations set out in Annex II shall apply as of the first year for which such reporting of greenhouse gas inventories becomes compulsory. Where this Article applies, Article 1 shall not.

Article 3

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

Done at Brussels, 31 October 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX I

**Adjustments to Member States' annual emission allocations for each year of the period from 2013 to 2020
calculated applying global warming potential values from the second IPCC assessment report**

Member State	Adjustments to Annual Emission Allocation (tonnes of carbon dioxide equivalent)							
	2013	2014	2015	2016	2017	2018	2019	2020
Belgium	4 048 929	3 974 598	3 900 267	3 825 935	3 751 604	3 677 272	3 602 941	3 528 609
Bulgaria	1 750 024	1 717 896	1 685 769	1 653 641	1 621 514	1 589 387	1 557 259	1 525 132
Czech Republic	3 000 270	2 945 190	2 890 110	2 835 031	2 779 951	2 724 871	2 669 791	2 614 711
Denmark	0	0	0	0	0	0	0	0
Germany	23 249 263	22 822 446	22 395 629	21 968 812	21 541 996	21 115 178	20 688 361	20 261 544
Estonia	0	0	0	0	0	0	0	0
Ireland	334 322	328 184	322 047	315 909	309 772	303 634	297 496	291 359
Greece	2 057 904	2 020 124	1 982 344	1 944 565	1 906 785	1 869 006	1 831 226	1 793 446
Spain	7 980 597	7 834 086	7 687 576	7 541 066	7 394 555	7 248 046	7 101 536	6 955 025
France	14 867 520	14 594 578	14 321 636	14 048 693	13 775 751	13 502 808	13 229 866	12 956 923
Croatia	1 605 875	1 576 394	1 546 913	1 517 431	1 487 951	1 458 469	1 428 988	1 399 507
Italy	9 607 019	9 430 650	9 254 282	9 077 913	8 901 544	8 725 175	8 548 807	8 372 440
Cyprus	0	0	0	0	0	0	0	0
Latvia	19 186	18 834	18 482	18 130	17 778	17 426	17 072	16 720
Lithuania	4 297 664	4 218 766	4 139 868	4 060 971	3 982 073	3 903 175	3 824 277	3 745 379
Luxembourg	275 161	270 110	265 058	260 007	254 955	249 904	244 852	239 801
Hungary	413 285	405 698	398 111	390 524	382 936	375 349	367 762	360 175
Malta	0	0	0	0	0	0	0	0
Netherlands	2 176 364	2 136 410	2 096 456	2 056 502	2 016 548	1 976 592	1 936 638	1 896 684
Austria	2 026 990	1 989 778	1 952 566	1 915 354	1 878 142	1 840 930	1 803 718	1 766 505
Poland	11 073 941	10 870 642	10 667 343	10 464 045	10 260 746	10 057 447	9 854 148	9 650 850
Portugal	563 543	553 197	542 852	532 506	522 160	511 815	501 469	491 123
Romania	7 501 529	7 363 813	7 226 098	7 088 383	6 950 667	6 812 952	6 675 237	6 537 521
Slovenia	- 46 842	- 45 983	- 45 122	- 44 262	- 43 403	- 42 543	- 41 683	- 40 822
Slovakia	2 181 413	2 141 366	2 101 319	2 061 272	2 021 225	1 981 178	1 941 131	1 901 084
Finland	1 769 997	1 737 503	1 705 009	1 672 515	1 640 021	1 607 527	1 575 032	1 542 538
Sweden	1 703 979	1 672 697	1 641 415	1 610 133	1 578 851	1 547 568	1 516 286	1 485 004
United Kingdom	238 691	234 309	229 926	225 545	221 163	216 781	212 398	208 017

ANNEX II

**Adjustments to Member States' annual emission allocations for each year of the period from 2013 to 2020
calculated applying global warming potential values from the fourth IPCC assessment report**

Member State	Adjustments to Annual Emission Allocation (tonnes of carbon dioxide equivalent)							
	2013	2014	2015	2016	2017	2018	2019	2020
Belgium	3 996 502	3 923 133	3 849 764	3 776 395	3 703 026	3 629 657	3 556 288	3 482 919
Bulgaria	1 728 601	1 696 867	1 665 133	1 633 398	1 601 664	1 569 930	1 538 196	1 506 462
Czech Republic	2 978 152	2 923 478	2 868 804	2 814 130	2 759 457	2 704 783	2 650 109	2 595 435
Denmark	0	0	0	0	0	0	0	0
Germany	23 197 461	22 771 595	22 345 729	21 919 863	21 493 997	21 068 131	20 642 265	20 216 399
Estonia	0	0	0	0	0	0	0	0
Ireland	334 322	328 184	322 047	315 909	309 772	303 634	297 496	291 359
Greece	2 048 785	2 011 173	1 973 560	1 935 948	1 898 336	1 860 724	1 823 111	1 785 499
Spain	7 987 731	7 841 090	7 694 448	7 547 807	7 401 166	7 254 525	7 107 884	6 961 243
France	14 686 466	14 416 848	14 147 230	13 877 611	13 607 993	13 338 373	13 068 755	12 799 136
Croatia	1 582 200	1 553 154	1 524 107	1 495 060	1 466 014	1 436 968	1 407 921	1 378 875
Italy	9 607 222	9 430 849	9 254 477	9 078 104	8 901 732	8 725 359	8 548 988	8 372 615
Cyprus	0	0	0	0	0	0	0	0
Latvia	19 186	18 834	18 482	18 130	17 778	17 426	17 072	16 720
Lithuania	4 217 333	4 139 910	4 062 487	3 985 064	3 907 641	3 830 218	3 752 795	3 675 371
Luxembourg	275 161	270 110	265 058	260 007	254 955	249 904	244 852	239 801
Hungary	397 287	389 994	382 700	375 407	368 113	360 820	353 526	346 233
Malta	0	0	0	0	0	0	0	0
Netherlands	2 138 730	2 099 466	2 060 203	2 020 939	1 981 676	1 942 413	1 903 149	1 863 886
Austria	2 018 185	1 981 135	1 944 084	1 907 034	1 869 984	1 832 933	1 795 883	1 758 832
Poland	10 936 568	10 735 791	10 535 014	10 334 238	10 133 461	9 932 684	9 731 907	9 531 130
Portugal	563 543	553 197	542 852	532 506	522 160	511 815	501 469	491 123
Romania	7 450 508	7 313 730	7 176 951	7 040 172	6 903 394	6 766 615	6 629 836	6 493 057
Slovenia	- 45 241	- 44 411	- 43 580	- 42 749	- 41 919	- 41 089	- 40 258	- 39 427
Slovakia	1 854 320	1 820 278	1 786 236	1 752 194	1 718 151	1 684 109	1 650 067	1 616 025
Finland	1 720 524	1 688 938	1 657 352	1 625 766	1 594 180	1 562 594	1 531 009	1 499 423
Sweden	1 701 355	1 670 121	1 638 887	1 607 653	1 576 419	1 545 185	1 513 951	1 482 717
United Kingdom	238 830	234 446	230 061	225 676	221 292	216 908	212 523	208 138

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