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⁽¹⁾ Text with EEA relevance

EN

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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2015/960

of 19 June 2015

amending Regulation (EU) 2015/104 as regards certain fishing opportunities

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In June 2014 the International Council for the Exploration of the Sea (ICES) released scientific advice on the stock of sea bass in the North-East Atlantic, and confirmed that this stock had been in rapid decline since 2012. Furthermore, the Scientific, Technical and Economic Committee for Fisheries (STECF) has evaluated the extent to which national measures in place protect sea bass and, in general, has deemed those measures ineffective. Sea bass is a late-maturing and slow-growing species. The fishing mortality of sea bass in the North-East Atlantic is currently four times higher than the level which would ensure maximum sustainable yield (MSY).
- (2) By means of Implementing Regulation (EU) 2015/111 ⁽¹⁾, based on Article 12 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁽²⁾, the Commission has adopted urgent measures to reduce the fishing mortality caused by pelagic vessels targeting spawning aggregations of sea bass. That Implementing Regulation expired on 30 April 2015.
- (3) Council Regulation (EU) 2015/104 ⁽³⁾ has been amended by Council Regulation (EU) 2015/523 ⁽⁴⁾, with the aim of reducing the impact of recreational fisheries on fishing mortality.
- (4) Further reduction of catches is necessary and catches of targeting commercial fisheries should therefore be reduced by the imposition of monthly catch limits in ICES divisions IVb and IVc, as well as VIId, VIIe, VIIf and VIIh. In ICES divisions VIIa and VIIg, monthly catch limits should apply in the UK territorial sea only. Such reduction of catches should allow fishermen to adapt their current fishing behaviour in order to avoid sea bass, while being allowed to retain a level of incidental by-catch.

⁽¹⁾ Commission Implementing Regulation (EU) 2015/111 of 26 January 2015 establishing measures to alleviate a serious threat to the conservation of the sea bass (*Dicentrarchus labrax*) stock in the Celtic Sea, Channel, Irish Sea and southern North Sea (OJ L 20, 27.1.2015, p. 31).

⁽²⁾ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

⁽³⁾ Council Regulation (EU) 2015/104 of 19 January 2015 fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union vessels, in certain non-Union waters, amending Regulation (EU) No 43/2014 and repealing Regulation (EU) No 779/2014 (OJ L 22, 28.1.2015, p. 1).

⁽⁴⁾ Council Regulation (EU) 2015/523 of 25 March 2015 amending Regulations (EU) No 43/2014 and (EU) 2015/104 as regards certain fishing opportunities (OJ L 84, 28.3.2015, p. 1).

- (5) In addition, the conservation actions taken by Ireland, namely prohibitions on the catching, retaining on board, transshipping, relocating or landing of sea bass, should be maintained and extended to cover all Union vessels active in ICES divisions VIIb, VIIc, VIIj and VIIk. These actions should also apply in ICES divisions VIIa and VIIg, with the exception of the waters within 12 nautical miles of the baseline under the sovereignty of the United Kingdom, where the monthly catch-limit regime applies.
- (6) Catches of sea bass should be monitored on a monthly basis through the collection of data from the Member States.
- (7) The Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand ⁽¹⁾, and the Protocol setting out the fishing opportunities and financial contribution provided for in that Agreement ⁽²⁾, provide that the Union is to receive 7,7 % of the total available catches (TAC) for capelin in Greenland waters of ICES zones V and XIV.
- (8) Regulation (EU) 2015/104 fixed a Union quota of 0 tonnes for 2015 for the stock of capelin in those Greenland waters.
- (9) On 13 May 2015 the Union received information from the Greenland authorities that the TAC for capelin in Greenland waters of ICES subareas V and XIV had been established for the period from 20 June 2015 until 30 April 2016, offering the Union a quota of 23 100 tonnes. It is appropriate to fix and allocate the Union fishing opportunities accordingly.
- (10) In the framework of the annual consultations on fisheries between the Union and Norway, the Union undertook to provide Norway with an additional quantity of 20 000 tonnes of capelin in Greenland waters of ICES zone XIV for 2015. It is appropriate to allocate that amount from the Union quota available in those waters. The capelin catch limits provided for by this Regulation should apply from 20 June 2015.
- (11) Norway agreed to increase the Union quotas for the following stocks: for cod in Norwegian waters of I and II by 1 512 tonnes; for haddock in Norwegian waters of I and II by 88 tonnes; for ling in Norwegian waters of IV by 150 tonnes; and for haddock in IV and Union waters of IIa by 250 tonnes. The corresponding TAC tables should therefore be updated accordingly.
- (12) It is necessary to clarify that the 5 % inter-area flexibility (special condition) for undulate ray only applies to the by-catch quota of undulate ray.
- (13) Certain catches of tope shark may be allowed, while maintaining the prohibition on catching tope shark with long lines.
- (14) The Parties to the North-East Atlantic Fisheries Commission (NEAFC) were unable to agree upon an appropriate management measure for redfish in international waters of ICES subareas I and II for 2015, and ICES advised that the recommended catch by all Parties should not exceed 30 000 tonnes. Taking into account that the fishery on this stock takes place both inside the waters of the Coastal States as well as in international waters, the Union had recommended at the NEAFC Annual Meeting in November 2014 that a measure be adopted to limit these fisheries to 19 500 tonnes. In the absence of an NEAFC management measure, as in 2014, the fishery in international waters for 2015 should be limited to 19 500 tonnes for vessels from all NEAFC Parties fishing in the area, including Union vessels.
- (15) Consultations will continue in 2015 on fishing opportunities for the redfish stock in Norwegian waters of I and II. Catch limits for this stock will be fixed during 2015, taking account of the outcome of these consultations.
- (16) In order to reflect correctly the gear distribution of the Spanish 2015 bluefin-tuna fishing fleet, it is necessary to amend Annex IV of Regulation (EU) 2015/104, which sets out the fishing, farming and fattening limitations for bluefin tuna.

⁽¹⁾ OJ L 172, 30.6.2007, p. 4.

⁽²⁾ OJ L 293, 23.10.2012, p. 5.

- (17) A vessel flying the flag of France and targeting tropical tunas in the Indian Ocean Tuna Commission (IOTC) Convention Area was recently reflagged as an Italian vessel. The corresponding capacity in gross tonnage allocated to France in Annex VI to Regulation (EU) 2015/104 should therefore be transferred to Italy. This transfer neither exceeds the capacity limits for Italy established in Annex II of Regulation (EU) No 1380/2013 nor affects the capacity limits established by the IOTC.
- (18) Some corrections to Regulation (EU) 2015/104 should be made in order to ensure that, because of the rounding, the total of the Member States' quotas does not exceed the quota available for the Union, and also either to address typographical inaccuracies or to add reporting codes.
- (19) Regulation (EU) 2015/104 should therefore be amended accordingly.
- (20) It is necessary for the measures included in this Regulation to start to apply as soon as possible. This Regulation should, therefore, enter into force on the date following that of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EU) 2015/104, the following Article is inserted:

'Article 9a

Measures concerning sea bass

1. It shall be prohibited for Union vessels to fish, retain on board, relocate, tranship or land quantities exceeding the limits set out in paragraph 2 of sea bass caught in the following areas:

- (a) ICES divisions IVb, IVc, VIId, VIIf, VIIe, VIIf and VIIh;
- (b) waters within 12 nautical miles from baseline under the sovereignty of the United Kingdom in ICES divisions VIIa and VIIg.

2. For the purposes of paragraph 1, the following catch limits shall apply:

Gear category and code ⁽¹⁾	Maximum catch of sea bass permitted per vessel per calendar month (in kg)
Mid-water or pelagic trawls, including OTM and PTM	1 500
All types of demersal trawls including Danish/Scottish seines, including OTB, OTT, PTB, TBB, SSC, SDN, SPR, SV, SB, SX, TBN, TBS and TB	1 800
All GN, all drift net and fixed (trammel) net fisheries, including GTR, GNS, GND, FYK, FPN and FIX	1 000
All long lines or pole and line or rod and line fisheries, including LHP, LHM, LLD, LL, LTL, LX and LLS	1 300
purse seines, gear codes PS and LA	3 000

⁽¹⁾ As per FAO alpha 3 fishing gear codes.

3. For Union vessels using more than one gear in a single calendar month, the lowest catch limit set in paragraph 2 for either gear shall apply.

4. The catch limits set in paragraph 2 shall not be transferable from one month to another or between vessels.

5. It shall be prohibited for Union vessels to retain on board, tranship, relocate or land sea bass caught in ICES divisions VIIb, VIIc, VIIj and VIIk, as well as in the waters of ICES divisions VIIa and VIIg that are more than 12 nautical miles from the baseline under the sovereignty of the United Kingdom.

6. Member States shall report to the Commission catches of sea bass per type of gear not later than 20 days after the end of each month.

Article 2

1. Annex IA to Regulation (EU) 2015/104 is amended in accordance with Annex I to this Regulation.
2. Annex IB to Regulation (EU) 2015/104 is amended in accordance with Annex II to this Regulation.
3. Annex IC to Regulation (EU) 2015/104 is amended in accordance with Annex III to this Regulation.
4. Annex ID to Regulation (EU) 2015/104 is amended in accordance with Annex IV to this Regulation.
5. Annex IF to Regulation (EU) 2015/104 is amended in accordance with Annex V to this Regulation.
6. Annex IV to Regulation (EU) 2015/104 is replaced by the text appearing in Annex VI to this Regulation.
7. Annex VI to Regulation (EU) 2015/104 is replaced by the text appearing in Annex VII to this Regulation.

Article 3

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

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

Done at Luxembourg, 19 June 2015.

For the Council
The President
J. REIRS

ANNEX I

1. The fishing opportunities table for haddock (*Melanogrammus aeglefinus*) in IV and in Union waters of IIa shall be replaced by the following table:

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	IV; Union waters of IIa (HAD/2AC4.)
Belgium	254		
Denmark	1 745		
Germany	1 111		
France	1 936		
The Netherlands	190		
Sweden	176		
United Kingdom	28 785		
Union	34 197		
Norway	6 514		
TAC	40 711		

Analytical TAC
 Article 7(3) of this Regulation applies

Special condition:

within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

Norwegian waters of IV (HAD/*04N-)	
Union	25 252

2. The fishing opportunities table for ling (*Molva molva*) in Norwegian waters of IV shall be replaced by the following table:

Species:	Ling <i>Molva molva</i>	Zone:	Norwegian waters of IV (LIN/04-N.)
Belgium	8		
Denmark	965		
Germany	27		
France	11		
The Netherlands	2		
United Kingdom	87		
Union	1 100		
TAC	Not relevant		

Analytical TAC
 Article 3 of Regulation (EC) No 847/96
 shall not apply
 Article 4 of Regulation (EC) No 847/96
 shall not apply

3. The fishing opportunities table for skates and rays (*Rajiformes*) in Union waters of VIa, VIb, VIIa-c and VIIe-k shall be replaced by the following table:

Species:	Skates and rays <i>Rajiformes</i>	Zone:	Union waters of VIa, VIb, VIIa-c and VIIe-k (SRX/67AKXD)
Belgium	725 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
Estonia	4 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
France	3 255 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
Germany	10 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
Ireland	1 048 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
Lithuania	17 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
The Netherlands	3 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
Portugal	18 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
Spain	876 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
United Kingdom	2 076 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
Union	8 032 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
TAC	8 032 ⁽³⁾		Precautionary TAC Article 11 of this Regulation applies

⁽¹⁾ Catches of cuckoo ray (*Leucoraja naevus*) (RJN/67AKXD), thornback ray (*Raja clavata*) (RJC/67AKXD), blonde ray (*Raja brachyura*) (RJH/67AKXD), spotted ray (*Raja montagui*) (RJM/67AKXD), small-eyed ray (*Raja microocellata*) (RJE/67AKXD), sandy ray (*Raja circularis*) (RJI/67AKXD) and shagreen ray (*Raja fullonica*) (RJF/67AKXD) shall be reported separately.

⁽²⁾ Special condition: of which up to 5 % may be fished in Union waters of VIId (SRX/*07D.), without prejudice to the prohibitions set out in Articles 12 and 44 of this Regulation for the areas specified therein. Catches of cuckoo ray (*Leucoraja naevus*) (RJN/*07D.), thornback ray (*Raja clavata*) (RJC/*07D.), blonde ray (*Raja brachyura*) (RJH/*07D.), spotted ray (*Raja montagui*) (RJM/*07D.), small-eyed ray (*Raja microocellata*) (RJE/*07D.), sandy ray (*Raja circularis*) (RJI/*07D.) and shagreen ray (*Raja fullonica*) (RJF/*07D.) shall be reported separately. This special condition shall not apply to undulate ray (*Raja undulata*).

⁽³⁾ Shall not apply to undulate ray (*Raja undulata*). This species shall not be targeted in the areas covered by this TAC. In cases where it is not subject to the landing obligation, by-catch of undulate ray in area VIIe may only be landed whole or gutted, and provided that it does not comprise more than 20 kilograms live weight per fishing trip. The catches shall remain under the quotas shown in the table below. The former provisions are without prejudice to the prohibitions set out in Articles 12 and 44 of this Regulation for the areas specified therein. By-catches of undulate ray shall be reported separately under the following code: (RJU/67AKXD). Within the limits of the abovementioned quotas, no more than the quantities of undulate ray given below may be taken:

Species:	Undulate ray <i>Raja undulata</i>	Zone:	Union waters of VIIe (RJU/67AKXD)
Belgium	9		
Estonia	0		
France	41		
Germany	0		
Ireland	13		
Lithuania	0		
The Netherlands	0		
Portugal	0		
Spain	11		

Species:	Undulate ray <i>Raja undulata</i>	Zone:	Union waters of VIIe (RJU/67AKXD)
United Kingdom	26		
Union	100		
TAC	100		Precautionary TAC

Special condition: of which up to 5 % may be fished in Union waters of VIId and reported under the following code: (RJU/*07D.). This special condition is without prejudice to the prohibitions set out in Articles 12 and 44 of this Regulation for the areas specified therein.

4. The fishing opportunities table for skates and rays (*Rajiformes*) in Union waters of VIId shall be replaced by the following table:

Species:	Skates and rays <i>Rajiformes</i>	Zone:	Union waters of VIId (SRX/07D.)
Belgium	72 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
France	602 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
The Netherlands	4 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
United Kingdom	120 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
Union	798 ⁽¹⁾ ⁽²⁾ ⁽³⁾		
TAC	798 ⁽³⁾		Precautionary TAC

⁽¹⁾ Catches of cuckoo ray (*Leucoraja naevus*) (RJN/07D.), thornback ray (*Raja clavata*) (RJC/07D.), blonde ray (*Raja brachyura*) (RJH/07D.), spotted ray (*Raja montagui*) (RJM/07D.), small-eyed ray (*Raja microocellata*) (RJE/07D.) and undulate ray (*Raja undulata*) (RJU/07D.) shall be reported separately.

⁽²⁾ Special condition: of which up to 5 % may be fished in Union waters of VIa, VIb, VIIa-c and VIIe-k (SRX/*67AKD). Catches of Cuckoo ray (*Leucoraja naevus*) (RJN/*67AKD), thornback ray (*Raja clavata*) (RJC/*67AKD), blonde ray (*Raja brachyura*) (RJH/*67AKD), spotted ray (*Raja montagui*) (RJM/*67AKD) and small-eyed ray (*Raja microocellata*) (RJE/*67AKD) shall be reported separately. This special condition shall not apply to undulate ray (*Raja undulata*).

⁽³⁾ Shall not apply to undulate ray (*Raja undulata*). This species shall not be targeted in the areas covered by this TAC. In cases where it is not subject to the landing obligation, by-catch of undulate ray in the area covered by this TAC may only be landed whole or gutted, and provided that it does not comprise more than 20 kilograms live weight per fishing trip. The catches shall remain under the quotas shown in the table below. The former provisions are without prejudice to the prohibitions set out in Articles 12 and 44 of this Regulation for the areas specified therein. By-catches of undulate ray shall be reported separately under the following code: (RJU/07D.). Within the limits of the abovementioned quotas, no more than the quantities of undulate ray given below may be taken:

Species:	Undulate ray <i>Raja undulata</i>	Zone:	Union waters of VIId (RJU/07D.)
Belgium	1		
France	8		
The Netherlands	0		
United Kingdom	2		
Union	11		
TAC	11		Precautionary TAC

Special condition: of which up to 5 % may be fished in Union waters of VIIe and reported under the following code: (RJU/*67AKD). This special condition is without prejudice to the prohibitions set out in Articles 12 and 44 of this Regulation for the areas specified therein.

5. The fishing opportunities table for skates and rays (*Rajiformes*) in Union waters of VIII and IX shall be replaced by the following table:

Species:	Skates and rays <i>Rajiformes</i>	Zone:	Union waters of VIII and IX (SRX/89-C.)
Belgium	7 ⁽¹⁾ ⁽²⁾		
France	1 298 ⁽¹⁾ ⁽²⁾		
Portugal	1 051 ⁽¹⁾ ⁽²⁾		
Spain	1 057 ⁽¹⁾ ⁽²⁾		
United Kingdom	7 ⁽¹⁾ ⁽²⁾		
Union	3 420 ⁽¹⁾ ⁽²⁾		
TAC	3 420 ⁽²⁾		Precautionary TAC

⁽¹⁾ Catches of cuckoo ray (*Leucoraja naevus*) (RJN/89-C.), blonde ray (*Raja brachyura*) (RJH/89-C.) and thornback ray (*Raja clavata*) (RJC/89-C.) shall be reported separately.

⁽²⁾ Shall not apply to undulate ray (*Raja undulata*). This species shall not be targeted in the areas covered by this TAC. In cases where it is not subject to the landing obligation, by-catch of undulate ray in area VIII may only be landed whole or gutted, and provided that it does not comprise more than 20 kilograms live weight per fishing trip. The catches shall remain under the quotas shown in the table below. The former provisions are without prejudice to the prohibitions set out in Articles 12 and 44 of this Regulation for the areas specified therein. By-catches of undulate ray shall be reported separately under the following code: (RJU/89-C.). Within the limits of the abovementioned quotas, no more than the quantities of undulate ray given below may be taken:

Species:	Undulate ray <i>Raja undulata</i>	Zone:	Union waters of VIII (RJU/89-C.)
Belgium	0		
France	9		
Portugal	8		
Spain	8		
United Kingdom	0		
Union	25		
TAC	25		Precautionary TAC

6. The first footnote in the fishing opportunities table for spurdog/dogfish (*Squalus acanthias*) in Union waters of IIa and IV and the first footnote of fishing opportunities table for spurdog/dogfish (*Squalus acanthias*) in Union and international waters of I, V, VI, VII, VIII, XII and XIV shall be replaced as follows:

‘Spurdog shall not be targeted in the areas covered by this TAC. When accidentally caught in fisheries not yet subject to the landing obligation, specimens shall not be harmed and shall be released immediately. The former provisions are without prejudice to the prohibitions set out in Articles 12 and 44 of this Regulation for the areas specified therein’.

7. The fishing opportunities table for Norway pout and associated by-catches (*Trisopterus esmarki*) in IIIa, Union waters of IIa and IV shall be replaced by the following table:

Species:	Norway pout and associated by-catches <i>Trisopterus esmarki</i>	Zone:	IIIa, Union waters of IIa and IV (NOP/2A3A4.)
Denmark	127 882 ⁽¹⁾		
Germany	24 ⁽¹⁾ ⁽²⁾		
The Netherlands	94 ⁽¹⁾ ⁽²⁾		
Union	128 000 ⁽¹⁾ ⁽³⁾		
Norway	15 000		
Faroe Islands	7 000 ⁽⁴⁾		
TAC	Not relevant		Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ Without prejudice to the landing obligation, catches of whiting may be counted against up to 5 % of the quota (OT2/*2A3A4), provided that not more than 9 % in total of this quota for Norway pout is accounted for by these catches and by-catches of those species that are accounted for under Article 15(8) of Regulation (EU) No 1380/2013.

⁽²⁾ Quota may be fished in Union waters of ICES zones IIa, IIIa and IV only.

⁽³⁾ Union quota may only be fished from 1 January to 31 October 2015.

⁽⁴⁾ A sorting grid shall be used. Includes a maximum of 15 % of unavoidable by-catches (NOP/*2A3A4), to be counted against this quota.

8. The fishing opportunities table for other species in Norwegian waters of IV shall be replaced by the following table:

Species:	Other species	Zone:	Norwegian waters of IV (OTH/04-N.)
Belgium	40		
Denmark	3 624		
Germany	409		
France	168		
The Netherlands	290		
Sweden	Not relevant ⁽¹⁾		
United Kingdom	2 719		
Union	7 250 ⁽²⁾		
TAC	Not relevant		Precautionary TAC

⁽¹⁾ Quota allocated by Norway to Sweden of 'other species' at a traditional level.

⁽²⁾ Including fisheries not specifically mentioned. Exceptions may be introduced after consultations, as appropriate.

ANNEX II

1. The fishing opportunities table for herring (*Clupea harengus*) in Union and international waters of I and II shall be replaced by the following table:

Species:	Herring <i>Clupea harengus</i>	Zone:	Union and international waters of I and II (HER/1/2-)
Belgium	6 ⁽¹⁾		
Denmark	6 314 ⁽¹⁾		
Germany	1 105 ⁽¹⁾		
Spain	21 ⁽¹⁾		
France	272 ⁽¹⁾		
Ireland	1 634 ⁽¹⁾		
The Netherlands	2 259 ⁽¹⁾		
Poland	319 ⁽¹⁾		
Portugal	21 ⁽¹⁾		
Finland	98 ⁽¹⁾		
Sweden	2 339 ⁽¹⁾		
United Kingdom	4 036 ⁽¹⁾		
Union	18 424 ⁽¹⁾		
Faroe Islands	9 000 ⁽²⁾ ⁽³⁾		
TAC	Not established		Analytical TAC

⁽¹⁾ When reporting catches to the Commission the quantities fished in each of the following areas shall also be reported: NEAFC Regulatory Area and Union waters.

⁽²⁾ May be fished in EU waters north of 62° N

⁽³⁾ To be counted against the catch limits of the Faroe Islands.

Special condition:

within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

Norwegian waters north of 62° N and the fishery zone around Jan Mayen (HER/*2AJMN)

0

II, Vb north of 62° N (Faroes waters)
(HER/*25B-F)

Belgium	3
Denmark	3 084
Germany	540
Spain	10
France	133
Ireland	798
Netherlands	1 104
Poland	156
Portugal	10
Finland	48
Sweden	1 143
United Kingdom	1 971

2. The fishing opportunities table for cod (*Gadus morhua*) in Norwegian waters of I and II shall be replaced by the following table:

Species:	Cod <i>Gadus morhua</i>	Zone:	Norwegian waters of I and II (COD/IN2AB.)
Germany	2 663		
Greece	330		
Spain	2 970		
Ireland	330		
France	2 444		
Portugal	2 970		
United Kingdom	10 329		
Union	22 036		
TAC	Not relevant		Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply

3. The fishing opportunities table for capelin (*Mallotus villosus*) in Greenland waters of V and XIV shall be replaced by the following table:

Species:	Capelin <i>Mallotus villosus</i>	Zone:	Greenland waters of V and XIV (CAP/514GRN)
Denmark	2 635		
Germany	115		
Sweden	189		
United Kingdom	25		
All Member States	136 ⁽¹⁾		
Union	3 100 ⁽²⁾		
Norway	20 000		
TAC	Not relevant		Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ Denmark, Germany, Sweden and the United Kingdom may access the 'All Member States' quota only once they have exhausted their own quota. However, Member States with more than 10 % of the Union quota shall not access the 'All Member States' quota at all.

⁽²⁾ For a fishing period from 20 June to 30 April of the following year.

4. The fishing opportunities table for haddock (*Melanogrammus aeglefinus*) in Norwegian waters of I and II shall be replaced by the following table:

Species:	Haddock <i>Melanogrammus aeglefinus</i>	Zone:	Norwegian waters of I and II (HAD/1N2AB.)
Germany	276		
France	166		
United Kingdom	846		
Union	1 288		
TAC	Not relevant		Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply

5. The fishing opportunities table for redfish (*Sebastes* spp.) in Norwegian waters of I and II shall be replaced by the following table:

Species:	Redfish <i>Sebastes</i> spp.	Zone:	Norwegian waters of I and II (RED/1/2AB.)
Union	To be established		
TAC	Not relevant		

6. The fishing opportunities table for redfish (*Sebastes* spp.) in International waters of I and II shall be replaced by the following table:

Species:	Redfish <i>Sebastes</i> spp.	Zone:	International waters of I and II (RED/1/2INT)
Union	Not relevant ⁽¹⁾ ⁽²⁾		
TAC	19 500		Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ The fishery may only take place within the period from 1 July to 31 December 2015. The fishery will be closed when the TAC is fully utilised by NEAFC Contracting Parties. The Commission shall inform Member States of the date on which the Secretariat of NEAFC has notified NEAFC Contracting Parties that the TAC has been fully utilised. From that date Member States shall prohibit directed fishery for redfish by vessels flying their flag.

⁽²⁾ Vessels shall limit their by-catches of redfish in other fisheries to a maximum of 1 % of the total catch retained on board.

ANNEX III

The fishing opportunities table for shortfin squid (*Illex illecebrosus*) in NAFO sub-zones 3 and 4 shall be replaced by the following table:

Species:	Shortfin squid <i>Illex illecebrosus</i>	Zone:	NAFO sub-zones 3 and 4 (SQI/N34.)
Estonia	128 ⁽¹⁾		
Latvia	128 ⁽¹⁾		
Lithuania	128 ⁽¹⁾		
Poland	227 ⁽¹⁾		
Union	Not relevant ⁽¹⁾ ⁽²⁾		
TAC	34 000		

Analytical TAC
Article 3 of Regulation (EC) No 847/96 shall not apply
Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ To be fished between 1 July and 31 December 2015.

⁽²⁾ No specified Union's share. An amount of 29 458 tonnes is available to Canada and the Member States of the Union except Estonia, Latvia, Lithuania and Poland.

ANNEX IV

The fishing opportunities table for northern albacore (*Thunnus alalunga*) in Atlantic Ocean, north of 5° N shall be replaced by the following table:

Species:	Northern albacore <i>Thunnus alalunga</i>	Zone:	Atlantic Ocean, north of 5° N (ALB/AN05N)
Ireland	2 510,64 ⁽²⁾		
Spain	17 690,59 ⁽²⁾		
France	4 421,71 ⁽²⁾		
United Kingdom	195,89 ⁽²⁾		
Portugal	2 120,3 ⁽²⁾		
Union	26 939,13 ⁽¹⁾		
TAC	28 000		

Analytical TAC
Article 3 of Regulation (EC) No 847/96 shall not apply
Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ The number of Union vessels fishing for northern albacore as a target species, in accordance with Article 12 of Regulation (EC) No 520/2007 [1], shall be as follows: 1 253

[1] Council Regulation (EC) No 520/2007 of 7 May 2007 laying down technical measures for the conservation of certain stocks of highly migratory species (OJ L 123, 12.5.2007, p. 3).

⁽²⁾ The distribution between the Member States of the maximum number of fishing vessels flying the flag of a Member State authorised to fish for northern albacore as a target species in accordance with Article 12 of Regulation (EC) No 520/2007:

Member State	Maximum number of vessels
Ireland	50
Spain	730
France	151
United Kingdom	12
Portugal	310

ANNEX V

1. The fishing opportunities table for alfonosinos (*Beryx* spp.) in SEAFO shall be replaced by the following table:

Species:	Alfonosinos <i>Beryx</i> spp.	Zone:	SEAFO (ALF/SEAFO)
TAC	200 ⁽¹⁾	Precautionary TAC	

⁽¹⁾ No more than 132 tonnes may be taken in Division B1 (ALF/*F47NA).

2. The fishing opportunities table for orange roughy (*Hoplostethus atlanticus*) in SEAFO Sub-Division B1 shall be replaced by the following table:

Species:	Orange roughy <i>Hoplostethus atlanticus</i>	Zone:	SEAFO Sub-Division B1 ⁽¹⁾ (ORY/F47NAM)
TAC	0 ⁽²⁾	Precautionary TAC	

⁽¹⁾ For the purpose of this TAC, the area open to the fishery is defined as having:

- its western boundary on the longitude 0° E,
- its northern boundary on the latitude 20° S,
- its southern boundary on the latitude 28° S, and
- the eastern boundary outer limits of the Namibian EEZ.

⁽²⁾ Except for a by-catch allowance of 4 tonnes (ORY/*F47NA).

ANNEX VI

Annex IV shall be replaced by the following:

‘ANNEX IV

ICCAT CONVENTION AREA ⁽¹⁾

1. Maximum number of Union bait boats and trolling boats authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Eastern Atlantic

France	37
Union	37

2. Maximum number of Union coastal artisanal fishing vessels authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Mediterranean

Spain	84
France	94
Italy	30
Cyprus	6 ⁽²⁾
Malta	28 ⁽³⁾
Union	242

3. Maximum number of Union vessels authorised to fish actively for bluefin tuna between 8 kg/75 cm and 30 kg/115 cm in the Adriatic Sea for farming purposes

Croatia	11
Italy	12
Union	23

4. Maximum number and total capacity in gross tonnage of fishing vessels of each Member State that may be authorised to fish for, retain on board, tranship, transport, or land bluefin tuna in the Eastern Atlantic and Mediterranean

Table A

Number of fishing vessels ⁽⁴⁾							
	Cyprus ⁽⁵⁾	Greece ⁽⁶⁾	Croatia	Italy	France	Spain	Malta ⁽⁷⁾
Purse Seiners	1	1	11	12	17	6	1
Longliners	6 ⁽⁸⁾	0	0	30	8	59	28
Baitboat	0	0	0	0	8	15	0
Handline	0	0	12	0	29 ⁽⁹⁾	1	0

Number of fishing vessels ⁽⁴⁾							
	Cyprus ⁽⁵⁾	Greece ⁽⁶⁾	Croatia	Italy	France	Spain	Malta ⁽⁷⁾
Trawler	0	0	0	0	57	0	0
Other artisanal ⁽¹⁰⁾	0	21	0	0	94	273	0

Table B

Total capacity in gross tonnage							
	Cyprus	Croatia	Greece	Italy	France	Spain	Malta
Purse Seiners	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Longliners	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Baitboats	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Handlines	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Trawlers	To be established	To be established	To be established	To be established	To be established	To be established	To be established
Other artisanal	To be established	To be established	To be established	To be established	To be established	To be established	To be established

5. Maximum number of traps engaged in the Eastern Atlantic and Mediterranean bluefin tuna fishery authorised by each Member State

Number of traps ⁽¹¹⁾	
Spain	5
Italy	6
Portugal	2

6. Maximum bluefin tuna farming capacity and fattening capacity for each Member State and maximum input of wild-caught bluefin tuna that each Member State may allocate to its farms in the Eastern Atlantic and Mediterranean

Table A

Maximum tuna farming capacity and fattening capacity		
	Number of farms	Capacity (in tonnes)
Spain	14	11 852
Italy	15	13 000
Greece	2	2 100
Cyprus	3	3 000

Maximum tuna farming capacity and fattening capacity		
	Number of farms	Capacity (in tonnes)
Croatia	7	7 880
Malta	8	12 300

Table B

Maximum input of wild-caught bluefin tuna (in tonnes)	
Spain	5 855
Italy	3 764
Greece	785
Cyprus	2 195
Croatia	2 947
Malta	8 768

- (¹) The numbers shown in sections 1, 2 and 3 may decrease in order to comply with international obligations of the Union.
- (²) This figure may increase by 10, if Cyprus decides to replace the purse seine vessel by 10 longline vessels as indicated in footnote 5 to table A of section 4.
- (³) This figure may increase by 10, if Malta decides to replace the purse seine vessel by 10 longline vessels as indicated in footnote 7 to table A of section 4.
- (⁴) The numbers in this Table A of section 4 may be further increased, provided that the international obligations of the Union are complied with.
- (⁵) One medium size purse seiner may be replaced by no more than 10 longline vessels.
- (⁶) One medium size purse seiner may be replaced by no more than 10 artisanal vessels or by one small size purse seiner and three artisanal vessels.
- (⁷) One medium size purse seiner may be replaced by no more than 10 longline vessels.
- (⁸) Polyvalent vessels, using multi-gear equipment.
- (⁹) Trolling liners fishing in the Eastern Atlantic.
- (¹⁰) Polyvalent vessels, using multi-gear equipment (longline, handline, trolling line).
- (¹¹) This number may be further increased, provided that the international obligations of the Union are complied with.'

ANNEX VII

Annex VI shall be replaced by the following:

‘ANNEX VI

IOTC CONVENTION AREA

1. Maximum number of Union vessels authorised to fish for tropical tunas in the IOTC Convention Area

Member State	Maximum number of vessels	Capacity (gross tonnage)
Spain	22	61 364
France	27	45 383
Portugal	5	1 627
Italy	1	2 137
Union	55	110 511

2. Maximum number of Union vessels authorised to fish for swordfish and albacore in the IOTC Convention Area

Member State	Maximum number of vessels	Capacity (gross tonnage)
Spain	27	11 590
France	41 ⁽¹⁾	7 882
Portugal	15	6 925
United Kingdom	4	1 400
Union	87	27 797

⁽¹⁾ This figure does not include vessels registered in Mayotte; it may be increased in the future in accordance with Mayotte's fleet development plan.

3. The vessels referred to in point 1 shall also be authorised to fish for swordfish and albacore in the IOTC Convention Area.

4. The vessels referred to in point 2 shall also be authorised to fish for tropical tunas in the IOTC Convention Area.’.

COUNCIL IMPLEMENTING REGULATION (EU) 2015/961**of 22 June 2015****implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 ⁽¹⁾, and in particular Article 32(1) thereof,

Whereas:

- (1) On 18 January 2012, the Council adopted Regulation (EU) No 36/2012.
- (2) One person should be removed from the list of natural and legal persons, entities or bodies subject to restrictive measures as set out in Annex II to Regulation (EU) No 36/2012.
- (3) Annex II to Regulation (EU) No 36/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) No 36/2012 is amended in accordance with the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

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

Done at Luxembourg, 22 June 2015.

For the Council
The President
F. MOGHERINI

⁽¹⁾ OJ L 16, 19.1.2012, p. 1.

ANNEX

The name of the following person and the related entry are deleted from the list set out in Annex II to Regulation (EU) No 36/2012:

A. Persons

12.	Fawwaz (فواز) Al-Assad (الأسد)
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COMMISSION DELEGATED REGULATION (EU) 2015/962**of 18 December 2014****supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) Article 3(b) of Directive 2010/40/EU sets as a priority action the provision of EU-wide real-time traffic information services for the development and use of specifications and standards.
- (2) Article 6(1) of Directive 2010/40/EU requires the Commission to adopt specifications necessary to ensure compatibility, interoperability and continuity for the deployment and operational use of Intelligent Transport Systems (ITS) for the provision of EU-wide real-time traffic information services. This Regulation seeks to improve the accessibility, exchange, re-use and update of the road and traffic data required for the provision of high quality and continuous real-time traffic information services across the Union.
- (3) Article 5 of Directive 2010/40/EU provides that specifications adopted in accordance with Article 6 of this Directive should apply to the ITS applications and services when these are deployed without prejudice to the right of each Member State to decide on the deployment of such applications and services on its territory.
- (4) These specifications should apply to the provision of all real-time traffic information services without prejudice to particular specifications adopted in other acts under Directive 2010/40/EU, notably Commission Delegated Regulation (EU) No 885/2013 ⁽²⁾ and Commission Delegated Regulation (EU) No 886/2013 ⁽³⁾.
- (5) A market for the provision of real-time traffic information services already exists in the Union and it is in the interest of both the users and customers as well as the providers of those services that the right framework conditions are created for this market in order to be preserved and further developed in innovative ways. As regards the provision of real-time traffic information services, Directive 2003/98/EC of the European Parliament and of the Council ⁽⁴⁾ sets out minimum rules for the re-use of public sector information throughout the Union. With respect to the re-use of data held by road authorities and public road operators, the rules established by this Regulation, in particular the ones concerning data updates, are applicable without prejudice to the rules established by the Directive 2003/98/EC.
- (6) Directive 2007/2/EC of the European Parliament and of the Council ⁽⁵⁾ creates a European Union spatial data infrastructure in order to enable the sharing of and public access to spatial information (including the spatial data

⁽¹⁾ OJ L 207, 6.8.2010, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 885/2013 of 15 May 2013 supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles (OJ L 247, 18.9.2013, p. 1).

⁽³⁾ Commission Delegated Regulation (EU) No 886/2013 of 15 May 2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users (OJ L 247, 18.9.2013, p. 6).

⁽⁴⁾ Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information (OJ L 345, 31.12.2003, p. 90).

⁽⁵⁾ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

theme 'transport networks') across the Union with a view to supporting Union environmental policies, and policies or activities which may have an impact on the environment. The specifications set out in this Regulation should be compatible with the specifications established by Directive 2007/2/EC and its implementing acts, in particular Commission Regulation (EU) No 1089/2010 ⁽¹⁾. The extension of the application of these specifications to all static road data types might also promote further harmonisation in this field.

- (7) Regulation (EU) No 1315/2013 of the European Parliament and of the Council ⁽²⁾ defines the road transport infrastructure that is part of the core and the comprehensive trans-European transport network. This Regulation should apply to the comprehensive trans-European road network as defined in Regulation (EU) No 1315/2013 as this network is where most of international road transport takes place. As most motorways are already included in this network, other motorways should also be covered by this Regulation for the sake of consistency for the road users. Recurring traffic externalities and other traffic management difficulties, such as congestion, air pollution or noise, are not limited to the trans-European road network or to motorways. In fact a significant share of recurring traffic congestion occurs in urban areas. Member States should therefore be allowed to apply these specifications to selected roads, beyond the trans-European road network and the motorway network, identified by them as priority zones. Given the continuously changing nature of traffic patterns, Member States should be allowed to update those priority zones.
- (8) Static road data, dynamic road status data and traffic data all have different characteristics and each should comply with appropriate requirements. Given the diversity of data sources ranging from infrastructure based sensors to vehicles acting as sensors, it is important that the specifications should apply to the relevant data categories regardless of the source of the data and technology used to create or update the data.
- (9) In case the personal data would happen to be processed, it should be, where possible, irreversibly anonymised. Moreover, it should be processed in accordance with the Union law, as set out, in particular, in Directive 95/46/EC of the European Parliament and of the Council ⁽³⁾ and in Directive 2002/58/EC of the European Parliament and of the Council ⁽⁴⁾, and with the national legislations thereto. And it should comply with the principles of purpose limitation and data minimisation.
- (10) If the information service is to rely on the collection of data, including geo-location, from the end-users themselves or through cooperative systems in the future, then end-users should be clearly informed about the collection of such data, the arrangements for data collection and potential tracking, and the periods for which such data are kept. Appropriate technical measures should be deployed by public and private data collectors such as road operators, service providers and automotive industries to ensure anonymity of the data received from end-users or their vehicles.
- (11) In order to develop a harmonised and seamless provision of real-time traffic information services, Member States should rely on existing technical solutions and standards, provided by the European and international standardisation organisations, such as DATEX II (CEN/TS 16157 and subsequently upgraded versions) and ISO standards. For data types for which no standardised format is available, Member States and stakeholders should be encouraged to cooperate in order to reach an agreement on data definition, data format and metadata.
- (12) Several dynamic location referencing methods already exist in the Union and are being applied in Member States. The use of different location referencing methods should continue to be allowed. Member States and stakeholders, however, should be encouraged to cooperate with a view to reaching an agreement on allowed methods for location referencing, if necessary through European standardisation bodies.
- (13) The accessibility and regular update of static road data by road authorities and road operators are essential for enabling the production of up-to-date and accurate digital maps that are a key asset for reliable ITS applications.

⁽¹⁾ Commission Regulation (EU) No 1089/2010 of 23 November 2010 implementing Directive 2007/2/EC of the European Parliament and of the Council as regards interoperability of spatial data sets and services (OJ L 323, 8.12.2010, p. 11).

⁽²⁾ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).

⁽³⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

⁽⁴⁾ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (OJ L 201, 31.7.2002, p. 37).

The digital map producers should be encouraged to integrate static road data updates into their existing map and map update services in a timely manner. In order to comply with public policies such as road safety, public authorities should be able to request service providers and digital map producers to correct inaccuracies in their data.

- (14) The accessibility of accurate and up-to-date static road data, dynamic road status data and traffic data are essential for the provision of real-time traffic information services across the Union. The relevant data are collected and stored by road authorities, road operators and real-time traffic information service providers. In order to facilitate the easy exchange and re-use of these data for the provision of such services, road authorities, road operators and real-time traffic information service providers should make the data, corresponding metadata and information on the quality of the data accessible to other road authorities, road operators, real-time traffic information service providers and digital map producers through a national or common access point. The access point can take the form of a repository, registry, web portal or similar depending on the type of data. Member States should regroup the existing public and private access points in a single point enabling access to all the types of relevant available data that fall within the scope of these specifications. Member States should be allowed to cooperate with one another to set up a common access point covering the available data of the participating Member States. Member States should be free to decide to use the access points established under other delegated acts adopted under Directive 2010/40/EU as the national access points for the data falling within the scope of this Regulation.
- (15) In order to allow road authorities, road operators, service providers and digital map producers to successfully and cost-efficiently discover and use the relevant data, it is necessary to properly describe the content and structure of this data using appropriate metadata.
- (16) These specifications should not oblige road authorities or road operators and service providers to start collecting any data that they are not already collecting or to digitise any data that is not already available in machine readable format. The specific requirements regarding the updates of static road data, dynamic road status data and traffic data should only apply to the data that is actually collected and available in machine readable format. At the same time Member States should be encouraged to look for cost-effective ways that are appropriate for their needs to digitise existing static road data.
- (17) These specifications should not oblige road authorities or road operators to define or implement traffic circulation plans and temporary traffic management measures. They should not oblige service providers to share any of their data with other service providers. Service providers should be free to conclude commercial agreements between themselves for the re-use of relevant data.
- (18) Member States and ITS stakeholders should be encouraged to cooperate to agree on common definitions of data quality with a view to use common data quality indicators throughout the traffic data value chain, such as the completeness, accuracy and up-to-dateness of the data, the acquisition method and location referencing method used, as well as quality checks applied. They should also be encouraged to work further to establish associated methods of quality measurement and monitoring of the different data types. Member States should be encouraged to share with each other their knowledge, experience and best practices in this field.
- (19) It is acknowledged that the use of road and traffic data and real-time traffic information services generated by private service providers can represent a cost-effective way for public authorities to improve traffic management as well as infrastructure management and maintenance. However, the specific terms and conditions applicable for the use or re-use of such data and associated services should be left to the parties concerned without prejudice to the provisions of Directive 2003/98/EC.
- (20) Private service providers may use static road data, dynamic road status data and traffic data collected by road authorities and road operators as input data for their own real-time traffic information services. The specific terms and conditions applicable for such re-use of these data should be left to the parties concerned without prejudice to the provisions of Directive 2003/98/EC.

- (21) In order to make sure that these specifications are correctly implemented, Member States should assess the compliance with the requirements concerning the accessibility, exchange, re-use and update of the road and traffic data by the road authorities, road operators, digital map producers and service providers. To that end the competent authorities should be free to rely on evidence-based declarations of compliance submitted by road authorities, road operators, digital map producers and service providers.
- (22) These specifications do not limit the freedom of expression of radio broadcasters insofar as they do not oblige them to take any specific position with respect to the information to be disseminated, and leave sufficient room for the Member States to take account of their national constitutional traditions as regards the freedom of expression of radio broadcasters.
- (23) The European Data Protection Supervisor was consulted in accordance with Article 28(2) of Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽¹⁾ and delivered an opinion on 17 June 2015,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation establishes the specifications necessary in order to ensure the accessibility, exchange, re-use and update of road and traffic data by road authorities, road operators and service providers for the provision of EU-wide real-time traffic information services.

It shall apply to the comprehensive trans-European road network, as well as motorways not included in this network, and priority zones identified by national authorities where they consider this to be relevant.

It shall apply in accordance with Article 5 of Directive 2010/40/EU.

Article 2

Definitions

For the purposes of this Regulation, the definitions in Article 4 of Directive 2010/40/EU shall apply.

The following definitions shall also apply:

- (1) 'core trans-European road network' means the road transport infrastructure that is part of the core network as defined in Regulation (EU) No 1315/2013;
- (2) 'comprehensive trans-European road network' means the road transport infrastructure that is part of the comprehensive network as defined in Regulation (EU) No 1315/2013 of the European Parliament and of the Council;
- (3) 'motorway' means a road which is designated as such by the Member State in which it is located;
- (4) 'priority zones' means road sections identified by national authorities where they consider this to be relevant, in particular in urban areas, that are not part of the comprehensive trans-European road network and are not motorways, based on the levels of recurring traffic congestion or other traffic management considerations;
- (5) 'accessibility of the data' means a possibility to request and obtain the data at any time in a machine readable format;

⁽¹⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

- (6) 'static road data' means road data that do not change often or on a regular basis, as listed in point 1 of the Annex;
- (7) 'dynamic road status data' means road data that change often or on a regular basis and describe the status of the road, as listed in point 2 of the Annex;
- (8) 'traffic data' means data on road traffic characteristics, as listed in point 3 of the Annex;
- (9) 'data update' means any modification of the existing data, including its deletion or insertion of new or additional elements;
- (10) 'real-time traffic information' means information derived from any static road data, dynamic road status data, traffic data, or the combination thereof, provided by any road authorities, road operators or service providers, for users and end-users, through any communication means;
- (11) 'real-time traffic information service' means an ITS service that provides users, and end-users, immediately with real-time traffic information;
- (12) 'road authority' means any public authority responsible for the planning, control or management of roads falling within its territorial competence;
- (13) 'road operator' means any public or private entity that is responsible for the maintenance and management of the road;
- (14) 'service provider' means any public or private provider of a real-time traffic information service, excluding a mere conveyer of information, to users and end-users;
- (15) 'user' means any road authorities, road operators, service providers, and digital map producers;
- (16) 'end-user' means any road user, a natural or legal person, who has access to real-time traffic information services;
- (17) 'access point' means a digital interface where the static road data, dynamic road status data and traffic data, together with the corresponding metadata are made accessible for re-use to users, or where the sources and metadata of these data are made accessible for re-use to users;
- (18) 'metadata' means a structured description of the contents of the data facilitating the discovery and use of this data;
- (19) 'discovery services' means services allowing for the search of the requested data using the contents of the corresponding metadata and displaying such contents;
- (20) 'temporary traffic management measures' means temporary measures intended to solve a given traffic disturbance and designed for example to control and guide traffic flows;
- (21) 'traffic circulation plans' means permanent traffic management measures that are designed by traffic managers to control and guide traffic flows in response to permanent or recurring traffic disturbances.

Article 3

National access points

1. Each Member State shall set up a national access point. The national access point shall constitute a single point of access for users to the road and traffic data, including data updates, provided by the road authorities, road operators and service providers and concerning the territory of a given Member State.
2. Existing national access points that have been set up to comply with the requirements arising from other delegated acts adopted under Directive 2010/40/EU may be used, if deemed appropriate by the Member States, as national access points.
3. National access points shall provide appropriate discovery services to users.
4. Road authorities and road operators, in cooperation with digital map producers and service providers, shall ensure that they provide the appropriate metadata in order to allow users to discover and use the datasets to which access is provided through the national access points.
5. Two or more Member States may set up a common access point.

*Article 4***Accessibility, exchange and re-use of static road data**

1. For the purpose of facilitating the provision of compatible, interoperable, and continuous real-time traffic information services across the Union, road authorities and road operators shall provide the static road data they collect and update pursuant to Article 8 in a standardised format, if available, or in any other machine readable format.
2. The data referred to in paragraph 1 and the corresponding metadata including information on the quality thereof shall be accessible for exchange and re-use by any digital map producer or service provider within the Union:
 - (a) on a non-discriminatory basis;
 - (b) within a time-frame that ensures the timely provision of the real-time traffic information service;
 - (c) through the national or common access point referred to in Article 3;
 - (d) Road authorities, road operators, digital map producers and service providers using the static road data referred to in paragraph 1 shall collaborate in order to ensure that any inaccuracies related to static road data are signalled without delay to the road authorities and road operators from which the data originates.
3. When service providers use static road data referred to in paragraph 1 provided by road authorities and road operators, they shall take into account, as far as possible, any traffic circulation plans developed by the competent authorities.

*Article 5***Accessibility, exchange and re-use of dynamic road status data**

1. For the purpose of facilitating the provision of compatible, interoperable, and continuous real-time traffic information services across the Union, road authorities and road operators shall provide the dynamic road status data they collect and update pursuant to Article 9 in DATEX II (CEN/TS 16157 and subsequently upgraded versions) format or any machine-readable format fully compatible and interoperable with DATEX II.
2. The data referred to in paragraph 1 and the corresponding metadata including information on the quality thereof shall be accessible for exchange and re-use by any service provider within the Union:
 - (a) on a non-discriminatory basis;
 - (b) within a time-frame that ensures the timely provision of the real-time traffic information service;
 - (c) through the national or common access point referred to in Article 3.
3. When service providers use dynamic road status data referred to in paragraph 1 provided by road authorities and road operators, they shall take into account, as far as possible, any temporary traffic management measures taken by the competent authorities.

*Article 6***Accessibility, exchange and re-use of traffic data**

1. For the purpose of facilitating the provision of compatible, interoperable, and continuous real-time traffic information services across the Union, road authorities and road operators shall provide the traffic data they collect and update pursuant to Article 10 in DATEX II (CEN/TS 16157 and subsequently upgraded versions) format or any machine-readable format fully compatible and interoperable with DATEX II.
2. The data referred to in paragraph 1 and the corresponding metadata including information on the quality thereof shall be accessible for exchange and re-use by any service provider within the Union:
 - (a) on a non-discriminatory basis;
 - (b) within a time-frame that ensures the timely provision of the real-time traffic information service;
 - (c) through the national or common access point referred to in Article 3.

3. For the purpose of optimising traffic management, road authorities and road operators may request service providers to provide the traffic data they collect and update pursuant to Article 10. Such data shall be provided in DATEX II (CEN/TS 16157 and subsequently upgraded versions) format or any machine-readable format fully compatible and interoperable with DATEX II, through the access point referred to in Article 3 and accompanied by the corresponding metadata including information on the quality thereof.

Article 7

Data updates

Real-time traffic information services shall be based on updates of static road data, dynamic road status data and traffic data, or any combination thereof. All data shall be regularly updated by the road authorities, road operators, service providers in accordance with the requirements set out in Articles 8 to 10. Road authorities, road operators, service providers shall in a timely manner correct any inaccuracies detected by them in their data or signalled to them by any user and end-users.

Article 8

Updating static road data

1. The updates of the static road data shall concern as a minimum the following parameters:

- (a) the type of static road data as set out in point 1 of the Annex concerned by the update;
- (b) the location of the condition concerned by the update;
- (c) the type of update (modification, insertion or deletion);
- (d) the description of the update;
- (e) the date on which the data has been updated;
- (f) the date and time when the change in a given condition has occurred or is planned to occur;
- (g) the quality of the data update.

The location of the condition concerned by the update shall be determined using a standardised or any other generally accepted dynamic location referencing method that enables unambiguous decoding and interpretation of this location.

2. Road authorities and road operators shall ensure the timely update of static road data and, where known and possible, provide these updates to users in advance.

3. When digital map producers and service providers use static road data updates, they shall ensure that these updates are processed in a timely manner in order to make the information accessible to end-users without delay.

Article 9

Updating dynamic road status data

1. The updates of the dynamic road status data shall concern as a minimum the following parameters:

- (a) the type of dynamic road status data as set out in point 2 of the Annex concerned by the update and, where appropriate, a short description of it;
- (b) the location of the event or condition concerned by the update;
- (c) the period of occurrence of the event or condition concerned by the update;
- (d) the quality of the data update.

The location of the event or condition concerned by the update shall be determined using a standardised or any other generally accepted dynamic location referencing method that enables unambiguous decoding and interpretation of this location.

2. Road authorities and road operators shall ensure the timely update of dynamic road status data and, where known and possible, provide these updates in advance.
3. The real-time traffic information shall be modified accordingly or withdrawn as soon as possible after the status of the dynamic road status data concerned has changed.
4. When service providers use dynamic road status data updates, they shall ensure that these are processed in a timely manner in order to make the information accessible to end-users without delay.

Article 10

Updating traffic data

1. The updates of the traffic data shall include as a minimum the following parameters:
 - (a) the type of traffic data as set out in point 3 of the Annex concerned by the update and, where appropriate, a short description of it;
 - (b) the location of the event or condition concerned by the update;
 - (c) the quality of the data update.

The location of the event or condition concerned by the update shall be determined using a standardised or any other generally accepted dynamic location referencing method that enables unambiguous decoding and interpretation of this location.

2. The real-time traffic information shall be modified accordingly or withdrawn by road operators and service providers as soon as possible after the status of traffic data concerned has changed.
3. When service providers use traffic data updates, they shall ensure that these are processed in a timely manner in order to make the information accessible to end-users without delay.

Article 11

Assessment of compliance

1. Member States shall assess whether the requirements set out in Articles 3 to 10 are complied with by the road authorities, road operators, digital map producers and service providers in accordance with paragraphs 2 to 3.
2. In order to proceed to the assessment, the competent authorities of Member States may request from the road authorities, road operators, digital map producers and service providers the following documents:
 - (a) a description of the road and traffic data, digital map or real-time traffic information services they provide as well as the information on the quality thereof and the conditions of re-use of these data;
 - (b) an evidence-based declaration of compliance with the requirements set out in Articles 3 to 10.
3. Member States shall randomly check the correctness of the declarations referred to in point (b) of paragraph 2.

Article 12

Reporting

1. At the latest by 13 July 2017, Member States shall provide the Commission with a report on the measures undertaken, if any, to set up a national access point and on the modalities of its functioning, and where relevant, the list of motorways not included in the comprehensive trans-European road network and identified priority zones.

2. At the latest by 13 July 2018 and every two calendar years thereafter, Member States shall provide the Commission with a report containing the following information:

- (a) the progress made in terms of the accessibility, exchange and re-use of the road and traffic data types set out in the Annex;
- (b) the geographical scope and the road and traffic data content of real-time traffic information services and their quality, including the criteria used to define this quality and the means used to monitor it;
- (c) the results of the assessment of compliance referred to in Article 11 with the requirements set out in Articles 3 to 10;
- (d) where relevant, a description of changes to the national or common access point;
- (e) where relevant, a description of changes to the priority zones.

Article 13

Entry into force and application

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

It shall apply from 13 July 2017.

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

Done at Brussels, 18 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

DATA CATEGORIES

(as referred to in Articles 2, 8, 9, 10 and 12)

1. The types of the static road data include in particular:

- (a) road network links and their physical attributes, such as:
 - (i) geometry;
 - (ii) road width;
 - (iii) number of lanes;
 - (iv) gradients;
 - (v) junctions;
- (b) road classification;
- (c) traffic signs reflecting traffic regulations and identifying dangers, such as:
 - (i) access conditions for tunnels;
 - (ii) access conditions for bridges;
 - (iii) permanent access restrictions;
 - (iv) other traffic regulations;
- (d) speed limits;
- (e) traffic circulation plans;
- (f) freight delivery regulations;
- (g) location of tolling stations;
- (h) identification of tolled roads, applicable fixed road user charges and available payment methods;
- (i) location of parking places and service areas;
- (j) location of charging points for electric vehicles and the conditions for their use;
- (k) location of compressed natural gas, liquefied natural gas, liquefied petroleum gas stations;
- (l) location of public transport stops and interchange points;
- (m) location of delivery areas.

2. The types of the dynamic road status data include in particular:

- (a) road closures;
- (b) lane closures;
- (c) bridge closures;
- (d) overtaking bans on heavy goods vehicles;
- (e) roadworks;
- (f) accidents and incidents;
- (g) dynamic speed limits;

- (h) direction of travel on reversible lanes;
- (i) poor road conditions;
- (j) temporary traffic management measures;
- (k) variable road user charges and available payment methods;
- (l) availability of parking places;
- (m) availability of delivery areas;
- (n) cost of parking;
- (o) availability of charging points for electric vehicles;
- (p) weather conditions affecting road surface and visibility.

Those short-term data need not to be included in digital map updates as they shall not be considered as changes of a permanent nature.

3. The types of the traffic data include in particular:

- (a) traffic volume;
 - (b) speed;
 - (c) location and length of traffic queues;
 - (d) travel times;
 - (e) waiting time at border crossings to non-EU Member States.
-

COMMISSION IMPLEMENTING REGULATION (EU) 2015/963**of 22 June 2015****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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

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 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, 22 June 2015.

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

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	141,5
	MK	69,6
	TR	82,4
	ZZ	97,8
0707 00 05	TR	116,3
	ZZ	116,3
0709 93 10	TR	112,4
	ZZ	112,4
0805 50 10	AR	92,6
	BO	147,3
	BR	107,1
	ZA	145,0
	ZZ	123,0
0808 10 80	AR	168,8
	BR	101,6
	CL	135,7
	NZ	159,8
	US	148,3
	ZA	125,0
	ZZ	139,9
	ZZ	139,9
0809 10 00	TR	252,1
	ZZ	252,1
0809 29 00	TR	331,3
	ZZ	331,3

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/964**of 22 June 2015****determining the quantities to be added to the quantity fixed for the subperiod 1 October to 31 December 2015 under the tariff quotas opened by Regulation (EC) No 442/2009 in the pigmeat sector**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(2) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 442/2009 ⁽²⁾ opened annual tariff quotas for imports of pigmeat products. The quotas listed in Part B of Annex I to that Regulation are managed using the simultaneous examination method.
- (2) The quantities covered by import licence applications lodged from 1 to 7 June 2015 for the subperiod 1 July to 30 September 2015 are smaller than those available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod.
- (3) In order to ensure the efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have not been lodged under Regulation (EC) No 442/2009, to be added to the subperiod 1 October to 31 December 2015, are set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 22 June 2015.

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

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 442/2009 of 27 May 2009 opening and providing for the administration of Community tariff quotas in the pigmeat sector (OJ L 129, 28.5.2009, p. 13).

ANNEX

Order No	Quantities not applied for, to be added to the quantities available for the subperiod 1 October to 31 December 2015 (kg)
09.4038	8 581 250
09.4170	1 230 500
09.4204	1 156 000

COMMISSION IMPLEMENTING REGULATION (EU) 2015/965**of 22 June 2015****determining the quantities to be added to the quantity fixed for the subperiod from 1 October to 31 December 2015 under the tariff quota opened by Regulation (EC) No 536/2007 for poultrymeat originating in the United States of America**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(2) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 536/2007 ⁽²⁾ opened an annual tariff quota for imports of poultrymeat products originating in the United States of America.
- (2) The quantities covered by the applications for import licences lodged from 1 to 7 June 2015 for the subperiod from 1 July to 30 September 2015 are less than those available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod.
- (3) In order to ensure the efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have not been lodged pursuant to Regulation (EC) No 536/2007, to be added to the subperiod from 1 October to 31 December 2015, are set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 22 June 2015.

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

Jerzy PLEWA
Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 536/2007 of 15 May 2007 opening and providing for the administration of a tariff quota for poultrymeat allocated to the United States of America (OJ L 128, 16.5.2007, p. 6).

ANNEX

Order No	Quantities not applied for, to be added to the quantities available for the subperiod from 1 October to 31 December 2015 (kg)
09.4169	5 336 250

COMMISSION IMPLEMENTING REGULATION (EU) 2015/966**of 22 June 2015****determining the quantities to be added to the quantity fixed for the subperiod from 1 October to 31 December 2015 under the tariff quotas opened by Regulation (EC) No 539/2007 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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(2) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 539/2007 ⁽²⁾ opened annual tariff quotas for imports of egg products and egg albumin.
- (2) The quantities covered by the applications for import licences lodged from 1 to 7 June 2015 for the subperiod from 1 July to 30 September 2015 are less than those available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod.
- (3) In order to ensure the efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have not been lodged pursuant to Regulation (EC) No 539/2007, to be added to the subperiod from 1 October to 31 December 2015, are set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 22 June 2015.

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

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ 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 (OJ L 128, 16.5.2007, p. 19).

ANNEX

Order No	Quantities not applied for, to be added to the quantities available for the subperiod from 1 October to 31 December 2015 (in kg, shell egg equivalent)
09.4015	27 000 000
09.4401	795 000
09.4402	3 100 000

COMMISSION IMPLEMENTING REGULATION (EU) 2015/967**of 22 June 2015****determining the quantities to be added to the quantity fixed for the subperiod from 1 October to 31 December 2015 under the tariff quotas opened by Regulation (EC) No 1384/2007 for poultrymeat originating in Israel**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(2) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1384/2007 ⁽²⁾ opened annual tariff quotas for imports of poultrymeat products originating in Israel.
- (2) The quantities covered by the applications for import licences lodged from 1 to 7 June 2015 for the subperiod from 1 July to 30 September 2015 are less than those available. The quantities for which applications have not been lodged should therefore be determined, and these should be added to the quantity fixed for the following quota subperiod.
- (3) In order to ensure the efficiency of the measure, 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 quantities for which import licence applications have not been lodged pursuant to Regulation (EC) No 1384/2007, to be added to the subperiod from 1 October to 31 December 2015, are set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 22 June 2015.

For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 1384/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 2398/96 as regards opening and providing for the administration of certain quotas for imports into the Community of poultrymeat products originating in Israel (OJ L 309, 27.11.2007, p. 40).

ANNEX

Order No	Quantities not applied for, to be added to the quantities available for the subperiod from 1 October to 31 December 2015 (in kg)
09.4091	420 000
09.4092	2 830 000

COMMISSION IMPLEMENTING REGULATION (EU) 2015/968**of 22 June 2015****determining the quantities to be added to the quantity fixed for the subperiod from 1 October to 31 December 2015 under the tariff quotas opened by Implementing Regulation (EU) No 412/2014 for eggs, egg products and egg albumin originating in Ukraine**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(2) and (3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 412/2014 ⁽²⁾ opened annual tariff quotas for imports of eggs and egg albumin originating in Ukraine.
- (2) The quantities covered by the applications for import licences lodged from 1 to 7 June 2015 for the subperiod from 1 July to 30 September 2015 are less than those available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the next quota subperiod.
- (3) In order to ensure efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities for which import licence applications have not been lodged pursuant to Regulation (EU) No 412/2014, to be added to the subperiod from 1 October to 31 December 2015, are set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 22 June 2015.

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

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) No 412/2014 of 23 April 2014 opening and providing for the administration of a Union import tariff quota for eggs, eggs products and albumins originating in Ukraine (OJ L 121, 24.4.2014, p. 32).

ANNEX

Order No	Quantities not applied for, to be added to the quantities available for the subperiod from 1 October to 31 December 2015 (shell egg equivalent weight in kg)
09.4275	1 087 500
09.4276	2 250 000

DECISIONS

POLITICAL AND SECURITY COMMITTEE DECISION (CFSP) 2015/969

of 19 June 2015

extending the mandate of the Head of Mission of the European Union Rule of Law Mission in Kosovo ⁽¹⁾ (EULEX KOSOVO)

THE POLITICAL AND SECURITY COMMITTEE,

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

Having regard to the Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO ⁽²⁾ and in particular Article 12 (2) thereof,

Whereas:

- (1) Pursuant to Article 12 (2) of Joint Action 2008/124/CFSP, the Political and Security Committee (PSC) is authorised, in accordance with Article 38 of the Treaty, to take the relevant decisions for the purpose of exercising political control and strategic direction of the European Union Rule of Law Mission in Kosovo (EULEX KOSOVO), including the decision to appoint a Head of Mission.
- (2) On 12 June 2014, the Council adopted Decision 2014/349/CFSP ⁽³⁾ amending Joint Action 2008/124/CFSP and extending the duration of EULEX KOSOVO until 14 June 2016.
- (3) On 9 October 2014, the PSC adopted Decision 2014/707/CFSP (EULEX KOSOVO/2/2014) ⁽⁴⁾, appointing Ambassador Gabriele MEUCCI as Head of Mission of EULEX KOSOVO until 14 June 2015.
- (4) On 15 June 2015, the High Representative of the Union for Foreign Affairs and Security Policy proposed the extension of the mandate of Ambassador Gabriele MEUCCI as Head of Mission of EULEX KOSOVO until 14 June 2016,

HAS ADOPTED THIS DECISION:

Article 1

The mandate of Ambassador Gabriele MEUCCI as Head of Mission of the European Union Rule of Law Mission in Kosovo (EULEX KOSOVO) is hereby extended until 14 June 2016.

Article 2

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

It shall apply from 15 June 2015.

Done at Brussels, 19 June 2015.

For the Political and Security Committee

The Chairperson

W. STEVENS

⁽¹⁾ The designation 'Kosovo' is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of Independence.

⁽²⁾ OJ L 42, 16.2.2008, p. 92.

⁽³⁾ Council Decision 2014/349/CFSP of 12 June 2014 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO (OJ L 174, 13.6.2014, p. 42).

⁽⁴⁾ Political and Security Committee Decision 2014/707/CFSP (EULEX KOSOVO/2/2014) of 9 October 2014 on the appointment of the Head of Mission of the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO (OJ L 295, 11.10.2014, p. 59).

COUNCIL DECISION (CFSP) 2015/970
of 22 June 2015
extending the mandate of the European Union Special Representative in Bosnia and Herzegovina

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) and Article 33 thereof,

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

Whereas:

- (1) On 15 December 2014, the Council adopted Conclusions outlining the Union's renewed approach to Bosnia and Herzegovina.
- (2) On 19 January 2015, the Council adopted Decision (CFSP) 2015/77 ⁽¹⁾ appointing Mr Lars-Gunnar WIGEMARK as the European Union Special Representative (EUSR) in Bosnia and Herzegovina.
- (3) The mandate of the EUSR is to expire on 30 June 2015.
- (4) The mandate of the EUSR should be extended for a further period of four months.
- (5) The EUSR will implement the mandate in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

European Union Special Representative

The mandate of Mr Lars-Gunnar WIGEMARK as the European Union Special Representative (EUSR) is hereby extended until 31 October 2015. The Council may decide that the mandate of the EUSR be terminated earlier, based on an assessment by the Political and Security Committee (PSC) and a proposal from the High Representative of the Union for Foreign Affairs and Security Policy (HR).

Article 2

Policy objectives

The mandate of the EUSR shall be based on the following policy objectives of the Union in Bosnia and Herzegovina (BiH): continued progress in the Stabilisation and Association Process, with the aim of a stable, viable, peaceful and multi-ethnic and united BiH, cooperating peacefully with its neighbours and irreversibly on track towards membership of the Union. The Union will also continue to support the implementation of the General Framework Agreement for Peace (GFAP) in BiH.

Article 3

Mandate

In order to achieve the policy objectives, the mandate of the EUSR shall be to:

- (a) offer the Union's advice and facilitate the political process;
- (b) ensure consistency and coherence of Union action;

⁽¹⁾ Council Decision (CFSP) 2015/77 of 19 January 2015 appointing the European Union Special Representative in Bosnia and Herzegovina (OJ L 13, 20.1.2015, p. 7).

- (c) facilitate progress on political, economic and European priorities;
- (d) monitor and advise the executive and legislative authorities at all levels of government in BiH, and liaise with the authorities and political parties in BiH;
- (e) ensure the implementation of the Union's efforts in the whole range of activities in the field of the rule of law and the security sector reform, promote overall Union coordination of, and give local political direction to, Union efforts in tackling organised crime and corruption and, in this context, provide the HR and the Commission with assessments and advice as necessary;
- (f) provide support for a reinforced and more effective interface between criminal justice and the police in BiH;
- (g) without prejudice to the military chain of command, offer the EU Force Commander political guidance on military issues with a local political dimension, in particular concerning sensitive operations, relations with local authorities and with the local media; consult with the EU Force Commander before taking political action that may have an impact on the security situation;
- (h) coordinate and implement the Union's communication efforts on Union issues towards the public in BiH;
- (i) promote the process of EU integration through targeted public diplomacy and Union outreach activities designed to ensure a broader understanding and support from the BiH public on EU related matters, including by means of engagement of local civil society actors;
- (j) contribute to the development and consolidation of respect for human rights and fundamental freedoms in BiH, in accordance with the Union's human rights policy and the Union Guidelines on Human Rights;
- (k) engage with relevant BiH authorities on their full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY);
- (l) in line with the Union integration process, advise, assist, facilitate and monitor political dialogue on the necessary constitutional changes;
- (m) maintain close contacts and consultations with the High Representative in BiH and other relevant international organisations working in the country;
- (n) provide advice to the HR as necessary concerning natural or legal persons on whom restrictive measures could be imposed in view of the situation in BiH;
- (o) without prejudice to the applicable chains of command, help to ensure that all Union instruments in the field are applied coherently to attain the Union's policy objectives.

Article 4

Implementation of the mandate

1. The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR.
2. The PSC shall maintain a privileged link with the EUSR and shall be the EUSR's primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate, without prejudice to the powers of the HR.
3. The EUSR shall work in close coordination with the European External Action Service (EEAS) and its relevant departments.

Article 5

Financing

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR in the period from 1 July 2015 to 31 October 2015 shall be EUR 1 700 000.
2. The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the Union. Nationals of the countries of the Western Balkans region shall be allowed to tender for contracts.

3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

Article 6

Constitution and composition of the team

1. A dedicated staff shall be assigned to assist the EUSR to implement his mandate and to contribute to the coherence, visibility and effectiveness of Union action in BiH overall. Within the limits of his mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting his team. The team shall include members having expertise on specific policy issues as required by the mandate. The EUSR shall keep the Council and the Commission promptly informed of the composition of his team.

2. Member States, institutions of the Union and the EEAS may propose the secondment of staff to work with the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the institutions of the Union or the EEAS may also be posted to the EUSR. International contracted staff shall have the nationality of a Member State.

3. All seconded personnel shall remain under the administrative authority of the sending Member State, institution of the Union or the EEAS and shall carry out their duties and act in the interest of the mandate of the EUSR.

Article 7

Privileges and immunities of the EUSR and his staff

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the EUSR and the members of his staff shall be agreed with the host parties, as appropriate. Member States and the EEAS shall grant all necessary support to such effect.

Article 8

Security of EU classified information

The EUSR and the members of his team shall respect the security principles and minimum standards established by Council Decision 2013/488/EU ⁽¹⁾.

Article 9

Access to information and logistical support

1. Member States, the Commission and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.

2. The Union delegations and/or Member States, as appropriate, shall provide logistical support in the region.

Article 10

Security

In accordance with the Union's policy on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, the EUSR shall take all reasonably practicable measures, in conformity with the mandate of the EUSR and the security situation in the area of responsibility, for the security of all personnel under the direct authority of the EUSR, in particular by:

- (a) establishing a specific security plan based on guidance from the EEAS, including specific physical, organisational and procedural security measures, governing the management of the secure movement of personnel to, and within, the area of responsibility, as well as the management of security incidents and a mission contingency and evacuation plan;

⁽¹⁾ Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).

- (b) ensuring that all personnel deployed outside the Union are covered by high risk insurance as required by the conditions in the area of responsibility;
- (c) ensuring that all members of the EUSR's team to be deployed outside the Union, including locally contracted personnel, have received appropriate security training before or upon arriving in the area of responsibility, based on the risk ratings assigned to that area by the EEAS;
- (d) ensuring that all agreed recommendations made following regular security assessments are implemented, and providing the Council, the HR and the Commission with written reports on their implementation and on other security issues within the framework of the progress and mandate implementation reports.

Article 11

Reporting

The EUSR shall regularly provide the HR and the PSC with oral and written reports. The EUSR shall also report to Council working parties as necessary. Regular reports shall be circulated through the COREU network. The EUSR may provide the Foreign Affairs Council with reports. In accordance with Article 36 of the Treaty, the EUSR may be involved in briefing the European Parliament.

Article 12

Coordination

1. The EUSR shall contribute to the unity, consistency and effectiveness of the Union's action and shall help ensure that all Union instruments and Member States' actions are engaged consistently, to attain the Union's policy objectives. The activities of the EUSR shall be coordinated with those of the Commission, as well as those of other EUSRs active in the region, as appropriate. The EUSR shall provide regular briefings to Member States' missions and Union delegations.
2. In the field, close liaison shall be maintained with the Heads of Union delegations in the region and Member States' Heads of Mission. They shall make every effort to assist the EUSR in the implementation of the mandate. The EUSR shall also liaise with international and regional actors in the field, and in particular maintain close coordination with the High Representative in BiH.
3. In support of Union crisis management operations, the EUSR, with other Union actors present in the field, shall improve the dissemination and sharing of information by those Union actors with a view to achieving a high degree of common situation awareness and assessment.

Article 13

Assistance in relation to claims

The EUSR and his staff shall assist in providing elements to respond to any claims and obligations arising from the mandates of the previous EUSRs in BiH, and shall provide administrative assistance and access to relevant files for such purposes.

Article 14

Review

The implementation of this Decision and its consistency with other contributions from the Union to the region shall be kept under regular review. The EUSR shall present the Council, the HR and the Commission with a mandate implementation report by the end of September 2015.

*Article 15***Entry into force**

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

It shall apply from 1 July 2015.

Done at Luxembourg, 22 June 2015.

For the Council
The President
F. MOGHERINI

COUNCIL DECISION (CFSP) 2015/971
of 22 June 2015
amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions
destabilising the situation in Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 31 July 2014, the Council adopted Decision 2014/512/CFSP ⁽¹⁾.
- (2) On 19 March 2015, the European Council agreed that the necessary measures would be taken to clearly link the duration of the restrictive measures to the complete implementation, by 31 December 2015, of the Minsk agreements.
- (3) Decision 2014/512/CFSP should be renewed for a further 6 months in order to enable the Council to assess the implementation of the Minsk agreements.
- (4) Decision 2014/512/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 9(1) of Decision 2014/512/CFSP is replaced by the following:

- '1. This Decision shall apply until 31 January 2016.'

Article 2

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

Done at Luxembourg, 22 June 2015.

For the Council
The President
F. MOGHERINI

⁽¹⁾ Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13).

COUNCIL DECISION (CFSP) 2015/972**of 22 June 2015****launching the European Union military operation in the southern Central Mediterranean (EUNAVFOR MED)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 42(4) and 43(2) thereof,

Having regard to Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the southern Central Mediterranean (EUNAVFOR MED) ⁽¹⁾, and in particular Article 5 thereof,

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

Whereas:

- (1) On 18 May 2015, the Council adopted Decision (CFSP) 2015/778.
- (2) Following the recommendation of the Operation Commander, EUNAVFOR MED should be launched on 22 June 2015.
- (3) In accordance with Article 5 of Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Consequently, Denmark is not participating in the adoption of this Decision, is neither bound by it nor subject to its application, and does not participate in the financing of this operation,

HAS ADOPTED THIS DECISION:

Article 1

The Operation Plan and the Rules of Engagement concerning the European Union military operation in the southern Central Mediterranean (EUNAVFOR MED) are hereby approved.

Article 2

1. EUNAVFOR MED shall be launched on 22 June 2015.
2. In accordance with Article 2(3) of Decision (CFSP) 2015/778, the Council shall assess whether the conditions for transition beyond the first phase of the operation have been met, taking into account any applicable UN Security Council Resolution and consent by the coastal states concerned. Subject to such assessment by the Council, and in accordance with Article 6(1) of Decision (CFSP) 2015/778, the Political and Security Committee shall have the power to decide when to make the transition between the different phases of the operation.

Article 3

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

Done at Luxembourg, 22 June 2015.

For the Council
The President
F. MOGHERINI

⁽¹⁾ OJ L 122, 19.5.2015, p. 31.

COUNCIL IMPLEMENTING DECISION (CFSP) 2015/973
of 22 June 2015
implementing Decision 2013/255/CFSP concerning restrictive measures against Syria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria ⁽¹⁾, and in particular Article 30(1) thereof,

Whereas:

- (1) On 31 May 2013, the Council adopted Decision 2013/255/CFSP.
- (2) One person should be removed from the list of natural and legal persons, entities or bodies subject to restrictive measures as set out in Annex I to Decision 2013/255/CFSP.
- (3) Decision 2013/255/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2013/255/CFSP is amended in accordance with the Annex to this Decision.

Article 2

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

Done at Luxembourg, 22 June 2015.

For the Council
The President
F. MOGHERINI

⁽¹⁾ OJ L 147, 1.6.2013, p. 14.

ANNEX

The name of the following person and the related entry are deleted from the list set out in Annex I to Decision 2013/255/CFSP:

A. Persons

12.	Fawwaz (فواز) Al-Assad (الأسد)
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COMMISSION IMPLEMENTING DECISION (EU) 2015/974**of 17 June 2015****authorising Member States to adopt certain derogations pursuant to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods***(notified under document C(2015) 4087)*

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods ⁽¹⁾, and in particular Article 6(2) and (4) thereof,

Whereas:

- (1) Annex I, Section I.3, Annex II, Section II.3 and Annex III, Section III.3 to Directive 2008/68/EC contain lists of national derogations, allowing specific national circumstances to be taken into account. One new national derogation and several amendments to authorised derogations were requested by certain Member States.
- (2) These derogations should be authorised.
- (3) As Annex I, Section I.3, Annex II, Section II.3 and Annex III, Section III.3 have therefore to be adapted, it is appropriate, for reasons of clarity, to replace them in their entirety.
- (4) Directive 2008/68/EC should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the committee on the transport of dangerous goods set up by Directive 2008/68/EC,

HAS ADOPTED THIS DECISION:

Article 1

The Member States listed in the Annex are authorised to implement the derogations set out therein regarding the transport of dangerous goods within their territory.

These derogations shall be applied without discrimination.

Article 2

Annex I, Section I.3, Annex II, Section II.3 and Annex III, Section III.3 to Directive 2008/68/EC are amended in accordance with the Annex to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 June 2015.

For the Commission
Violeta BULC
Member of the Commission

⁽¹⁾ OJ L 260, 30.9.2008, p. 13.

ANNEX

Annex I, Annex II and Annex III to Directive 2008/68/EC are amended as follows:

(1) In Annex I, Section I.3 is replaced by the following:

I.3. National derogations

Derogations for Member States for the transport of dangerous goods within their territory on the basis of Article 6(2) of Directive 2008/68/EC.

Numbering of derogations: RO-a/bi/bii-MS-nn

RO = Road

a/bi/bii = Article 6(2) a/bi/bii

MS = Abbreviation of Member State

nn = order number

Based on Article 6(2)(a) of Directive 2008/68/EC

BE Belgium

RO-a-BE-1

Subject: Class 1 — Small quantities.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 1.1.3.6

Content of the Annex to the Directive: 1.1.3.6 limits to 20 kg the quantity of mining explosives which can be transported in an ordinary vehicle.

Content of the national legislation: Operators of depots remote from supply points may be authorised to transport 25 kg of dynamite or powerful explosives and 300 detonators at the most in ordinary motor vehicles, subject to conditions to be set by the explosives service.

Initial reference to the national legislation: *Article 111 de l'arrêté royal 23 septembre 1958 sur les produits explosifs.*

Expiry date: 30 June 2020

RO-a-BE-2

Subject: Transport of uncleaned empty containers having contained products of different classes.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.1.6

Content of the national legislation: Indication on the transport document "uncleaned empty packages having contained products of different classes".

Initial reference to the national legislation: *Dérogation 6-97.*

Comments: Derogation registered by the Commission as No 21 (under Article 6(10) of Directive 94/55/EC).

Expiry date: 30 June 2020

RO-a-BE-3

Subject: Adoption of RO-a-UK-4.

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Expiry date: 30 June 2020

RO-a-BE-4

Subject: exemption of all ADR requirements for the national transport of maximum 1000 used ionic smoke detectors from private households to the treatment facility in Belgium via the collection points foreseen in the scenario for the selective collection of smoke detectors.

Reference to ADR: all requirements

Reference to Annex I, Section I.1, to Directive 2008/68/EC:

Content of the national legislation: The domestic use of ionic smoke detectors is not submitted to regulatory control from a radiological point of view once the smoke detector is of an approved type. The transport of these smoke detectors to the end user is also exempted from ADR requirements. (see 2.2.7.1.2(d)).

Directive 2002/96/EC (on waste electric and electronic equipments) requires the selective collection of used smoke detectors for treatment of the circuit boards and, for the ionic smoke detectors, to take out the radioactive substances. To make this selective collection possible a scenario has been developed to stimulate private households to bring their used smoke detectors to a collection point from which these detectors can be carried to a treatment facility sometimes via a second collection point or an intermediate storage place.

At the collection points metal packagings will be made available wherein a maximum of 1000 smoke detectors can be packed. From these points one such package with the smoke detectors can be transported together with others wastes to an intermediate storage or the treatment facility. The package will be labelled with the word "smoke detector".

Initial reference to the national legislation: scenario for the selective collection of smoke detectors makes part of the conditions for removal of approved instruments foreseen in article 3.1.d.2 of the royal decree of 20.7.2001: the general radiation protection regulation.

Comments: This derogation is necessary to make the selective collection of used ionic smoke detectors possible.

Expiry date: 30 June 2020

DE Germany

RO-a-DE-1

Subject: Mixed packing and mixed loading of car parts with classification 1.4G together with certain dangerous goods (n4).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 4.1.10 and 7.5.2.1

Content of the Annex to the Directive: Provisions on mixed packing and mixed loading.

Content of the national legislation: UN 0431 and UN 0503 may be loaded together with certain dangerous goods (products related to car manufacturing) in certain amounts, listed in the exemption. The value 1000 (comparable with 1.1.3.6.4) shall not be exceeded.

Initial reference to the national legislation: *Gefahrgut-Ausnahmereverordnung — GGAV 2002 vom 6.11.2002 (BGBl. I S. 4350); Ausnahme 28.*

Comments: The exemption is needed to provide fast delivery of safety car parts depending on local demand. Due to the wide product range storage of these products using local garages is not common.

Expiry date: 30 June 2021

RO-a-DE-2

Subject: Exemption from the requirement to carry a transport document and a shippers' declaration for certain quantities of dangerous goods as defined in 1.1.3.6 (n1).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.1.1 and 5.4.1.1.6

Content of the Annex to the Directive: contents of the transport document.

Content of the national legislation: For all classes except Class 7: no transport document is needed if the quantity of the goods transported does not exceed the quantities given in 1.1.3.6.

Initial reference to the national legislation: *Gefahrgut-Ausnahmeverordnung* — GGAV 2002 vom 6.11.2002 (BGBl. I S. 4350); *Ausnahme 18*.

Comments: The information provided by the marking and labelling of packages is considered sufficient for national transport, as a transport document is not always appropriate where local distribution is involved.

Derogation registered by the Commission as No 22 (under Article 6(10) of Directive 94/55/EC).

Expiry date: 30 June 2021

RO-a-DE-3

Subject: Transportation of measurement standards and fuel pumps (empty, non-cleaned).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Provisions for UN numbers 1202, 1203 and 1223.

Content of the Annex to the Directive: Packaging, marking, documents, transport and handling instructions, instructions for vehicle crews.

Content of the national legislation: Specification of applicable regulations and ancillary provisions for applying the derogation; up to 1 000 l: comparable with empty, non-cleaned packaging; above 1 000 l: Compliance with certain regulations for tanks; transportation empty and non-cleaned only.

Initial reference to the national legislation: *Gefahrgut-Ausnahmeverordnung* — GGAV 2002 vom 6.11.2002 (BGBl. I S. 4350); *Ausnahme 24*.

Comments: List No 7, 38, 38a.

Expiry date: 30 June 2021

RO-a-DE-5

Subject: Combined packaging authorisation.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 4.1.10.4 MP2

Content of the Annex to the Directive: Prohibition of combined packaging.

Content of the national legislation: Classes 1.4S, 2, 3 and 6.1; authorisation of combined packaging of objects in Class 1.4S (cartridges for small weapons), aerosols (Class 2) and cleaning and treatment materials in Classes 3 and 6.1 (UN numbers listed) as sets to be sold in combined packaging in packaging group II and in small quantities.

Initial reference to the national legislation: *Gefahrgut-Ausnahmeverordnung — GGAV 2002 vom 6.11.2002 (BGBl. I S. 4350); Ausnahme 21.*

Comments: List No 30*, 30a, 30b, 30c, 30d, 30e, 30f, 30g.

Expiry date: 30 June 2021

DK Denmark

RO-a-DK-2

Subject: Road transport of packaging containing explosive substances and packaging containing detonators on the same vehicle.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 7.5.2.2

Content of the Annex to the Directive: Mixed packing provisions.

Content of the national legislation: The rules in the ADR must be observed when transporting dangerous goods by road.

Initial reference to the national legislation: *Bekendtgørelse nr. 729 of 15. august 2001 om vejtransport of farligt gods § 4, stk. 1.*

Comments: There is a practical need for being able to pack explosive substances together with detonators on the same vehicle when transporting such goods from where they are stored to the workplace and back again.

When the Danish legislation concerning the transport of dangerous goods is amended, the Danish authorities will allow such transport under the following conditions:

1. Not more than 25 kg explosive substances under group D are being transported.
2. Not more than 200 pieces of detonators under group B are being transported.
3. Detonators and explosive substances must be packed separately in UN-certified packaging in accordance with the rules set out in Directive 2000/61/EC amending Directive 94/55/EC.
4. The distance between packaging that contains detonators and packaging that contains explosive substances must be at least 1 metre. This distance has to be observed even after a sudden application of the brakes. Packaging containing explosive substances and packaging containing detonators must be placed in a way that makes it possible quickly to remove them from the vehicle.
5. All other rules concerning the transport of dangerous goods by road must be observed.

Expiry date: 30 June 2021

RO-a-DK-3

Subject: Road transport of packagings and articles containing wastes or residues of dangerous goods of certain classes from households and enterprises for the purpose of disposal.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Parts and chapters 2, 3, 4.1, 5.1, 5.2, 5.4, 6, 8.1 and 8.2.

Content of the Annex to the Directive: Classification provisions, special provisions, packing provisions, consignment procedures, requirements for the construction and testing of packagings, general requirements concerning transport units and equipment on board and training requirements.

Content of the national legislation: Inner packagings and articles containing waste or residues of dangerous goods of certain classes collected from private households or enterprises for the purpose of disposal may be packed together in certain outer packagings and/or overpacks and carried under special consignment procedures including special packing and marking restrictions. The quantity of dangerous goods per inner packaging, per outer packaging and/or per transport unit is restricted.

Initial reference to the national legislation: *Bekendtgørelse nr. 818 af 28. juni 2011 om vejtransport af farligt gods § 4, stk. 3.*

Comments: It is not possible for waste managers to apply all provisions of Annex I, Section I.1 to Directive 2008/68/EC when wastes with residual amounts of dangerous goods have been collected from private households and enterprises to be carried for disposal. The waste is usually contained in packagings that have been sold in retail.

Expiry date: 1 January 2019

FI Finland

RO-a-FI-1

Subject: Transport of dangerous goods in certain amounts in buses and low active radioactive materials in small quantities for the purposes of health care and research.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 4.1, 5.4.

Content of the Annex to the Directive: Packaging provisions, documentation.

Content of the national legislation: Transport of dangerous goods in certain amounts under the limit of 1.1.3.6 with a maximum net mass of not more than 200 kg in buses is allowed without using the transport document and without fulfilling all the packaging requirements. When transporting the low active radioactive materials with a weight of max 50 kg for the purposes of health care and research, the vehicle need not be marked and equipped according to the ADR.

Initial reference to the national legislation: *Liikenne- ja viestintäministeriön asetus vaarallisten aineiden kuljetuksesta tiellä (277/2002; 313/2003; 312/2005).*

Expiry date: 30 June 2021

RO-a-FI-2

Subject: Description of empty tanks in the transport document.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.1.6

Content of the Annex to the Directive: Special provisions for empty uncleaned packagings, vehicles, containers, tanks, battery-vehicles and multiple element gas containers ("MEGCs").

Content of the national legislation: In the case of empty, uncleaned tank vehicles in which two or more substances with UN numbers 1202, 1203 and 1223 have been carried, the description in the transport documents may be completed by the words "Last load" together with the name of the product having the lowest flashpoint; "Empty tank vehicle, 3, last load: UN 1203 Motor spirit, II".

Initial reference to the national legislation: *Liikenne- ja viestintäministeriön asetus vaarallisten aineiden kuljetuksesta tiellä (277/2002; 313/2003)*.

Expiry date: 30 June 2021

RO-a-FI-3

Subject: Labelling and marking of the transport unit for explosives.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.3.2.1.1

Content of the Annex to the Directive: General orange-coloured plate marking provisions.

Content of the national legislation: Transport units transporting (normally in vans) small amounts of explosives (maximum 1 000 kg (net)) to quarries and working sites may be labelled at the front and at the rear, using the placard in model No 1.

Initial reference to the national legislation: *Liikenne- ja viestintäministeriön asetus vaarallisten aineiden kuljetuksesta tiellä (277/2002; 313/2003)*.

Expiry date: 30 June 2021

FR France

RO-a-FR-2

Subject: Transport of waste arising from care activities involving a risk of infection covered by UN 3291 with a mass less than or equal to 15 kg.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annexes A and B.

Content of the national legislation: Exemption from the requirements of the ADR for the transport of waste arising from care activities presenting a risk of infection covered by UN 3291 with a mass less than or equal to 15 kg.

Initial reference to the national legislation: *Arrêté du 1^{er} juin 2001 relatif au transport des marchandises dangereuses par route — Article 12*.

Expiry date: 30 June 2021

RO-a-FR-5

Subject: Transport of dangerous goods in public passenger transport vehicles (18).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 8.3.1.

Content of the Annex to the Directive: Transport of passengers and dangerous goods.

Content of the national legislation: Transport of dangerous goods other than those of class 7, authorised in public transport vehicles as hand luggage: only the provisions relating to the packaging, marking and labelling of parcels set out in 4.1, 5.2 and 3.4 apply.

Initial reference to the national legislation: *Arrêté du 29 mai 2009 relatif au transport des marchandises dangereuses par voies terrestres, annexe I paragraphe 3.1*.

Comments: Only dangerous goods for personal or own professional use are permitted to be carried in hand luggage. Portable gas receptacles are allowed for patients with respiratory problems in the necessary amount for one journey.

Expiry date: 28 February 2022

RO-a-FR-6

Subject: Own-account transport of small quantities of dangerous goods (18).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.

Content of the Annex to the Directive: Obligation to have a transport document.

Content of the national legislation: Own-account transport of small quantities of dangerous goods other than class 7, not exceeding the limits set in 1.1.3.6 is not subject to the obligation to have a transport document provided for in 5.4.1.

Initial reference to the national legislation: *Arrêté du 29 mai 2009 relatif au transport des marchandises dangereuses par voies terrestres annexe I, paragraphe 3.2.1.*

Expiry date: 28 February 2022

RO-a-FR-7

Subject: Road transport of samples of chemical substances, mixtures and articles containing dangerous goods for the purpose of market surveillance

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Parts 1 to 9

Content of the Annex to the Directive: General provisions, classification, special provisions and exemptions concerning the carriage of dangerous goods packed in limited quantities, provisions concerning the use of packaging and tanks, consignment procedures, packaging construction requirements, provisions concerning transport conditions, handling, loading and unloading, requirements concerning transport equipment and transport operations, requirements concerning the construction and approval of vehicles.

Content of the national legislation: Samples of chemical substances, mixtures and articles containing dangerous goods and carried for analysis as a part of market surveillance activity shall be packed in combination packagings. They shall comply with the rules concerning maximum quantities for inner packaging depending on the type of the dangerous good involved. The outer packaging shall comply with the requirements for solid plastic boxes (4H2, Chapter 6.1 of Annex I, Section I.1 to Directive 2008/68/EC). The outer packaging must bear the marking of Section 3.4.7, Annex I, Section I.1 to Directive 2008/68/EC and the text "Samples for analysis" (in French: "Echantillons destinés à l'analyse"). Provided that these provisions are complied with, the carriage is not subject to the provisions of Annex I, Section I.1 to Directive 2008/68/EC.

Initial reference to the national legislation: *Arrêté du 12 décembre 2012 modifiant l'arrêté du 29 mai 2009 relatif aux transports de marchandises dangereuses par voies terrestres*

Comments: The exemption of Section 1.1.3, Annex I, Section I.1 to Directive 2008/68/EC does not provide for the transport of samples of dangerous goods for analysis taken by or on behalf of the competent authorities. To ensure effective market surveillance, France has introduced a procedure based on the system applicable to limited quantities for ensuring the safety of transport of samples containing dangerous goods. As it is not always feasible to apply the provisions of table A the quantity limit for the inner packaging has been defined in a more operational way.

Expiry date: 1 January 2019

HU Hungary

RO-a-HU-1

Subject: Adoption of RO-a-DE-2

Initial reference to the national legislation: *A nemzeti fejlesztési miniszter rendelete az ADR Megállapodás A és B Mellékletének belföldi alkalmazásáról*

Expiry date: 30 January 2020

RO-a-HU-2

Subject: Adoption of RO-a-UK-4

Initial reference to the national legislation: *A nemzeti fejlesztési miniszter rendelete az ADR Megállapodás A és B Mellékletének belföldi alkalmazásáról*

Expiry date: 30 January 2020

IE Ireland

RO-a-IE-1

Subject: Exemption from the requirement of 5.4.0 of the ADR for a transport document for the carriage of pesticides of ADR Class 3, listed under 2.2.3.3 as FT2 pesticides (f.p. < 23 °C) and ADR Class 6.1, listed under 2.2.61.3 as T6 pesticides, liquid (flash point not less than 23 °C), where the quantities of dangerous goods being carried do not exceed the quantities set out in 1.1.3.6 of the ADR.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4

Content of the Annex to the Directive: Requirement for transport document.

Content of the national legislation: A transport document is not required for the carriage of pesticides of ADR Classes 3 and 6.1, where the quantity of dangerous goods being carried does not exceed the quantities set out in 1.1.3.6 of the ADR.

Initial reference to the national legislation: *Regulation 82(9) of the "Carriage of Dangerous Goods by Road Regulations 2004"*.

Comments: Unnecessary, onerous requirement for local transport and delivery of such pesticides.

Expiry date: 30 June 2021

RO-a-IE-4

Subject: Exemption from the requirements of 5.3, 5.4, 7 and Annex B of the ADR, in relation to the carriage of gas cylinders of dispensing agents (for beverages) where they are carried on the same vehicle as the beverages (for which they are to be used).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.3, 5.4, 7 and Annex B.

Content of the Annex to the Directive: The marking of the vehicles, the documentation to be carried and the provisions concerning transport equipment and transport operations.

Content of the national legislation: Exemption from the requirements of 5.3, 5.4, 7 and Annex B of the ADR for cylinders of gases, used as dispensing agents for beverages, where these cylinders of gases are carried on the same vehicle as the beverages (for which they are to be used).

Initial reference to the national legislation: *Proposed amendment to “Carriage of Dangerous Goods by Road Regulations, 2004”.*

Comments: The main activity consists of the distribution of packages of beverages, which are not substances according to the ADR, together with small quantities of small cylinders of associated dispensing gases.

Previously under Article 6(10) of Directive 94/55/EC.

Expiry date: 30 June 2021

RO-a-IE-5

Subject: Exemption, for national transport within Ireland, from the construction and testing requirements for receptacles, and their provisions on use, contained in 6.2 and 4.1 of the ADR, for cylinders and pressure drums of gases of Class 2 that have undergone a multimodal transport journey, including maritime carriage, where (i) these cylinders and pressure drums are constructed, tested and used in accordance with the IMDG Code, (ii) these cylinders and pressure drums are not refilled in Ireland but returned nominally empty to the country of origin of the multimodal transport journey, and (iii) these cylinders and pressure drums are distributed locally in small quantities.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 1.1.4.2, 4.1 and 6.2.

Content of the Annex to the Directive: Provisions relating to multimodal transport journeys, including maritime carriage, use of cylinders and pressure drums for gases of ADR Class 2, and construction and testing of these cylinders and pressure drums for gases of ADR Class 2.

Content of the national legislation: The provisions of 4.1 and 6.2 do not apply to cylinders and pressure drums of gases of Class 2, provided (i) these cylinders and pressure drums are constructed and tested in accordance with the IMDG Code, (ii) these cylinders and pressure drums are used in accordance with the IMDG Code, (iii) these cylinders and pressure drums were transported to the consignor by means of multimodal transport, including maritime carriage, (iv) the transport of these cylinders and pressure drums to the final user consists only of a single transport journey, completed within the same day, from the consignee of the multimodal transport operation (referred to in (iii)), (v) these cylinders and pressure drums are not refilled within the State and are returned nominally empty to the country of origin of the multimodal transport operation (referred to in (iii)), and (vi) these cylinders and pressure drums are distributed locally within the State in small quantities.

Initial reference to the national legislation: *Proposed amendment to “Carriage of Dangerous Goods by Road Regulations, 2004”.*

Comments: The gases contained in these cylinders and pressure drums are of a specification, required by the final user, which results in the need to import them from outside the ADR area. Following use, these nominally empty cylinders and pressure drums are required to be returned to the country of origin, for refilling with the specially specified gases — they are not to be refilled within Ireland or indeed within any part of the ADR area. Though not in compliance with the ADR, they are in compliance with and accepted for the purposes of the IMDG Code. The multimodal transport, beginning from outside the ADR area, is intended to finish at the importer's premises, from where it is intended that these cylinders and pressure drums be distributed to the final user locally within Ireland in small quantities. This carriage, within Ireland, would fall within the amended Article 6(9) of Directive 94/55/EC.

Expiry date: 30 June 2021

RO-a-IE-6

Subject: Exemption from some of the provisions of Annex I, Section I.1, to Directive 2008/68/EC on the packaging, marking and labelling of small quantities (below the limits in 1.1.3.6) of time expired pyrotechnic articles of classification codes 1.3G, 1.4G and 1.4S of Class 1 of Annex I, Section I.1, to Directive 2008/68/EC, bearing the respective substance identification numbers UN 0092, UN 0093, UN 0191, UN 0195, UN 0197, UN 0240, UN 0312, UN 0403, UN 0404, UN 0453, UN 0505, UN 0506 or UN 0507 for carriage to a military barracks or range for disposal.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Parts 1, 2, 4, 5 and 6

Content of the Annex to the Directive: General provisions. Classification. Packaging provisions. Consignment provisions. Construction and testing of packages.

Content of the national legislation: The provisions of Annex I, Section I.1, to Directive 2008/68/EC on the packaging, marking and labelling of time expired pyrotechnic articles bearing the respective UN numbers UN 0092, UN 0093, UN 0191, UN 0195, UN 0197, UN 0240, UN 0312, UN 0403, UN 0404, UN 0453, UN 0505, UN 0506 or UN 0507 for carriage to a military barracks or range do not apply provided the general packaging provisions of Annex I, Section I.1, to Directive 2008/68/EC are complied with and additional information is included in the transport document. The derogation applies only to the local transport, to a military barracks or range, of small quantities of these time-expired pyrotechnics for safe disposal.

Initial reference to the national legislation: *S.I. 349 of 2011 Regulation 57(f) and (g)*

Comments: The carriage of small quantities of “time expired” marine pyrotechnics, especially from pleasure boat owners and ship chandlers, to a military barracks or range for their safe disposal has created difficulties, particularly in relation to packaging requirements. The derogation is for small quantities (below those specified in 1.1.3.6) for local transport, encompassing all UN numbers assigned to maritime pyrotechnics.

Expiry date: 30 January 2020

UK United Kingdom

RO-a-UK-1

Subject: Carriage of certain items containing low-hazard radioactive material, such as clocks, watches, smoke detectors, compass dials (E1).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Most requirements of the ADR

Content of the Annex to the Directive: Requirements concerning the carriage of Class 7 material.

Content of the national legislation: Total exemption from the provisions of the national regulations for certain commercial products containing limited quantities of radioactive material. (A luminous device intended to be worn by a person; in any one vehicle or railway vehicle no more than 500 smoke detectors for domestic use with an individual activity not exceeding 40 kBq; or in any one vehicle or railway vehicle no more than five gaseous tritium light devices with an individual activity not exceeding 10 GBq).

Initial reference to the national legislation: *The Radioactive Material (Road Transport) Regulations 2002: Regulation 5(4)(d). The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004: Regulation 3(10).*

Comments: This derogation is a short-term measure, which will no longer be required when similar amendments to the International Atomic Energy Agency (“IAEA”) regulations have been incorporated into the ADR.

Expiry date: 30 June 2021

RO-a-UK-2

Subject: Exemption from the requirement to carry a transport document for certain quantities of dangerous goods (other than Class 7) as defined in 1.1.3.6 (E2).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 1.1.3.6.2 and 1.1.3.6.3.

Content of the Annex to the Directive: Exemptions from certain requirements for certain quantities per transport unit.

Content of the national legislation: Transport document is not required for limited quantities, except where these form part of a larger load.

Initial reference to the national legislation: *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004: Regulation 3(7)(a)*.

Comments: This exemption is suited to national transport, where a transport document is not always appropriate in cases where local distribution is involved.

Expiry date: 30 June 2021

RO-a-UK-3

Subject: Exemption from the requirement for vehicles carrying low-level radioactive material to carry fire-fighting equipment (E4).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 8.1.4.

Content of the Annex to the Directive: Requirement for vehicles to carry fire-fighting appliances.

Content of the national legislation: Removes requirement to carry fire extinguishers when carrying only excepted packages (UN 2908, 2909, 2910 and 2911).

Restricts the requirement where only a small number of packages are carried.

Initial reference to the national legislation: *The Radioactive Material (Road Transport) Regulations 2002: Regulation 5(4)(d)*.

Comments: Carriage of fire-fighting equipment is in practice irrelevant to the transport of UN 2908, 2909, 2910, UN 2911, which may often be carried in small vehicles.

Expiry date: 30 June 2021

RO-a-UK-4

Subject: Distribution of goods in inner packagings to retailers or users (excluding those of classes 1, 4.2, 6.2 and 7) from local distribution depots to retailers or users and from retailers to end users (N1).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 6.1.

Content of the Annex to the Directive: Requirements for the construction and testing of packaging.

Content of national legislation: Packaging is not required to have been allocated an RID/ADR or UN mark or to be otherwise marked if it contains goods as set out in Schedule 3.

Initial reference to the national legislation: *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004: Regulation 7(4) and Regulation 36 Authorisation Number 13*.

Comments: The requirements of the ADR are inappropriate for the final stages of carriage from a distribution depot to a retailer or user or from a retailer to an end user. The purpose of this derogation is to allow the inner receptacles of goods for retail distribution to be carried on the final leg of a local distribution journey without an outer packaging.

Expiry date: 30 June 2021

RO-a-UK-5

Subject: To allow different “maximum total quantity per transport unit” for Class 1 goods in categories 1 and 2 of table in 1.1.3.6.3 (N10).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 1.1.3.6.3 and 1.1.3.6.4.

Content of the Annex to the Directive: Exemptions related to quantities carried per transport unit.

Content of the national legislation: Lays down rules regarding exemptions for limited quantities and mixed loading of explosives.

Initial reference to the national legislation: *Carriage of Explosives by Road Regulations 1996, reg. 13 and Schedule 5; reg. 14 and Schedule 4.*

Comments: To allow different quantity limits for Class 1 goods, viz “50” for Category 1 and “500” for category 2. For the purpose of calculating mixed loads, the multiplication factors to read “20” for Transport Category 1 and “2” for Transport Category 2.

Previously under Article 6(10) of Directive 94/55/EC.

Expiry date: 30 June 2021

RO-a-UK-6

Subject: Increase of maximum net mass of explosive articles permissible in EX/II vehicles (N13).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 7.5.5.2.

Content of the Annex to the Directive: Limitations on quantities carried for explosive substances and articles.

Content of the national legislation: Limitations on quantities carried for explosive substances and articles.

Initial reference to the national legislation: *Carriage of Explosives by Road Regulations 1996, reg. 13, Schedule 3.*

Comments: UK Regulations allow a maximum net mass of 5 000 kg in Type II vehicles for Compatibility Groups 1.1C, 1.1D, 1.1E and 1.1 J.

Many articles of Class 1.1C, 1.1D, 1.1E and 1.1 J being moved in the Union are large or bulky and exceed about 2,5 m in length. They are primarily explosive articles for military use. The limitations on the construction for EX/III vehicles (which are required to be closed vehicles) make it very difficult to load and unload such articles. Some articles would require specialist loading and unloading equipment at both ends of the journey. In practice, this equipment rarely exists. There are few EX/III vehicles in use in the UK and it would be extremely onerous on industry to require further specialist EX/III vehicles to be constructed to carry this type of explosive.

In the UK military explosives are mostly carried by commercial carriers and are thus unable to take advantage of the exemption for military vehicles in Directive 2008/68/EC. To overcome this problem, the UK has always permitted the carriage of up to 5 000 kg of such articles on EX/II vehicles. The present limit is not always sufficient because an article may contain more than 1 000 kg of explosive.

Since 1950 there have been only two incidents (both in the 1950s) involving blasting explosives with a weight above 5 000 kg. The incidents were caused by a tyre fire and a hot exhaust system setting fire to the sheeting. The fires could have occurred with a smaller load. There were no fatalities or injuries.

There is empirical evidence to suggest that correctly packaged explosive articles would be unlikely to ignite due to impact, e.g. from vehicle collisions. Evidence from military reports and from trials data on missile impact tests shows that it needs an impact velocity in excess of that created by the 12 metre drop test to bring about the ignition of cartridges.

Present safety standards would not be affected.

Expiry date: 30 June 2021

RO-a-UK-7

Subject: Exemption from supervision requirements for small quantities of certain Class 1 goods (N12).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 8.4 and 8.5 S1(6).

Content of the Annex to the Directive: Supervision requirements for vehicles carrying certain quantities of dangerous goods.

Content of the national legislation: Provides for safe parking and supervision facilities but does not require that certain Class 1 loads be supervised at all times as required in the ADR 8.5 S1(6).

Initial reference to the national legislation: *Carriage of Dangerous Goods by Road Regulations 1996, reg. 24.*

Comments: The supervision requirements of the ADR are not always feasible in a national context.

Expiry date: 30 June 2021

RO-a-UK-8

Subject: Easing of restrictions on transporting mixed loads of explosives, and explosives with other dangerous goods, in wagons, vehicles and containers (N4/5/6).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 7.5.2.1 and 7.5.2.2.

Content of the Annex to the Directive: Restrictions on certain types of mixed loading.

Content of the national legislation: National legislation is less restrictive regarding mixed loading of explosives, providing such carriage can be accomplished without risk.

Initial reference to the national legislation: *Carriage of Dangerous Goods by Road Regulations 1996, Regulation 18.*

Comments: The UK wishes to permit some variations on the rules for mixing explosives with other explosives and for explosives with other dangerous goods. Any variation will have a quantity limitation on one or more constituent parts of the load and would only be permitted provided that "all reasonably practicable measures have been taken to prevent the explosives being brought into contact with, or otherwise endangering or being endangered by, any such goods".

Examples of variations the UK may want to permit are:

1. Explosives allocated on classification to UN Numbers 0029, 0030, 0042, 0065, 0081, 0082, 0104, 0241, 0255, 0267, 0283, 0289, 0290, 0331, 0332, 0360 or 0361 may be carried in the same vehicle with dangerous goods allocated on classification to UN Number 1942. The quantity of UN 1942 permitted to be carried shall be limited by deeming it to be an explosive of 1.1D.
2. Explosives allocated on classification to UN Numbers 0191, 0197, 0312, 0336, 0403, 0431 or 0453 may be carried in the same vehicle with dangerous goods (except flammable gases, infectious substances and toxic substances) in transport category 2 or dangerous goods in transport category 3, or any combination of them, provided the total mass or volume of dangerous goods in transport category 2 does not exceed 500 kg or l and the total net mass of such explosives does not exceed 500 kg.
3. Explosives of 1.4G may be carried with flammable liquids and flammable gases in transport category 2 or non-flammable, non-toxic gases in transport category 3, or in any combination of them in the same vehicle, provided the total mass or volume of dangerous goods when added together does not exceed 200 kg or l and the total net mass of explosives does not exceed 20 kg.
4. Explosive articles allocated on classification to UN Numbers 0106, 0107 or 0257 may be carried with explosive articles in Compatibility Group D, E or F for which they are components. The total quantity of explosives of UN Numbers 0106, 0107 or 0257 shall not exceed 20 kg.

Expiry date: 30 June 2021

RO-a-UK-9

Subject: Alternative to display of orange plates for small consignments of radioactive material in small vehicles.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.3.2.

Content of the Annex to the Directive: Requirement for orange plates to be displayed on small vehicles carrying radioactive material.

Content of the national legislation: Permits any derogation approved under this process. The derogation requested is:

Vehicles must either:

- (a) be placarded according to the applicable provisions of ADR paragraph 5.3.2; or
- (b) in the case of a vehicle carrying not more than ten packages containing non-fissile or fissile excepted radioactive material and where the sum of the transport indexes of these packages does not exceed 3, may alternatively carry a notice complying with the requirements laid down in national legislation.

Initial reference to the national legislation: *The Radioactive Material (Road Transport) Regulations 2002, Regulation 5(4)(d)*.

Comments:

Expiry date: 30 June 2021

RO-a-UK-10

Subject: Transport of waste arising from care activities involving a risk of infection covered by UN 3291 with a mass less than or equal to 15 kg.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: all provisions

Content of national legislation: Exemption from the requirements of Annex I, Section I.1 for the transport of waste arising from care activities involving a risk of infection covered by UN 3291 with a mass less than or equal to 15 kg.

Initial reference to the national legislation: This derogation is intended to be issued under *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2011*.

Expiry date: 1 January 2017

Based on Article 6(2)(b)(i) of Directive 2008/68/EC

BE Belgium

RO-bi-BE-4

Subject: Transport of dangerous goods in tanks for elimination by incineration.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 3.2.

Content of the national legislation: By derogation from the table in 3.2 it is permitted to use a tank-container with tank-code L4BH instead of tank-code L4DH for the carriage of water reactive liquid, toxic, III, n.o.s. under certain conditions.

Initial reference to the national legislation: *Dérogation 01 — 2002*.

Comments: This regulation may only be used for the short-distance transport of hazardous waste.

Expiry date: 30 June 2020

RO-bi-BE-5

Subject: Carriage of waste to waste disposal plants.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.2, 5.4, 6.1 (old regulation: A5, 2X14, 2X12).

Content of the Annex to the Directive: Classification, marking and requirements concerning the packaging.

Content of the national legislation: Instead of classifying waste according to the ADR, waste is assigned to different groups (flammable solvents, paints, acids, batteries, etc.) to avoid dangerous reactions within one group. The requirements for the manufacture of packaging are less restrictive.

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Comments: This regulation may be used for the carriage of small quantities of waste to disposal plants.

Expiry date: 30 June 2020

RO-bi-BE-6

Subject: Adoption of RO-bi-SE-5

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Expiry date: 30 June 2020

RO-bi-BE-7

Subject: Adoption of RO-bi-SE-6

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Expiry date: 30 June 2020

RO-bi-BE-8

Subject: Adoption of RO-bi-UK-2

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Expiry date: 30 June 2020

RO-bi-BE-9

Subject: Adoption of RO-bi-SE-3.

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Expiry date: 15 January 2018

RO-bi-BE-10

Subject: Transport in close proximity of industrial sites including transport on public road.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annexes A and B.

Content of the Annex to the Directive: Annexes A and B.

Content of the national legislation: The derogations concern the documentation, labelling and marking of packages and the driver's certificate.

Initial reference to the national legislation: *Arrêté royal relatif au transport des marchandises dangereuses par route*

Comments: The following list provides the derogation number in national legislation, the distance allowed and the dangerous goods involved.

derogation 2-2001: 300 m (classes 3, 6.1 and 8) — expiry date: 30 June 2015

derogation 6-2004: maximum 5 km (chemicals in packages) — expiry date: 30 June 2015

derogation 7-2005: crossing a public road (UN 1202) — expiry date: 30 June 2015

derogation 1-2006: 600 m (chemicals in packages) — expiry date: 30 June 2015

derogation 13-2007: 8 km (chemicals in packages) — expiry date: 30 June 2015

derogation 2-2009: 350 m (chemicals in packages) — expiry date: 30 June 2015

derogation 3-2009: maximum 4.5 km (chemicals in packages) — expiry date: 30 June 2015

derogation 5-2009: maximum 4.5 km (chemicals in packages) — expiry date: 30 June 2015

derogation 9-2009: maximum 20 km (class 2 in packages) — expiry date: 9 September 2015

derogation 16-2009: 200 m (IBC) — expiry date: 15 January 2018

Expiry date: 15 January 2018

DE Germany

RO-bi-DE-1

Subject: Waiving of certain indications in the transport document (n2).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.1.1.

Content of the Annex to the Directive: Contents of the transport document.

Content of the national legislation: For all classes except classes 1 (except 1.4S), 5.2 and 7:

No indication needed in the transport document:

- (a) for the consignee in case of local distribution (except for full load and for transport with certain routings);
- (b) for the amount and types of packaging, if 1.1.3.6 is not applied and if the vehicle is in conformity with all the provisions of Annex A and B;
- (c) for empty uncleaned tanks the transport document of the last load is sufficient.

Initial reference to the national legislation: *Gefahrgut-Ausnahmereverordnung* — GGAV 2002 vom 6.11.2002 (BGBl. I S. 4350); *Ausnahme 18*.

Comments: Applying all provisions would not be practicable as regards the kind of traffic concerned.

Derogation was registered by the Commission as No 22 (under Article 6(10) of Directive 94/55/EC).

Expiry date: 30 June 2021

RO-bi-DE-3

Subject: Transportation of packaged hazardous waste.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 1 to 5.

Content of the Annex to the Directive: Classification, packaging and marking.

Content of the national legislation: Classes 2 to 6.1, 8 and 9: Combined packaging and transportation of hazardous waste in packs and IBCs; waste must be packaged in internal packaging (as collected) and categorised in specific waste groups (avoidance of dangerous reactions within a waste group); use of special written instructions relating to the waste groups and as a waybill; collection of domestic and laboratory waste, etc.

Initial reference to the national legislation: *Gefahrgut-Ausnahmereverordnung* — GGAV 2002 vom 6.11.2002 (BGBl. I S. 4350); *Ausnahme 20*.

Comments: List No 6*.

Expiry date: 30 June 2021

RO-bi-DE-4

Subject: Adoption of RO-bi-BE-1

Initial reference to the national legislation: —

Expiry date: 1 January 2017

RO-bi-DE-5

Subject: Local transport of UN 3343 (nitroglycerine mixture, desensitised, liquid, flammable, not otherwise specified, with not more than 30 % nitroglycerine by mass) in tank-containers, derogating from sub-section 4.3.2.1.1 to Annex I, Section I.1 to Directive 2008/68/EC.

Reference to Annex I, section I.1 to Directive 2008/68/EC: 3.2, 4.3.2.1.1.

Content of the Annex to the Directive: Provisions on the use of tank-containers

Content of the national legal provisions: local transport of nitroglycerin (UN 3343) in tank-containers, over short distances, subject to compliance with the following conditions:

1. Requirements for the tank-containers

- 1.1. Only tank-containers specifically authorised for this purpose may be used, which in other respects comply with the provisions on construction, equipment, authorisation of the construction model, tests, labelling and operation in Chapter 6.8 of Annex I, Section I.1 to Directive 2008/68/EC.
- 1.2. The tank-container's closing mechanism must have a pressure-release system which yields to an internal pressure of 300 kPa (3 bar) above normal pressure and in so doing frees an upward-facing opening with a pressure-release area of at least 135 cm² (diameter 132 mm). The opening must not re-close after being activated. As a safety installation, one or more safety elements with the same activation behaviour and a corresponding pressure-release area can be used. The construction type of the safety installation must have successfully undergone type testing and type approval by the authority responsible.

2. Labelling

Each tank-container is to be labelled on both sides with a danger label in accordance with model 3 in sub-section 5.2.2.2.2 of Annex I, Section I.1 to Directive 2008/68/EC.

3. Operating provisions

- 3.1. It must be ensured that during transport the nitroglycerine is evenly distributed in the phlegmatisation medium and no de-mixing can take place.
- 3.2. During loading and unloading it is not permitted to remain in or on a vehicle, except in order to operate the loading and unloading equipment.
- 3.3. At the place of unloading, the tank-containers are to be completely emptied. If they cannot be completely emptied, they are to be closed tight after unloading until they are filled again.

Original reference to national legal provisions: derogation North Rhine-Westphalia

Remarks: This concerns local transport in tank-containers by road over short distances as part of an industrial process between two fixed production locations. In order to manufacture a pharmaceutical product, production location A delivers as part of a rule-compliant transport in 600 l tank-containers a resin solution, flammable (UN 1866), packaging group II, to production location B. Here a nitroglycerine solution is added and mixing takes place, producing a glue mixture containing nitroglycerine, desensitised, liquid, flammable, not otherwise specified, with not more than 30 % nitroglycerine by mass (UN 3343) for further use. The return transport of this substance to production location A also takes place in the said tank-containers, which have been specially checked and approved by the relevant authority for this specific transport operation and bear the tank code L10DN.

End of the period of validity: 1 January 2017

RO-bi-DE-6

Subject: Adoption of RO-bi-SE-6.

Initial reference to the national legislation: § 1 Absatz 3 Nummer 1 der *Gefahrgutverordnung Straße, Eisenbahn und Binnenschifffahrt (GGVSEB)*

Expiry date: 30 June 2021

RO-bi-DE-7

Subject: Adoption of RO-bi-BE-10

Initial reference to the national legislation:

Expiry date: 20 March 2021

DK Denmark

RO-bi-DK-1

Subject: UN 1202, 1203, 1223 and Class 2 — no transport document.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.

Content of the Annex to the Directive: Transport document needed.

Content of the national legislation: When transporting mineral oil products in Class 3, UN 1202, 1203 and 1223 and gases in Class 2 in connection with distribution (goods to be delivered to two or more recipients and collection of returned goods in similar situations), a transport document is not required provided the written instructions besides the information requested in the ADR, contain information relating to the UN-No, name and class.

Initial reference to the national legislation: *Bekendtgørelse nr. 729 af 15.8.2001 om vejtransport af farligt gods.*

Comments: The reason for having that national derogation is that the development of electronic equipment makes it possible for e.g. the oil companies using such equipment to transmit continuously to the vehicles information about the customers. As this information is not available at the beginning of the transport operation and will be forwarded to the vehicle during the transport journey, it is not possible — before the transport begins — to draw up the transport documents. These kinds of transport are restricted to limited areas.

Derogation for Denmark for a similar provision under Article 6(10) of Directive 94/55/EC.

Expiry date: 30 June 2021

RO-bi-DK-2

Subject: Adoption of RO-bi-SE-6

Initial reference to the national legislation: *Bekendtgørelse nr. 437 af 6. juni 2005 om vejtransport af farligt gods, as amended.*

Expiry date: 30 June 2021

RO-bi-DK-3

Subject: Adoption of RO-bi-UK-1

Initial reference to the national legislation: *Bekendtgørelse nr. 437 af 6. juni 2005 om vejtransport af farligt gods, as amended.*

Expiry date: 30 June 2021

RO-bi-DK-4

Subject: Road transport of dangerous goods of certain classes from private households and enterprises to nearby waste collecting points or intermediate processing facilities for the purpose of disposal.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Parts 1 to 9

Content of the Annex to the Directive: General provisions, classification provisions, special provisions, packing provisions, consignment procedures, requirements for the construction and testing of packagings, provisions concerning the conditions of carriage, loading, unloading and handling, requirements for vehicle crews, equipment, operation and documentation and requirements concerning the construction and approval of vehicles.

Content of the national legislation: Dangerous goods from private households and enterprises may under certain conditions be carried to nearby waste collecting points or intermediate processing facilities for the purpose of disposal. Different provisions shall be complied with depending on the character and risks related to the transport; such as the quantity of dangerous goods per inner packaging, per outer packaging and/or per transport unit, and whether carriage of dangerous goods is ancillary to the main activity of the enterprises or not.

Initial reference to the national legislation: *Bekendtgørelse nr. 818 af 28. juni 2011 om vejtransport af farligt gods § 4, stk. 3.*

Comments: It is not possible for waste managers and enterprises to apply all provisions of Annex I, Section I.1 to Directive 2008/68/EC when wastes that may contain residues of dangerous goods are carried from private households and/or enterprises to nearby waste collecting points for the purpose of disposal. The waste is typically packagings that have been originally carried according to the exemption of sub-section 1.1.3.1 (c) of Annex I, Section I.1 to Directive 2008/68/EC and/or sold in retail. However, exemption 1.1.3.1 (c) does not apply to carriage to waste collecting points, and provisions of chapter 3.4 of Annex I, Section I.1 to Directive 2008/68/EC are not appropriate for carriage of waste inner packagings.

Expiry date: 1 January 2019

EL Greece

RO-bi-EL-1

Subject: Derogation from the safety requirements for fixed tanks (tank-vehicles), registered before 31 December 2001, for the local transport or small quantities of some categories of dangerous goods.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 1.6.3.6, 6.8.2.4.2, 6.8.2.4.3, 6.8.2.4.4, 6.8.2.4.5, 6.8.2.1.17-6.8.2.1.22, 6.8.2.1.28, 6.8.2.2, 6.8.2.2.1, 6.8.2.2.2.

Content of the Annex to the Directive: Requirements for construction, equipment, type approval, inspections and tests, and marking of fixed tanks (tank-vehicles), removable tanks and tank containers and tank swap bodies, with shells made of metallic materials, and battery-vehicles and MEGCs.

Content of the national legislation: Transitional provision: Fixed tanks (tank-vehicles), removable tanks and tank containers first registered in Greece between 1 January 1985 and 31 December 2001 may still be used. This transitional provision concerns vehicles for the transport of the following dangerous materials (UN: 1202, 1268, 1223, 1863, 2614, 1212, 1203, 1170, 1090, 1193, 1245, 1294, 1208, 1230, 3262, 3257). It is intended to cover small quantities or local transport for vehicles registered during that period. This transitional provision will be in force for tank vehicles adapted according to:

1. Paragraphs of the ADR for inspection and tests: 6.8.2.4.2, 6.8.2.4.3, 6.8.2.4.4, 6.8.2.4.5, (ADR 1999: 211.151, 211.152, 211.153, 211.154).
2. Minimum shell thickness of 3 mm for tanks with a shell compartment capacity of up to 3 500 l, and at least 4 mm thickness of mild steel for tanks with compartments with a capacity of up to 6 000 l, regardless of the type or thickness of the partitions.
3. If the material used is aluminium or another metal, tanks should fulfil the requirements for thickness and other technical specifications derived from technical drawings approved by the local authority of the country where they were previously registered. In the absence of technical drawings, tanks shall fulfil the requirements of 6.8.2.1.17 (211.127).
4. Tanks shall fulfil the requirements of marginal paragraphs 211.128, 6.8.2.1.28 (211.129), paragraph 6.8.2.2 with subparagraphs 6.8.2.2.1 and 6.8.2.2.2 (211.130, 211.131).

More precisely, tank-vehicles with a mass of less than 4 t used for the local transport of gas oil only (UN 1202), first registered before 31 December 2002, whose shell thickness is less than 3 mm, may be used only if they are transformed according to marginal paragraph 211.127 (5)b4 (6.8.2.1.20).

Initial reference to the national legislation: Τεχνικές Προδιαγραφές κατασκευής, εξοπλισμού και ελέγχων των δεξαμενών μεταφοράς συγκεκριμένων κατηγοριών επικινδύνων εμπορευμάτων για σταθερές δεξαμενές (οχήματα-δεξαμενές), αποσυναρμολογούμενες δεξαμενές που βρίσκονται σε κυκλοφορία (Requirements for construction, equipment, inspections and tests of fixed tanks (tank-vehicles) and removable tanks in circulation, for some categories of dangerous goods).

Expiry date: 30 June 2016

RO-bi-EL-2

Subject: Derogation from base vehicle construction requirements, regarding vehicles intended for the local transport of dangerous goods first registered before 31 December 2001.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: ADR 2001: 9.2, 9.2.3.2, 9.2.3.3.

Content of the Annex to the Directive: Requirements concerning the construction of Base Vehicles.

Content of the national legislation: The derogation applies to vehicles intended for the local transport of dangerous goods (categories UN 1202, 1268, 1223, 1863, 2614, 1212, 1203, 1170, 1090, 1193, 1245, 1294, 1208, 1230, 3262 and 3257) which were first registered before 31 December 2001.

The vehicles must comply with the requirements of 9 (9.2.1 to 9.2.6) of Annex B to Directive 94/55/EC with the following exceptions.

Compliance with the requirements of 9.2.3.2 is necessary only if the vehicle has been equipped with an anti-lock braking system by the manufacturer; it must be fitted with an endurance braking system as defined in 9.2.3.3.1, but not necessarily complying with 9.2.3.3.2 and 9.2.3.3.3.

The electrical supply to the tachograph must be provided via a safety barrier connected directly to the battery (marginal 220 514) and the electrical equipment of the mechanism for lifting a bogie axle must be installed where it was originally installed by the vehicle manufacturer and must be protected in an appropriate sealed housing (marginal 220 517).

Specifically, tank-vehicles with a maximum mass of less than 4 tonnes intended for local transport of diesel-heating oil (UN: 1202) must comply with the requirements of 9.2.2.3, 9.2.2.6, 9.2.4.3 and 9.2.4.5 but not necessarily with the other ones.

Initial reference to the national legislation: Τεχνικές Προδιαγραφές ήδη κυκλοφορούντων οχημάτων που διενεργούν εθνικές μεταφορές ορισμένων κατηγοριών επικινδύνων εμπορευμάτων (Technical requirements of vehicles already in use, intended for local transport of certain dangerous goods categories).

Comments: The number of the vehicles concerned is small when compared with the total number of vehicles already registered and in addition they are intended for local transport only. The form of the derogation requested, the size of the vehicle fleet in question and the type of goods transported do not create a road safety problem.

Expiry date: 30 June 2016

ES Spain

RO-bi-ES-2

Subject: Special equipment for distribution of anhydrous ammonia.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 6.8.2.2.2.

Content of the Annex to the Directive: In order to avoid any loss of contents in the event of damage to the external fittings (pipes, lateral shut-off devices), the internal stop valve and its seating must be protected against the danger of being wrenched off by external stresses or be so designed as to resist such stresses. The filling and discharge devices (including flanges or threaded plugs) and protective caps (if any) must be capable of being secured against any unintended opening.

Content of the national legislation: Tanks used for agricultural purposes for the distribution and application of anhydrous ammonia which were brought into service before 1 January 1997 may be equipped with external, instead of internal, safety fittings, provided they offer protection at least equivalent to the protection provided by the wall of the tank.

Initial reference to the national legislation: *Real Decreto 97/2014. Anejo 1. Apartado 3.*

Comments: Before 1 January 1997 a type of tank equipped with external safety fittings was used exclusively in agriculture to apply anhydrous ammonia directly onto the land. Various tanks of this kind are still in use today. They are rarely driven, laden, on the road, but are used solely for fertiliser on large farms.

Expiry date: 28 February 2022

FI Finland

RO-bi-FI-1

Subject: Modification of information in the transport document for explosive substances.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.2.1(a)

Content of the Annex to the Directive: Special provisions for Class 1.

Content of the national legislation: In the transport document, it is permissible to use the number of detonators (1 000 detonators correspond to 1 kg explosives) instead of the actual net mass of explosive substances.

Initial reference to the national legislation: *Liikenne- ja viestintäministeriön asetus vaarallisten aineiden kuljetuksesta tiellä (277/2002; 313/2003).*

Comments: The information is considered sufficient for national transport. This derogation is used mainly for the blasting industry in respect of small amounts transported locally.

Derogation is registered by the Commission as No 31.

Expiry date: 30 June 2021

RO-bi-FI-2

Subject: Adoption of RO-bi-SE-10

Initial reference to the national legislation:

Expiry date: 30 June 2021

RO-bi-FI-3

Subject: Adoption of RO-bi-DE-1

Initial reference to the national legislation:

Expiry date: 28 February 2022

FR France

RO-bi-FR-1

Subject: Utilisation of maritime document as transport document for short-distance trips following unloading of vessel.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1

Content of the Annex to the Directive: Information to appear in the document used as transport document for hazardous goods.

Content of the national legislation: The maritime document is used as transport document within a radius of 15 km.

Initial reference to the national legislation: *Arrêté du 1^{er} juin 2001 relatif au transport des marchandises dangereuses par route — Article 23-4.*

Expiry date: 30 June 2021

RO-bi-FR-3

Subject: Transport of fixed LPG storage tanks (18).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annexes A and B.

Content of the national legislation: The transport of fixed LPG storage tanks is subject to specific rules. Applicable only to short distances.

Initial reference to the national legislation: *Arrêté du 1^{er} juin 2001 relatif au transport des marchandises dangereuses par route — Article 30.*

Expiry date: 30 June 2021

HU Hungary

RO–bi–HU–1

Subject: Adoption of RO–bi–SE–3

Initial reference to the national legislation: *A nemzeti fejlesztési miniszter rendelete az ADR Megállapodás A és B Mellékletének belföldi alkalmazásáról*

Expiry date: 30 January 2020

IE Ireland

RO–bi–IE–3

Subject: Exemption to allow the loading and unloading of dangerous goods, to which the special provision CV1 in 7.5.11 or S1 in 8.5 is assigned, in a public place without special permission from the competent authorities.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 7.5 and 8.5.

Content of the Annex to the Directive: Additional provisions concerning loading, unloading and handling.

Content of the national legislation: Loading and unloading of dangerous goods in a public place is permitted without special permission from the competent authority, in derogation from the requirements of 7.5.11 or 8.5.

Initial reference to the national legislation: *Regulation 82(5) of the “Carriage of Dangerous Goods by Road Regulations, 2004”.*

Comments: For national transport within the state, this provision places a very onerous burden on the competent authorities.

Expiry date: 30 June 2021

RO–bi–IE–6

Subject: Exemption from requirement in 4.3.4.2.2, which requires flexible filling and discharge pipes that are not permanently connected to the shell of a tank-vehicle to be empty during transport.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 4.3

Content of the Annex to the Directive: Use of tank-vehicles.

Content of the national legislation: Flexible hose reels (including fixed pipelines associated with them) attached to tank-vehicles engaged in the retail distribution of petroleum products with substance identification numbers UN 1011, UN 1202, UN 1223, UN 1863 and UN 1978 are not required to be empty during carriage by road, provided adequate measures are taken to prevent any loss of contents.

Initial reference to the national legislation: *Regulation 82(8) of the "Carriage of Dangerous Goods by Road Regulations, 2004"*.

Comments: Flexible hoses fitted to home delivery tank-vehicles must remain full at all times even during transport. The discharge system is known as a "wet-line" system that requires the tank-vehicle's meter and hose to be primed so as to ensure the customer receives the correct quantity of product.

Expiry date: 30 June 2021

RO-bi-IE-7

Subject: Exemption from some requirements of 5.4.0, 5.4.1.1.1 and 7.5.11 of the ADR for the transport in bulk of Ammonium Nitrate Fertilizer UN 2067 from ports to consignees.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.0, 5.4.1.1.1 and 7.5.11.

Content of the Annex to the Directive: The requirement for a separate transport document, with the correct total quantity for the particular load included, for each transport journey; and the requirement for the vehicle to be cleaned before and after the journey.

Content of the national legislation: Proposed derogation to allow modifications to the requirements of the ADR on the transport document and vehicle cleaning; to take account of the practicalities of bulk transport from port to consignee.

Initial reference to the national legislation: *Proposed amendment to "Carriage of Dangerous Goods by Road Regulations, 2004"*.

Comments: The provisions of the ADR require (a) a separate transport document, containing the total mass of dangerous goods carried for the particular load, and (b) the Special Provision "CV24" on cleaning for each and every load being transported between the port and the consignee during the unloading of a bulk ship. As the transport is local and as it concerns the unloading of a bulk ship, involving multiple transport loads (on the same or consecutive days) of the same substance between the bulk ship and the consignee, a single transport document, with an approximate total mass of each load, should suffice and it should not be necessary to require the Special Provision "CV24".

Expiry date: 30 June 2021

RO-bi-IE-8

Subject: Transport of dangerous goods between private premises and another vehicle in the immediate vicinity of the premises, or between two parts of private premises situated in the immediate vicinity of each other but separated by a public road.

Reference to the Annex of the Directive: Annex I, Section 1.1, to Directive 2008/68/EC: Annexes A and B.

Content of the Annex to the Directive: Requirements for the carriage of dangerous goods by road.

Content of the national legislation: Disapplication of the regulations where a vehicle is being used to transfer dangerous goods

- (a) between private premises and another vehicle in the immediate vicinity of those premises, or
- (b) between two parts of private premises in the immediate vicinity of each other but which may be separated by a public road,

provided that the transport is carried out by means of the most direct route.

Initial reference to the national legislation: *European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 and 2013, Regulation 56.*

Comments: Various situations can occur where goods are transferred between two parts of private premises or between private premises and an associated vehicle which are separated by a public road. This form of transport does not constitute the carriage of dangerous goods in the usual sense, and thus the regulations pertaining to the carriage of dangerous goods do not need to be applied. See also RO-bi-SE-3 and RO-bi-UK-1.

Expiry date: 30 January 2020

NL *The Netherlands*

RO-bi-NL-13

Subject: Scheme for transport of domestic hazardous waste 2015

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 1.1.3.6, 3.3, 4.1.4, 4.1.6, 4.1.8, 4.1.10, 5.1.2, 5.4.0, 5.4.1, 5.4.3, 6.1, 7.5.4, 7.5.7, 7.5.9, 8 and 9.

Content of the Annex to the Directive: Exemptions for certain quantities; special provisions; use of packaging; use of over-packaging; documentation; construction and testing of packaging; loading, unloading and handling; manning; equipment; operation; vehicles and documentation; construction and approval of vehicles.

Content of the national legislation: provisions relating to the transport of small collected domestic hazardous waste as well as domestic hazardous waste from businesses, which is supplied in appropriate packaging with a maximum capacity of 60 litres. Given the small quantities involved in each instance and given the diverse nature of the various substances, it is not possible to conduct the transport operations in total compliance with ADR rules. Accordingly, a simplified variant deviating from a number of provisions in the ADR is therefore stipulated under the abovementioned scheme.

Initial reference to the national legislation: *Scheme for transport of domestic hazardous waste 2015.*

Comments: The scheme was set up to enable individuals and businesses to deposit small chemical waste at a single location. The substances in question therefore consist of residues such as paint waste. The danger level is minimised by the choice of means of transport, involving, inter alia, the use of special transport elements and "no smoking" notices plus a yellow flashing light clearly visible to members of the public. The crucial point as far as transport is concerned is that safety is guaranteed. This can be achieved by, for instance, having the substances transported in sealed packagings so as to avoid dispersal, or the risk of toxic vapours leaking or accumulating in the vehicle. Incorporated in the vehicle are units suitable for storing the various categories of waste and providing protection against shunting and accidental displacement as well as inadvertent opening. At the same time, notwithstanding the small quantities of waste presented, the transport operator must have a certificate of professional competence, given the diverse nature of the substances involved. Because of the lack of knowledge on the part of private individuals regarding the danger levels associated with these substances, written instructions should be provided, as stipulated in the Annex to the scheme.

Expiry date: 30 June 2021

PT *Portugal*

RO-bi-PT-1

Subject: Transport documentation for UN 1965

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.

Content of the Annex to the Directive: Requirements for transport documentation.

Content of the national legislation: The proper shipping name to be indicated in the transport document, as provided for in Section 5.4.1 of the RPE (Regulamento Nacional de Transporte de Mercadorias Perigosas por Estrada), for commercial butane and propane gases covered by the collective heading "UN No 1965 hydrocarbon gas mixture, liquefied, n.o.s.", transported in cylinders, may be replaced by other trade names as follows:

"UN 1965 Butane" in the case of mixtures A, A01, A02 and A0, as described in subsection 2.2.2.3 of the RPE, transported in cylinders;

"UN 1965 Propane" in the case of mixture C, as described in subsection 2.2.2.3 of the RPE, transported in cylinders.

Initial reference to the national legislation: *Despacho DGTT 7560/2004, 16 April 2004, under Article 5, No 1, of Decreto-Lei No 267-A/2003 of 27 October.*

Comments: The importance of making it easier for economic operators to fill in transport documents for dangerous goods is recognised, provided that the safety of these operations is not affected.

Expiry date: 30 June 2021

RO-bi-PT-2

Subject: Transport documentation for empty uncleaned tanks and containers.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.

Content of the Annex to the Directive: Requirements for transport documentation

Content of the national legislation: For the return journeys of empty tanks and containers that have transported dangerous goods, the transport document referred to in Section 5.4.1 of the RPE may be replaced by the transport document issued for the immediately preceding journey made to deliver the goods.

Initial reference to the national legislation: *Despacho DGTT 15162/2004, 28 July 2004, under Article 5, No 1, of Decreto-Lei No 267-A/2003, of 27 October.*

Comments: The obligation that the transport of empty tanks and containers that have contained dangerous goods be accompanied by a transport document in accordance with the RPE causes, in certain cases, practical difficulties, which can be kept to the minimum without prejudice to safety.

Expiry date: 30 June 2021

SE Sweden

RO-bi-SE-1

Subject: Carriage of hazardous waste to hazardous waste disposal plants.

Reference to Annex I, Section I.1 to Directive 2008/68/EC: Part 5 and 6

Content of the Annex to the Directive: Requirements for construction and testing of packages.

Content of the national legislation: Carriage of packagings containing dangerous goods as waste shall be carried out in accordance with the provisions of ADR from which only a few exemptions are allowed. Exemptions are not permitted for all types of substances and articles.

The main exemptions are:

Small packagings (less than 30 kg) of dangerous goods as waste may be packed in packagings, including IBCs and large packagings, without complying with the provisions of sub-sections 6.1.5.2.1, 6.1.5.8.2, 6.5.6.1.2, 6.5.6.14.2, 6.6.5.2.1 and 6.6.5.4.3 of Annex I, Section I.1 to this Directive. Packagings, including IBCs and large packagings need not be tested as prepared for carriage with a representative sample of small inner packages.

This is permitted provided that:

- packagings, IBCs and large packagings conform to a type which has been tested and approved according to packing group I or II of the applicable provisions of Sections 6.1, 6.5 or 6.6 of Annex I, Section I.1 to this Directive;
- the small packagings are packed with absorbent material that retains any free liquid that might escape into the outer packagings, IBCs or large packagings during carriage; and
- the packagings, IBCs or large packagings as prepared for carriage has a gross mass of no more than the permitted gross mass stated on the UN design type marking for packing groups I or II for the packagings, IBCs or large packagings; and
- the following sentence is included in the transport document “Packed according to part 16 of ADR-S”

Initial reference to the national legislation: *Appendix S — Specific regulations for the domestic transport of dangerous goods by road issued in accordance with the Transport of Dangerous Goods Act.*

Comments: Sub-sections 6.1.5.2.1, 6.1.5.8.2, 6.5.6.1.2, 6.5.6.14.2, 6.6.5.2.1 and 6.6.5.4.3 of Annex I, Section I.1 to this Directive are difficult to apply because the packagings, IBCs and large packagings shall be tested with a representative sample of the waste, which is hard to predict on beforehand.

Expiry date: 30 June 2021

RO–bi–SE–2

Subject: The name and address of the consignor in the transport document.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.1.

Content of the Annex to the Directive: General information required in the transport document.

Content of the national legislation: National legislation states that the name and address of the consignor is not required if empty, uncleaned packaging is returned as part of a distribution system.

Initial reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng.*

Comments: Empty uncleaned packaging being returned will in most cases still contain small quantities of dangerous goods.

This derogation is mainly used by industries when returning empty uncleaned gas receptacles in exchange for full ones.

Expiry date: 30 June 2021

RO–bi–SE–3

Subject: Transport of dangerous goods in the close proximity of industrial site(s), including transport on public roads between various parts of the site(s).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annexes A and B.

Content of the Annex to the Directive: Requirements for the transport of dangerous goods on public roads.

Content of the national legislation: Transport in the close proximity of industrial site(s), including transport on public roads between various parts of the site(s). The derogations concern the labelling and marking of packages, transport documents, driver's certificate and certificate of approval according to 9.

Initial reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng.*

Comments: There are several situations in which dangerous goods are transferred between premises situated on opposite sides of a public road. This form of transport does not constitute carriage of dangerous goods on a private road and should therefore be associated with the relevant requirements. Compare also with Article 6(14) of Directive 96/49/EC.

Expiry date: 30 June 2021

RO–bi–SE–4

Subject: Transport of dangerous goods that have been seized by the authorities.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annex A and B.

Content of the Annex to the Directive: Requirements for the transport of dangerous goods by road.

Content of the national legislation: Deviations from the regulations may be permitted if they are motivated by reasons of labour protection, unloading risks, submission of evidence etc.

Deviations from the regulations are permitted only if satisfactory safety levels are met during normal conditions of carriage.

Initial reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng.*

Comments: These derogations may be applied only by authorities seizing dangerous goods.

This derogation is intended for local transport e.g. of goods that have been seized by the police, such as explosives or stolen property. The problem with these types of goods is that one can never be sure of classifications. In addition, the goods are often not packed, marked or labelled in accordance with the ADR. There are several hundred such transportations carried out by the police every year. In the case of smuggled liquor, this must be transported from the place where it is seized to a facility where evidence is stored and then on to a facility for destruction; the latter two may be quite far apart from each other. The deviations permitted are: a) each package does not need to be labelled, and b) approved packages do not need to be used. However, each pallet containing such packages must be correctly labelled. All other requirements must be fulfilled. There are approximately 20 such transportations each year.

Expiry date: 30 June 2021

RO–bi–SE–5

Subject: Transport of dangerous goods in and in close proximity to ports.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 8.1.2, 8.1.5, 9.1.2

Content of the Annex to the Directive: Documents to be carried on the transport unit; every transport unit carrying dangerous goods must be equipped with the specified equipment; vehicle approval.

Content of the national legislation:

Documents (except for the driver's certificate) need not be carried on the transport unit.

A transport unit need not be equipped with the equipment specified in 8.1.5.

Tractors need not have a certificate of approval.

Initial reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng.*

Comments: Compare Directive 96/49/EC, Article 6(14).

Expiry date: 30 June 2021

RO–bi–SE–6

Subject: Inspectors' ADR training certificate.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 8.2.1.

Content of the Annex to the Directive: Drivers of vehicles must attend training courses.

Content of the national legislation: Inspectors who perform the yearly technical inspection of the vehicle do not need to attend the training courses mentioned in 8.2 or hold the ADR training certificate.

Initial reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng.*

Comments: In some cases, vehicles being tested in the technical inspection may be carrying dangerous goods as load, e.g. uncleaned, empty tanks.

The requirements in 1.3 and 8.2.3 are still applicable.

Expiry date: 30 June 2021

RO–bi–SE–7

Subject: Local distribution of UN 1202, 1203 and 1223 in tankers.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4.1.1.6, 5.4.1.4.1.

Content of the Annex to the Directive: For empty uncleaned tanks and tank-containers the description shall be in accordance with 5.4.1.1.6. The name and address of multiple consignees may be entered in other documents.

Content of the national legislation: For empty, uncleaned tanks or tank-containers the description in the transport document according to 5.4.1.1.6 is not needed if the amount of the substance in the loading plan is marked with 0. The name and address of the consignees are not required in any document on board the vehicle.

Initial reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng.*

Expiry date: 30 June 2021

RO-bi-SE-9

Subject: Local transport in relation to agricultural sites or construction sites.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 5.4, 6.8 and 9.1.2.

Content of the Annex to the Directive: Transport document; Construction of tanks; Certificate of approval.

Content of the national legislation: Local transport in relation to agricultural sites or construction sites need not comply with some regulations:

- (a) the dangerous goods declaration is not required;
- (b) older tanks/containers not constructed according to 6.8 but according to older national legislation and fitted on crew wagons may still be used;
- (c) older tankers, not fulfilling the requirements in 6.7 or 6.8, intended for the transport of substances of UN 1268, 1999, 3256 and 3257, with or without road surface coating equipment, may still be used for local transport and in close proximity to road work places;
- (d) certificates of approval for crew wagons and tankers with or without road surface coating equipment are not required.

Initial reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng.*

Comments: A crew wagon is a kind of caravan for a work crew with a crew room and fitted with a non-approved tank/container for diesel fuel intended for the operation of forestry tractors.

Expiry date: 30 June 2021

RO-bi-SE-10

Subject: Tank transport of explosives.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 4.1.4.

Content of the Annex to the Directive: Explosives may be packaged only in accordance with 4.1.4.

Content of the national legislation: The competent national authority will approve vehicles intended for tank transport of explosives. Tank transport is permissible only for those explosives listed in the regulation or by special authorisation from the competent authority.

A vehicle loaded with explosives in tanks must be marked and labelled in accordance with 5.3.2.1.1, 5.3.1.1.2 and 5.3.1.4. Only one vehicle in the transport unit may contain dangerous goods.

Initial reference to the national legislation: *Appendix S — Specific regulations for the domestic transport of dangerous goods by road issued in accordance with the Transport of Dangerous Goods Act and the Swedish regulation SÄIFS 1993:4.*

Comments: This is applicable only to domestic transport and when the transport operation is mostly of a local nature. The regulations in question were in force before Sweden joined the European Union.

Only two companies perform transport operations with explosives in tank-vehicles. In the near future transition to emulsions is expected.

Old derogation No 84.

Expiry date: 30 June 2021

RO-bi-SE-11

Subject: Driver's licence

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 8.2.

Content of the Annex to the Directive: Requirements concerning the training of the vehicle crew.

Content of the national legislation: Driver training is not permitted with any vehicle referred to in 8.2.1.1.

Initial reference to the national legislation: *Appendix S — Specific regulations for the domestic transport of dangerous goods by road issued in accordance with the Transport of Dangerous Goods Act.*

Comments: Local transport.

Expiry date: 30 June 2021

RO-bi-SE-12

Subject: Carriage of UN 0335 fireworks.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annex B, 7.2.4, V2 (1)

Content of the Annex to the Directive: Provisions for the use of EX/II and EX/III vehicles.

Content of the national legislation: When carrying UN 0335 fireworks, Special Provision V2 (1) in 7.2.4 is applicable only to a net explosive content of more than 3 000 kg (4 000 kg with trailer), provided the fireworks have been assigned to UN 0335 according to the default fireworks classification table in 2.1.3.5.5 of the fourteenth revised edition of the UN.

Recommendations on the Transport of Dangerous Goods.

Such assignment shall be made with the agreement of the competent authority. A verification of the assignment shall be carried on the transport unit.

Initial reference to the national legislation: *Appendix S — Specific regulations for the domestic transport of dangerous goods by road issued in accordance with the Transport of Dangerous Goods Act.*

Comments: The carriage of fireworks is limited in time to two short periods of the year, the turn of the year and the turn of the month April/May. The carriage from consignors to terminals can be effected by the present fleet of EX-approved vehicles without great problems. However, the distribution both of fireworks from terminals to shopping areas and of the surplus back to the terminal is limited due to a lack of EX-approved vehicles. The carriers are not interested in investing in such approvals because they cannot recover their costs. This places the whole existence of consignors of fireworks in jeopardy because they cannot get their products on the market.

When using this derogation, the classification of the fireworks must be made on the basis of the default list in the UN Recommendations, in order to get the most up-to-date classification possible.

A similar type of exception exists for UN 0336 fireworks incorporated in Special Provision 651, 3.3.1 of the ADR 2005.

Expiry date: 30 June 2021

UK United Kingdom

RO-bi-UK-1

Subject: Crossing of public roads by vehicles carrying dangerous goods (N8).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annexes A and B.

Content of the Annex to the Directive: Requirements for the carriage of dangerous goods on public roads.

Content of the national legislation: Disapplication of the dangerous goods regulations to carriage within private premises separated by a road. For Class 7 this derogation does not apply to any provisions of the Radioactive Material (Road Transport) Regulations 2002.

Initial reference to the national legislation: *Carriage of Dangerous Goods by Road Regulations 1996, reg. 3 Schedule 2(3)(b); Carriage of Explosives by Road Regulations 1996, reg. 3(3)(b).*

Comments: A situation can easily occur where goods are transferred between private premises situated on both sides of a road. This does not constitute carriage of dangerous goods on a public road in the normal sense of the term, and none of the provisions of the dangerous goods regulations should apply in such a case.

Expiry date: 30 June 2021

RO-bi-UK-2

Subject: Exemption from prohibition on driver or driver's assistant opening packages of dangerous goods in a local distribution chain from a local distribution depot to a retailer or end user and from the retailer to the end user (except for Class 7) (N11).

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 8.3.3.

Content of the Annex to the Directive: Prohibition on driver or driver's assistant opening packages of dangerous goods.

Content of the national legislation: Prohibition of opening packages is qualified by the proviso "Unless authorised to do so by the operator of the vehicle".

Initial reference to the national legislation: *Carriage of Dangerous Goods by Road Regulations 1996, reg. 12 (3).*

Comments: If taken literally, the prohibition in the Annex as worded can create serious problems for retail distribution.

Expiry date: 30 June 2021

RO-bi-UK-3

Subject: Alternative carriage provisions for wooden casks containing UN 3065 of Packing Group III.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: 1.4, 4.1, 5.2 and 5.3.

Content of the Annex to the Directive: Packaging and labelling requirements.

Content of the national legislation: Permits the carriage of alcoholic beverages of more than 24 %, but not more than 70 % alcohol by volume (Packing Group III) in non — UN approved wooden casks without danger labels, subject to more stringent loading and vehicle requirements.

Initial reference to the national legislation: *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004: Regulation 7 (13) and (14).*

Comments: This is a high-value product subject to government excise duty which must be moved between the distillery and bonded warehouses in secure sealed vehicles bearing government duty seals. The relaxation on packaging and labelling is taken into account in the additional requirements to ensure safety.

Expiry date: 30 June 2021

RO-bi-UK-4

Subject: Adoption of RO-bi-SE-12

Initial reference to the national legislation: *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 Part 1.*

Expiry date: 30 June 2021

RO-bi-UK-5

Subject: Collection of used batteries for disposal or recycling.

Reference to Annex I, Section I.1, to Directive 2008/68/EC: Annexes A and B.

Content of the Annex to the Directive: Special Provision 636

Content of the national legislation: Permits the following alternative conditions for Special Provision 636 of Chapter 3.3:

Used lithium cells and batteries (UN 3090 and UN 3091) collected and presented for carriage for disposal between the consumer collecting point and the intermediate processing facility, together with other non-lithium cells or batteries (UN 2800 and UN 3028), are not subject to the other provisions of ADR if they meet the following conditions:

They shall be packed in IH2 drums or 4H2 boxes conforming to the packing group II performance level for solids;

Not more than 5 % of each package shall be lithium and lithium ion batteries;

The maximum gross mass of each package shall not exceed 25 kg;

The total quantity of packages per Transport Unit shall not exceed 333 kg;

No other dangerous goods may be carried.

Initial reference to the national legislation: *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment 2007 part 1.*

Comments: Consumer collection points are usually in retail outlets and it is not practical to train large numbers of people to sort and package used batteries in accordance with ADR. The UK system would operate under guidelines set by the UK Waste and Resources Action Programme and would involve the supplying suitable ADR compliant packaging and appropriate instructions.

Expiry date: 30 June 2021'

(2) In Annex II, Section II.3 is replaced by the following:

II.3. National derogations

Derogations for Member States for the transport of dangerous goods within their territory on the basis of Article 6(2) of Directive 2008/68/EC.

Numbering of derogations: RA-a/bi/bii-MS-nn

RA = Rail

a/bi/bii = Article 6(2) a/bi/bii

MS = Abbreviation of Member State

nn = order number

Based on Article 6(2)(a) of Directive 2008/68/EC

DE Germany

RA-a-DE-2

Subject: Combined packaging authorisation.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 4.1.10.4 MP2.

Content of the Annex to the Directive: Prohibition of combined packaging.

Content of the national legislation: Class 1.4S, 2, 3 and 6.1; authorisation of combined packaging of objects in Class 1.4S (cartridges for small weapons), aerosols (Class 2) and cleaning and treatment materials in Class 3 and 6.1 (UN numbers listed) as sets to be sold in combined packaging in packaging group II and in small quantities.

Initial reference to the national legislation: *Gefahrgut-Ausnahmeverordnung — GGAV 2002 vom 6.11.2002 (BGBl. I S. 4350); Ausnahme 21.*

Comments: List No 30*, 30a, 30b, 30c, 30d, 30e, 30f, 30g.

Expiry date: 30 June 2021

FR France

RA-a-FR-3

Subject: Transport for the needs of the rail carrier.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 5.4.1.

Content of the Annex to the Directive: Information concerning hazardous materials to be indicated on the consignment note.

Content of the national legislation: Transport for the needs of the rail carrier of quantities not exceeding the limits set in 1.1.3.6 is not subject to the load declaration obligation.

Initial reference to the national legislation: *Arrêté du 5 juin 2001 relatif au transport des marchandises dangereuses par chemin de fer — Article 20.2.*

Expiry date: 30 June 2021

RA-a-FR-4

Subject: Exemption from the labelling of certain mail wagons.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 5.3.1.

Content of the Annex to the Directive: Obligation to affix labels on the walls of wagons.

Content of the national legislation: Only mail wagons carrying over 3 tonnes of a material in the same class (other than 1, 6.2 or 7) must be labelled.

Initial reference to the national legislation: *Arrêté du 5 juin 2001 relatif au transport des marchandises dangereuses par chemin de fer — Article 21.1.*

Expiry date: 30 June 2021

SE Sweden

RA-a-SE-1

Subject: A railway carriage carrying dangerous goods, as express goods, need not be marked with labels.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 5.3.1.

Content of the Annex to the Directive: Railway carriages carrying dangerous goods must display labels.

Content of the national legislation: A railway carriage carrying dangerous goods, as express goods, need not be marked with labels.

Initial reference to the national legislation: *Särskilda bestämmelser om vissa inrikes transporter av farligt gods på väg och i terräng.*

Comments: There are quantity limits in the RID for goods designated as express goods. Therefore it is a small quantity issue.

Expiry date: 30 June 2021

UK United Kingdom

RA-a-UK-1

Subject: Carriage of items containing certain low-hazard radioactive material such as clocks, watches, smoke detectors, compass dials.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: Most requirements of the RID.

Content of the Annex to the Directive: Requirements concerning the carriage of Class 7 material.

Content of the national legislation: Total exemption from the provisions of the national regulations for certain commercial products containing limited quantities of radioactive material.

Initial reference to the national legislation: *Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 1996, reg. 2(6) (as amended by Schedule 5 of the Carriage of Dangerous Goods (Amendment) Regulations 1999)*.

Comments: This derogation is a short-term measure, which will no longer be required when similar amendments to the IAEA regulations are incorporated into the RID.

Expiry date: 30 June 2021

RA-a-UK-2

Subject: Easing of restrictions on transporting mixed loads of explosives, and explosives with other dangerous goods, in wagons, vehicles and containers (N4/5/6).

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 7.5.2.1 and 7.5.2.2.

Content of the Annex to the Directive: Restrictions on certain types of mixed loading.

Content of the national legislation: National legislation is less restrictive regarding mixed loading of explosives, providing such carriage can be accomplished without risk.

Initial reference to the national legislation: *Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 1996, reg. 2(6) (as amended by Schedule 5 of the Carriage of Dangerous Goods (Amendment) Regulations 1999)*.

Comments: The UK wishes to permit some variations on the mixing rules for explosives with other explosives and for explosives with other dangerous goods. Any variation will have a quantity limitation on one or more constituent parts of the load and would be permitted only if “all reasonably practicable measures have been taken to prevent the explosives being brought into contact with, or otherwise endangering or being endangered by, any such goods”.

Examples of variations the UK may want to permit are:

1. Explosives allocated on classification to UN Numbers 0029, 0030, 0042, 0065, 0081, 0082, 0104, 0241, 0255, 0267, 0283, 0289, 0290, 0331, 0332, 0360 or 0361 may be carried in the same vehicle with the dangerous goods allocated on classification UN Number 1942. The quantity of UN 1942 that may be carried shall be limited by deeming it to be an explosive of 1.1D.
2. Explosives allocated on classification to UN Numbers 0191, 0197, 0312, 0336, 0403, 0431 or 0453 may be carried in the same vehicle with dangerous goods (except flammable gases, infectious substances and toxic substances) in transport category 2 or dangerous goods in transport category 3, or any combination of them, provided the total mass or volume of dangerous goods in transport category 2 does not exceed 500 kg or l and the total net mass of such explosives does not exceed 500 kg.
3. Explosives of 1,4G may be carried with flammable liquids and flammable gases in transport category 2 or non-flammable, non-toxic gases in transport category 3, or in any combination of them in the same vehicle, provided the total mass or volume of dangerous goods when added together does not exceed 200 kg or l and the total net mass of explosives does not exceed 20 kg.
4. Explosive articles allocated on classification to UN Numbers 0106, 0107 or 0257 may be carried with explosive articles in Compatibility Group D, E or F for which they are components. The total quantity of explosives of UN Numbers 0106, 0107 or 0257 shall not exceed 20 kg.

Expiry date: 30 June 2021

RA-a-UK-3

Subject: To allow different maximum total quantity per transport unit for Class 1 goods in categories 1 and 2 of table in 1.1.3.1.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 1.1.3.1.

Content of the Annex to the Directive: Exemptions related to the nature of the transport operation.

Content of the national legislation: To lay down rules regarding exemptions for limited quantities and mixed loading of explosives.

Initial reference to the national legislation: *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004: Regulation 3(7)(b)*.

Comments: To allow different limited quantity limits and mixed loading multiplication factors for Class 1 goods, namely "50" for Category 1 and "500" for Category 2. For the purpose of calculating mixed loads, the multiplication factors are to read "20" for Transport Category 1 and "2" for Transport Category 2.

Expiry date: 30 June 2021

RA-a-UK-4

Subject: Adoption of RA-a-FR-6.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 5.3.1.3.2.

Content of the Annex to the Directive: Relaxation of placarding requirement for piggyback carriage.

Content of the national legislation: The placarding requirement does not apply in cases where the vehicle placards are clearly visible.

Initial reference to the national legislation: *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004: Regulation 7(12)*.

Comments: This has always been a UK national provision.

Expiry date: 30 June 2021

RA-a-UK-5

Subject: Distribution of goods in inner packagings to retailers or users (excluding those of classes 1, 4.2, 6.2, and 7) from local distribution depots to retailers or users and from retailers to end users.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 6.1.

Content of the Annex to the Directive: Requirements for the construction and testing of packagings.

Content of the national legislation: Packagings are not required to have been allocated an RID/ADR or UN mark.

Initial reference to the national legislation: *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007: Regulation 26*.

Comments: RID requirements are inappropriate for the final stages of carriage from a distribution depot to a retailer or user or from a retailer to an end user. The purpose of this derogation is to allow the inner receptacles of goods for retail distribution to be carried on the rail leg of a local distribution journey without an outer packaging.

Expiry date: 30 June 2021

Based on Article 6(2)(b)(i) of Directive 2008/68/EC

DE Germany

RA-bi-DE-2

Subject: Transportation of packaged hazardous waste.

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 1 to 5.

Content of the Annex to the Directive: Classification, packaging and marking.

Content of the national legislation: Classes 2 to 6.1, 8 and 9: Combined packaging and transportation of hazardous waste in packs and IBCs; waste must be packaged in internal packagings (as collected) and categorised in specific waste groups (avoidance of dangerous reactions within a waste group); use of special written instructions relating to the waste groups and as a waybill; collection of domestic and laboratory waste, etc.

Initial reference to the national legislation: *Gefahrgut-Ausnahmeverordnung* — GGAV 2002 vom 6.11.2002 (BGBl. I S. 4350); *Ausnahme 20*.

Comments: List No 6*.

Expiry date: 30 June 2021

RA-bi-DE-3

Subject: Local transport of UN 1381 (phosphorus, yellow, under water), Class 4.2, packaging group I, in railway tank wagons.

Reference to Annex II, section II.1 to Directive 2008/68/EC: 6.8, 6.8.2.3.

Content of the Annex to the Directive: Provisions for the construction of tanks and tank wagons. Chapter 6.8, subsection 6.8.2.3, requires type approval for tanks carrying UN 1381 (phosphorus, yellow, under water).

Content of the national legislation: Local transport of UN 1381 (phosphorus, yellow, under water), Class 4.2, packaging group I, over short distances (from Sassnitz-Mukran to Lutherstadt Wittenberg-Piesteritz and Bitterfeld) in railway tank wagons built according to Russian standards. The transport of the goods is subject to additional operational provisions laid down by the competent safety authorities.

Initial reference to the national legislation: *Ausnahme Eisenbahn-Bundesamt Nr. E 1/92*.

Expiry date: 30 January 2020 (authorisation extended)

DK Denmark

RA-bi-DK-1

Subject: Carriage of dangerous goods in tunnels

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 7.5

Content of the Annex to the Directive: Loading, unloading and protective distances

Content of the national legislation: The legislation provides for alternative provisions than provided for in Annex II, Section II.1 to Directive 2008/68/EC regarding carriage through the rail tunnel of the fixed link across the Great Belt. These alternative provisions relate only to load volume and the distance between dangerous goods loads.

Initial reference to the national legislation: *Bestemmelser om transport af eksplosiver i jernbanetunnelerne på Storebælt og Øresund, 15 February 2005.*

Comments:

Expiry date: 30 June 2021

RA–bi–DK–2

Subject: Carriage of dangerous goods in tunnels

Reference to Annex II, Section II.1, to Directive 2008/68/EC: 7.5

Content of the Annex to the Directive: Loading, unloading and protective distances

Content of the national legislation: The legislation provides for alternative provisions than provided for in Annex II, Section II.1 to Directive 2008/68/EC regarding carriage through the rail tunnel of the fixed link across Øresund. These alternative provisions relate only to load volume and the distance between dangerous goods loads.

Initial reference to the national legislation: *Bestemmelser om transport af eksplosiver i jernbanetunnelerne på Storebælt og Øresund, 15 February 2005.*

Comments:

Expiry date: 28 February 2022

SE Sweden

RA–bi–SE–1

Subject: Carriage of hazardous waste to hazardous waste disposal plants.

Reference to the Annex II, Section II.1 to Directive 2008/68/EC: Part 5 and 6.

Content of the Annex to the Directive: Requirements for construction and testing of packages.

Content of the national legislation: Carriage of packagings containing dangerous goods as waste shall be carried out in accordance with the provisions of this Directive from which only a few exemptions are allowed. Exemptions are not permitted for all types of substances and articles.

The main exemptions are:

Small packagings (less than 30 kg) of dangerous goods as waste may be packed in packagings, including IBCs and large packagings, without complying with the provisions of sub-sections 6.1.5.2.1, 6.1.5.8.2, 6.5.6.1.2, 6.5.6.14.2, 6.6.5.2.1 and 6.6.5.4.3 of Annex II, Section II.1 to this Directive. Packagings, including IBCs and large packagings need not be tested as prepared for carriage with a representative sample of small inner packages.

This is permitted provided that:

- packagings, IBCs and large packagings conform to a type which has been tested and approved according to packing group I or II of the applicable provisions of Sections 6.1, 6.5 or 6.6 of Annex II, Section II.1 to this Directive;
- the small packagings are packed with absorbent material that retains any free liquid that might escape into the outer packagings, IBCs or large packagings during carriage; and

- the packagings, IBCs or large packagings as prepared for carriage has a gross mass of no more than the permitted gross mass stated on the UN design type marking for packing groups I or II for the packagings, IBCs or large packagings; and
- the following sentence is included in the transport document “Packed according to part 16 of RID-S”

Initial reference to the national legislation: *Appendix S — Specific regulations for the domestic transport of dangerous goods by rail issued in accordance with the Transport of Dangerous Goods Act.*

Comments: Sub-sections 6.1.5.2.1, 6.1.5.8.2, 6.5.6.1.2, 6.5.6.14.2, 6.6.5.2.1 and 6.6.5.4.3 of Annex II, Section II.1 to this Directive are difficult to apply because the packagings, IBCs and large packagings shall be tested with a representative sample of the waste, which is hard to predict on beforehand.

Expiry date: 30 June 2021

Based on Article 6(2)(b)(ii) of Directive 2008/68/EC

DE Germany

RA-bii-DE-1

Subject: Local transport of UN 1051 hydrogen cyanide, stabilised, liquid, containing 1 % or less water by mass, in railway tank wagons, derogating from sub-section 4.3.2.1.1 of Annex II, Section II.1 to Directive 2008/68/EC.

Reference to Annex II, Section II.1 to Directive 2008/68/EC: 3.2, 4.3.2.1.1

Content of the Annex to the Directive: ban on the transport of UN 1051 (hydrogen cyanide), stabilised, liquid, containing 1 % or less water by mass

Content of the national legal provisions: local transport by rail on particular designated routes as part of a defined industrial process and closely controlled under clearly specified conditions. Transport takes place in tank wagons which are licensed specifically for this purpose and whose construction and fittings are continually adapted in line with the latest safety technology (e.g. equipping with crash buffers in accordance with TE 22). The transport process is regulated in detail by additional operational safety provisions in agreement with the relevant safety and danger-aversion authorities and is monitored by the relevant supervisory authorities.

Original reference to national legal provisions: derogation No E 1/97 (4th amended version), Federal Office for Railways

End of the period of validity: 1 January 2017

RA-bii-DE-2

Subject: local transport on designated routes of UN 1402 (calcium carbide), packaging group I, in containers on wagons.

Reference to Annex II, section II.1 to Directive 2008/68/EC: 3.2, 7.3.1.1

Content of the Annex to the Directive: General provisions for transport in bulk. Chapter 3.2, Table A, does not allow calcium carbide to be carried in bulk.

Content of the national legislation: Local transport by rail of UN 1402 (calcium carbide), packaging group I, on specifically designated routes, as part of a defined industrial process and closely controlled under clearly specified conditions. The loads are transported in purpose-built containers in wagons. The transport of the goods is subject to additional operational provisions laid down by the competent safety authorities.

Initial reference to the national legislation: *Ausnahme Eisenbahn-Bundesamt Nr. E 3/10*.

Expiry date: 15 January 2018'

(3) In Annex III, Section III.3 is replaced by the following:

'III.3. National derogations

Derogations for Member States for the transport of dangerous goods within their territory on the basis of Article 6(2) of Directive 2008/68/EC.

Numbering of derogations: IW-a/bi/bii-MS-nn

IW = Inland waterways

a/bi/bii = Article 6(2) a/bi/bii

MS = Abbreviation of Member State

nn = order number

Based on Article 6(2)(b)(i) of Directive 2008/68/EC

BG Bulgaria

IW-bi-BG-1

Subject: Classification and inspection of bunker vessels

Reference to Annex III, Section III.1, to Directive 2008/68/EC: Chapter 1.15

Content of the Annex to the Directive: The provisions of Chapter 1.15, Recognition of classification societies, require that a classification society to be recognised under the provisions shall undertake the procedure for their recognition specified in Section 1.15.2.

Content of the national legislation: Classification and inspection of bunker vessels for petroleum products operating in the waters of Bulgarian river ports or other areas under the direct jurisdiction of these ports carried out by classification society not recognised according to Chapter 1.15 of Annex III, Section III.1 to Directive 2008/68/EC is authorised provided that safety is not compromised.

Initial reference to the national legislation: Наредба № 16 от 20 юни 2006 г. за обработка и превоз на опасни товари по море и по вътрешни водни пътища; Наредба № 4 от 9 януари 2004 г. за признаване на организации за извършване на прегледи на кораби и корабоприетатели (Ordinance No 16 of 20 June 2006 on the handling of dangerous goods and the carriage thereof by sea and by inland waterway; Ordinance No 4 of 9 January 2004 on the recognition of ship survey and ship owners examination societies).

Comments: The derogation applies only to vessels operating in port areas or other areas under the direct jurisdiction of these ports.

Expiry date: 15 January 2018'

COMMISSION IMPLEMENTING DECISION (EU) 2015/975**of 19 June 2015****on a measure taken by Spain in accordance with Directive 2006/42/EC of the European Parliament and of the Council to prohibit the placing on the market of an impact drill imported to Spain by Hidalgo's Group, Spain***(notified under document C(2015) 4086)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC ⁽¹⁾, and in particular Article 11(3) thereof,

Whereas:

- (1) Spain informed the Commission of a measure to prohibit the placing on the market of the impact drill, type Dayron/70000, imported to Spain by Hidalgo's Group, Spain.
- (2) The impact drill bore CE marking, according to Directive 2006/42/EC.
- (3) The reason for taking the measure was the non-conformity of the impact drill with the essential health and safety requirements set out in Annex I to Directive 2006/42/EC, points 1.3.2 — Risk of break up during operation, 1.7.3 — Marking of machinery and 1.7.4.2 — Contents of instructions, on the grounds that the machine did not pass the resistance test, breaking the framework, with the consequent risk of cut and/or the possibility of accessing to the active parts.
- (4) Spain informed the distributor and importer about the deficiencies. The importer voluntarily took the necessary measures to remove non-compliant products from the market.
- (5) The documentation available, the comments expressed and the action taken by the parties concerned demonstrate that the impact drill, type Dayron/70000, fails to satisfy the essential health and safety requirements of Directive 2006/42/EC. It is therefore appropriate to consider the measure taken by Spain as justified,

HAS ADOPTED THIS DECISION:

Article 1

The measure taken by Spain to prohibit the placing on the market of the impact drill, type Dayron/70000, imported to Spain by Hidalgo's Group, Spain, is justified.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 June 2015.

For the Commission
Elżbieta BIEŃKOWSKA
Member of the Commission

⁽¹⁾ OJ L 157, 9.6.2006, p. 24.

RECOMMENDATIONS

COMMISSION RECOMMENDATION (EU) 2015/976

of 19 June 2015

on the monitoring of the presence of tropane alkaloids in food

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) The Scientific Panel on Contaminants in the Food Chain ('Contam') of the European Food Safety Authority (EFSA) adopted an opinion on tropane alkaloids in food and feed ⁽¹⁾.
- (2) The most studied tropane alkaloids are (-)-hyoscyamine and (-)-scopolamine. Atropine is the racemic mixture of (-)-hyoscyamine and (+)-hyoscyamine of which only the (-)-hyoscyamine enantiomer exhibits anticholinergic activity.
- (3) The presence of tropane alkaloids in genus *Datura* is well known. *Datura stramonium* is widely distributed in temperate and tropical regions and for this reason seeds of *Datura stramonium* have been found as impurities in linseed, soybean, sorghum, millet, sunflower and buckwheat and products thereof. The *Datura stramonium* seeds can not be easily removed from sorghum, millet and buckwheat by sorting and cleaning.
- (4) More occurrence data are needed on the presence of tropane alkaloids in food. There is also a need to understand the agricultural conditions under which tropane alkaloids occur in agricultural commodities.
- (5) It is therefore appropriate to recommend the monitoring of the presence of tropane alkaloids in food,

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should, with the active involvement of food business operators, perform monitoring for the presence of tropane alkaloids in food, and particularly in:
 - cereals and cereal-derived products, in particular (in order of priority):
 - buckwheat, sorghum, millet, maize and buckwheat, sorghum, millet and maize flour,
 - cereal-based food for infants and young children,
 - breakfast cereals,
 - grain milling products,
 - grains for human consumption,
 - gluten-free products,
 - food supplements, teas and herbal infusions,
 - legume vegetables (without pods), pulses and oilseeds and derived products.
2. The tropane alkaloids to be analysed are at least atropine and scopolamine and, if possible, to analyse the hyoscyamine enantiomers separately and also other tropane alkaloids.

⁽¹⁾ EFSA Contam Panel (EFSA Panel on Contaminants in the Food Chain), 2013. Scientific Opinion on Tropane alkaloids in food and feed. *EFSA Journal* 2013;11(10):3386, 113 pp. doi:10.2903/j.efsa.2013.3386.

3. In order to ensure that the samples are representative for the sampled lot, Member States should follow the sampling procedures laid down in Commission Regulation (EC) No 401/2006 ⁽¹⁾.
4. The method of analysis to be used for monitoring is preferably high performance liquid chromatography — mass spectrometry/(mass spectrometry) (HPLC-MS/(MS)) or, if HPLC-MS/(MS) is not possible, gas chromatography — mass spectrometry (GC-MS).

The Limit of Quantification (LOQ) for atropine (racemic mixture of hyoscyamine enantiomers) and scopolamine should be preferably below 5 µg/kg and not higher 10 µg/kg for agricultural commodities, ingredients, food supplements and herbal teas and should preferably be lower than 2 µg/kg for finished foods (e.g. breakfast cereals) and 1 µg/kg for cereal-based foods for infants and young children.

5. Member States, with the active involvement of the food business operators, should perform investigations to identify the agricultural conditions resulting in the presence of tropane alkaloids in food in case significant levels of tropane alkaloids are observed.
6. Member States should ensure that the analytical results are provided on a regular basis and by the latest by October 2016 to EFSA in the EFSA data submission format in line with the requirements of EFSA's Guidance on Standard Sample Description (SSD) for Food and Feed ⁽²⁾ and the additional EFSA's specific reporting requirements.

Done at Brussels, 19 June 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

⁽¹⁾ Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs (OJ L 70, 9.3.2006, p. 12).

⁽²⁾ <http://www.efsa.europa.eu/en/datex/datexsubmitdata.htm>

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2014 OF THE EU-UKRAINE ASSOCIATION COUNCIL

of 15 December 2014

**adopting its Rules of Procedure and those of the Association Committee and of Subcommittees
[2015/977]**

THE EU-UKRAINE ASSOCIATION COUNCIL,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 462 thereof,

Whereas:

- (1) In accordance with Article 486 of the Agreement, parts of the Agreement have been applied provisionally as of 1 November 2014.
- (2) Pursuant to Article 462(2) of the Agreement, the Association Council is to establish its own rules of procedure.
- (3) Pursuant to Article 464(1) of the Agreement, the Association Council is to be assisted in the performance of its duties by an Association Committee whereas pursuant to Article 465(1) of the Agreement the Association Council is to determine in its rules of procedure the duties and functioning of the Association Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Association Council and those of the Association Committee and of Subcommittees, as set out in Annexes I and II respectively, are hereby adopted.

Article 2

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

Done at Brussels, 15 December 2014.

For the Association Council

The Chair

F. MOGHERINI

⁽¹⁾ OJ L 161, 29.5.2014, p. 3.

ANNEX I

RULES OF PROCEDURE OF THE ASSOCIATION COUNCIL*Article 1***General provisions**

1. The Association Council established in accordance with Article 461(1) of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ('the Agreement'), shall perform its duties as provided for in Articles 461 and 463 of the Agreement.
2. As provided for in Article 5(1) of the Agreement, the Parties shall hold regular political dialogue meetings at Summit level. In accordance with Article 5(2) of the Agreement, at ministerial level, political dialogue shall take place, by mutual agreement, within the Association Council referred to in Article 460 of the Agreement and within the framework of regular meetings between representatives of the Parties at Foreign Minister level.
3. As provided for in Article 462(1) of the Agreement, the Association Council shall be composed of members of the Council of the European Union and members of the European Commission, of the one part, and of members of the Government of Ukraine, of the other part. The composition of the Association Council shall take into consideration the specific issues to be addressed at any given meeting. The Association Council shall meet at ministerial level.
4. As provided for in Article 463(1) of the Agreement, and for the purpose of attaining the objectives thereof, the Association Council shall have the power to take decisions that are binding upon the Parties. The Association Council shall take appropriate measures for the implementation of its decisions, including, if necessary, by empowering specific bodies established under this Agreement to act on its behalf. The Association Council may also make recommendations. It shall adopt its decisions and recommendations by agreement between the Parties after the completion of the respective internal procedures for their adoption. The Association Council may delegate its powers to the Association Committee.
5. The Parties in these Rules of Procedure are those defined in Article 482 of the Agreement.

*Article 2***Chairmanship**

The Parties shall hold the chairmanship of the Association Council, alternately, for a period of 12 months. The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year.

*Article 3***Meetings**

1. The Association Council shall meet at least once a year, and when circumstances require, by mutual agreement of the Parties. Unless otherwise agreed by the Parties, the Association Council shall be held at the usual venue for meetings of the Council of the European Union.
2. Each session of the Association Council shall be held at a date agreed by the Parties.
3. The meetings of the Association Council shall be convened jointly by the Secretaries of the Association Council, in agreement with the Chair of the Association Council no later than 30 calendar days before the date of the meeting.

*Article 4***Representation**

1. The members of the Association Council may be represented if unable to attend. If a member wishes to be so represented, he or she shall inform in writing the Chair of the Association Council of the name of his or her representative before the meeting at which the member is to be so represented.
2. The representative of a member of the Association Council shall exercise all the rights of that member.

*Article 5***Delegations**

1. The members of the Association Council may be accompanied by officials. Before each meeting, the Chair of the Association Council shall be informed, through the Secretariat of the Association Council, of the intended composition of the delegation of each Party.
2. The Association Council may, by agreement between the Parties, invite representatives of other bodies of the Parties or independent experts in a subject area to attend its meetings as observers or in order to provide information on particular subjects. The Parties shall agree on the terms and conditions under which these observers may attend the meetings.

*Article 6***Secretariat**

An official of the General Secretariat of the Council of the European Union and an official of Ukraine shall act jointly as Secretaries of the Association Council.

*Article 7***Correspondence**

1. Correspondence addressed to the Association Council shall be directed to the Secretary of either the Union or of Ukraine, who in turn will inform the other Secretary.
2. The Secretaries of the Association Council shall ensure that correspondence is forwarded to the Chair of the Association Council and, where appropriate, circulated to the members of the Association Council.
3. Correspondence so circulated shall be sent, as appropriate, to the General Secretariat of the European Commission, the European External Action Service, the Permanent Representations of the Member States to the European Union and the General Secretariat of the Council of the European Union, as well as the Mission of Ukraine to the European Union.
4. Communications from the Chair shall be sent to the addressees by the Secretaries on behalf of the Chair. Such communications shall be circulated, where appropriate, to the members of the Association Council as provided for in paragraph 3.

*Article 8***Confidentiality**

Unless otherwise decided by the Parties, the meetings of the Association Council shall not be public. When a Party submits information designated as confidential to the Association Council, the other Party shall treat that information as such.

*Article 9***Agendas for meetings**

1. The Chair of the Association Council shall draw up a provisional agenda for each meeting. It shall be dispatched by the Secretaries of the Association Council to the addressees referred to in Article 7 no later than 15 calendar days before the meeting.
2. The provisional agenda shall include the items in respect of which the Chair has received a request for inclusion in the agenda no later than 21 calendar days before the beginning of the meeting. Such items shall not be written into the provisional agenda unless the relevant supporting documents have been sent to the Secretaries before the date of dispatch of the agenda.
3. The agenda shall be adopted by the Association Council at the beginning of each meeting. Any item other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Chair may reduce, in consultation with the Parties, the time limits specified in paragraph 1 in order to take account of the requirements of a particular case.

*Article 10***Minutes**

1. Draft minutes of each meeting shall be drawn up jointly by the Secretaries of the Association Council.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
 - (a) the documentation submitted to the Association Council;
 - (b) any statements which a member of the Association Council requested to be entered in the minutes; and
 - (c) issues agreed upon by the Parties, such as decisions adopted, statements agreed upon and any conclusions.
3. The draft minutes shall be submitted to the Association Council for approval. The Association Council shall approve those draft minutes at its next meeting. Alternatively, those draft minutes can be approved in writing.

*Article 11***Decisions and recommendations**

1. The Association Council shall take decisions and make recommendations by mutual agreement between the Parties and on completion of the respective internal procedures.
2. The Association Council may also take decisions or make recommendations by written procedure if the Parties so agree. For this purpose, the text of the proposal shall be circulated in writing by the Chair of the Association Council to its members pursuant to Article 7, with a time limit of no less than 21 calendar days within which members shall make known any reservations or amendments they wish to make. The Chair may reduce the aforementioned time limit in order to take account of the requirements of a particular case, in consultation with the Parties.
3. The acts of the Association Council, within the meaning of Article 463(1) of the Agreement, shall be entitled 'Decision' or 'Recommendation' respectively, followed by a serial number, the date of their adoption and a description of their subject-matter. Those decisions and recommendations of the Association Council shall be signed by the Chair and authenticated by the Secretaries of the Association Council. Those decisions and recommendations shall be circulated to each of the addressees referred to in Article 7 of these Rules of Procedure. Each Party may decide on the publication of the decisions and recommendations of the Association Council in its respective official publication.
4. Each decision of the Association Council shall enter into force on the date of its adoption unless the decision provides otherwise.

*Article 12***Languages**

1. The official languages of the Association Council shall be the official languages of the Parties.
2. Unless otherwise decided, the Association Council shall base its deliberations on documentation prepared in those languages.

*Article 13***Expenses**

1. Each Party shall meet any expenses which it incurs as a result of participating in the meetings of the Association Council, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with interpretation at meetings, translation and reproduction of documents shall be borne by the Union. In the event that Ukraine requires interpretation or translation into and from languages other than those provided for in Article 12, expenses related thereto shall be borne by Ukraine.
3. Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.

*Article 14***Association Committee**

1. In accordance with Article 464(1) of the Agreement, the Association Council shall be assisted in carrying out its duties by the Association Committee. The Association Committee shall be composed of representatives of the Parties, in principle at senior civil servant level.
2. The Association Committee shall prepare the meetings and the deliberations of the Association Council, implement the decisions of the Association Council where appropriate and ensure continuity of the association relationship and the proper functioning of the Agreement in general. The Association Committee shall consider any matter referred to it by the Association Council as well as any other matter which may arise in the course of the implementation of the Agreement. The Association Committee shall submit proposals or any draft decisions or recommendations to the Association Council for its approval. In accordance with Article 465(2) of the Agreement, the Association Council may delegate the power to take decisions to the Association Committee.
3. The Association Committee shall take the decisions and make the recommendations for which it has been authorised under the Agreement.
4. In cases where the Agreement refers to an obligation to consult or a possibility of consultation or where the Parties decide by mutual agreement to consult each other, such consultation may take place within the Association Committee, except as otherwise provided for in the Agreement. The consultation may continue in the Association Council if the Parties so agree.

*Article 15***Amendment of Rules of Procedure**

These Rules of Procedure may be amended in accordance with Article 11.

ANNEX II

RULES OF PROCEDURE OF THE ASSOCIATION COMMITTEE AND OF SUBCOMMITTEES*Article 1***General provisions**

1. The Association Committee established in accordance with Article 464(1) of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other ('the Agreement'), shall assist the Association Council in the performance of its duties and perform the tasks provided for in the Agreement and assigned to it by the Association Council. Pursuant to Article 465(1) of the Agreement, the Association Council shall determine in its Rules of Procedure the duties and functioning of the Association Committee.
2. The Association Committee shall prepare the meetings and the deliberations of the Association Council, implement the decisions of the Association Council where appropriate and ensure continuity of the association relationship and the proper functioning of the Agreement in general. The Association Committee shall consider any matter referred to it by the Association Council as well as any other matter which may arise in the course of the day-to-day implementation of the Agreement. The Association Committee shall submit proposals or any draft decisions or recommendations for adoption to the Association Council.
3. As provided for in Article 464(2) of the Agreement, the Association Committee shall be composed of representatives of the Parties, in principle at senior civil servant level, who are responsible for specific issues to be addressed at any given meeting.
4. Pursuant to Article 465(4) of the Agreement, when the Association Committee in Trade configuration, as set out in Article 465(4) of the Agreement ('the Association Committee in Trade configuration'), performs the tasks conferred upon it under Title IV of the Agreement, it shall be composed of senior officials of the European Commission and of Ukraine who are responsible for trade and trade-related matters. A representative of the European Commission or of Ukraine who is responsible for trade and trade-related matters shall act as Chair of the Association Committee in accordance with Article 2 of these Rules of Procedure. The meetings will also be attended by a representative of the European External Action Service.
5. As provided for in Article 465(3) of the Agreement, the Association Committee shall have the power to adopt decisions in the cases provided for in the Agreement and in areas in which the Association Council has delegated powers to it. Those decisions shall be binding upon the Parties, which shall take appropriate measures to implement them. The Association Committee shall adopt its decisions by agreement between the Parties after the completion of the respective internal procedures for their adoption.
6. The Parties in these Rules of Procedure shall be defined as provided for in Article 482 of the Agreement.

*Article 2***Chairmanship**

The Parties shall hold the chairmanship of the Association Committee, alternately, for a period of 12 months. The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year.

*Article 3***Meetings**

1. Save as otherwise agreed by the Parties, the Association Committee shall meet regularly, at least once a year. Special sessions of the Association Committee may be held at the request of either Party, if the Parties so agree.

2. Each meeting of the Association Committee shall be convened by its Chair at a place and on a date agreed by the Parties. The notice of convening the meeting shall be issued by the Secretariat of the Association Committee no later than 28 calendar days prior to the start of the meeting, unless the Parties agree otherwise.
3. The Association Committee in Trade configuration shall meet at least once a year and when circumstances require. Each meeting shall be convened by the Chair of the Association Committee in Trade configuration at a location, on a date and by the means agreed by the Parties. The notice convening the meeting shall be issued by the Secretariat of the Association Committee in Trade configuration no later than 15 calendar days prior to the start of the meeting, unless the Parties agree otherwise.
4. Whenever possible, the regular meeting of the Association Committee shall be convened in due time in advance of the regular meeting of the Association Council.
5. By way of exception and if the Parties so agree, the meetings of the Association Committee may be held by any agreed technological means such as video-conference.

Article 4

Delegations

Before each meeting, the Parties shall be informed, through the Secretariat of the Association Committee, of the intended composition of the delegations attending the meeting on either side.

Article 5

Secretariat

1. An official of the Union and an official of Ukraine shall act jointly as Secretaries of the Association Committee and shall execute secretarial tasks in a joint manner unless these Rules of Procedure provide otherwise, in a spirit of mutual trust and cooperation.
2. An official of the European Commission and an official of Ukraine who are responsible for trade and trade-related matters shall act jointly as Secretaries of the Association Committee in Trade configuration.

Article 6

Correspondence

1. Correspondence addressed to the Association Committee shall be directed to the Secretary of the Association Committee of either Party, who in turn will inform the other Secretary.
2. The Secretariat of the Association Committee shall ensure that correspondence addressed to the Association Committee is forwarded to the Chair of the Association Committee and circulated, where appropriate, as documents referred to in Article 7.
3. Correspondence from the Chair shall be sent to the Parties by the Secretariat on behalf of the Chair. Such correspondence shall be circulated, where appropriate, as provided for in Article 7.

Article 7

Documents

1. Documents shall be circulated through the Secretaries of the Association Committee.

2. A Party shall transmit its documents to its Secretary. The Secretary shall transmit those documents to the Secretary of the other Party.
3. The Secretary of the Union shall circulate the documents to the relevant representatives of the Union and shall copy systematically the Secretary of Ukraine in such correspondence.
4. The Secretary of Ukraine shall circulate the documents to the relevant representatives of Ukraine and shall copy systematically the Secretary of the Union in such correspondence.

Article 8

Confidentiality

Unless otherwise decided by the Parties, the meetings of the Association Committee shall not be public. When a Party submits information designated as confidential to the Association Committee, the other Party shall treat that information as such.

Article 9

Agendas for Meetings

1. A provisional agenda for each meeting of the Association Committee as well as draft operational conclusions as provided for in Article 10, shall be drawn up by the Secretariat of the Association Committee on the basis of proposals made by the Parties. The provisional agenda shall include items in respect of which the Secretariat of the Association Committee has received a request for inclusion in the agenda by a Party, supported by relevant documents, no later than 21 calendar days before the date of the meeting.
2. The provisional agenda, together with the relevant documents, shall be circulated as provided for in Article 7 no later than 15 calendar days before the date of the beginning of the meeting.
3. The agenda shall be adopted by the Association Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Chair of the meeting of the Association Committee may, upon agreement of the other Party, invite representatives of other bodies of the Parties or independent experts in a subject area on an *ad hoc* basis to attend its meetings in order to provide information on specific subjects. The Parties shall ensure that those observers or experts respect any confidentiality requirements.
5. The Chair of the meeting of the Association Committee may reduce, in consultation with the Parties, the time limits provided for in paragraphs 1 and 2 in order to take account of special circumstances.

Article 10

Minutes and operational conclusions

1. Draft minutes of each meeting of the Association Committee shall be drawn up jointly by the Secretaries of the Association Committee.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
 - (a) a list of participants at the meeting, a list of officials accompanying them and a list of any observers or experts who attended the meeting;
 - (b) the documentation submitted to the Association Committee;

- (c) statements which the Association Committee requested to be entered in the minutes; and
- (d) operational conclusions from the meeting, as provided in paragraph 4.

3. The draft minutes shall be submitted to the Association Committee for approval. The Association Committee shall approve those draft minutes at its next meeting. Alternatively, those draft minutes can be approved in writing. The draft minutes of the Association Committee in Trade configuration shall be approved within 28 calendar days of each meeting. A copy shall be sent to each of the addressees referred to in Article 7.

4. Draft operational conclusions of each meeting shall be drawn up by the Secretary of the Association Committee of the Party holding the chairmanship of the Association Committee, and circulated to the Parties together with the agenda, normally no later than 15 calendar days before the date of the beginning of the meeting. That draft shall be updated as the meeting proceeds so that at the end of the meeting, unless agreed otherwise by the Parties, the Association Committee adopts the operational conclusions, reflecting the follow-up actions agreed by the Parties. Once agreed, the operational conclusions shall be attached to the minutes and their implementation shall be reviewed during any subsequent meeting of the Association Committee. To that end the Association Committee shall adopt a template, allowing for each action point to be tracked against a specific deadline.

Article 11

Decisions and recommendations

1. In specific cases where the Agreement confers the power to take decisions or where such power has been delegated to it by the Association Council, the Association Committee shall take decisions. The Association Committee shall also make recommendations. Decisions and recommendations shall be made by mutual agreement between the Parties and on completion of the respective internal procedures. Each decision or recommendation shall be signed by the Chair of the Association Committee and authenticated by the Secretaries of the Association Committee.

2. The Association Committee may take decisions or make recommendations by written procedure if the Parties so agree. The written procedure shall consist of an exchange of notes between the Secretaries, acting in agreement with the Parties. For that purpose, the text of the proposal shall be circulated pursuant to Article 7, with a time limit of no less than 21 calendar days within which any reservations or amendments shall be made known. The Chair may reduce the time limits specified in this paragraph in order to take account of special circumstances, in consultation with the Parties. Once the text is agreed, the decision or recommendation shall be signed by the Chair and authenticated by the Secretaries.

3. The acts of the Association Committee shall be entitled 'Decision' or 'Recommendation' respectively. Each decision shall enter into force on the date of its adoption unless the decision provides otherwise.

4. The decisions and recommendations shall be circulated to the Parties.

5. Each Party may decide on the publication of the decisions and recommendations of the Association Committee in its respective official publication.

Article 12

Reports

The Association Committee shall report to the Association Council on its activities and those of its subcommittees, working groups and other bodies at each regular meeting of the Association Council.

Article 13

Languages

1. The official languages of the Association Committee shall be the official languages of the Parties.

2. The working languages of the Association Committee shall be English and Ukrainian. Unless otherwise decided, the Association Committee shall base its deliberations on documentation prepared in those languages.

Article 14

Expenses

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Association Committee, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.

2. Expenditure in connection with the organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.

3. Expenditure in connection with interpreting at meetings and translation of documents into or from English and Ukrainian as referred to in Article 13(1) shall be borne by the Party hosting the meeting.

Interpreting and translation into or from other languages shall be borne directly by the requesting Party.

4. In cases where translation of documents into the official languages of the Union is necessary, the expenditure shall be borne by the Union.

Article 15

Amendment of Rules of Procedure

These Rules of Procedure may be amended by a decision of the Association Council in accordance with Article 465(1) of the Agreement.

Article 16

Subcommittees, special committees or bodies

1. In accordance with Article 466(1) and (3) of the Agreement, the Association Committee may decide to establish any subcommittee in specific areas necessary for the implementation of the Agreement other than those provided for in the Agreement, to assist the Association Committee in the performance of its duties. The Association Committee may decide to abolish any such subcommittee and define or amend its rules of procedure. Unless otherwise decided, any such subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting.

2. Unless otherwise provided for by the Agreement or agreed in the Association Council, these Rules of Procedure shall be applied *mutatis mutandis* to any subcommittee as referred to in paragraph 1.

3. The meetings of subcommittees may be held flexibly as the need arises, in person, either in Brussels or in Ukraine or for example by videoconference. The subcommittees shall act as a platform to monitor progress on approximation in specific areas, to discuss certain issues and challenges arising from that process and to formulate recommendations and operational conclusions.

4. The Secretariat of the Association Committee shall receive a copy of all relevant correspondence, documents and communications pertaining to any subcommittee, special committee or body.

5. Unless otherwise provided for in the Agreement or agreed by the Parties within the Association Council, any subcommittee, special committee or body shall only have the power to make recommendations to the Association Committee.

Article 17

These Rules of Procedure shall apply *mutatis mutandis* to the Association Committee in Trade configuration unless otherwise provided.

DECISION No 2/2014 OF THE EU-UKRAINE ASSOCIATION COUNCIL
of 15 December 2014
on the establishment of two Sub-Committees [2015/978]

THE EU-UKRAINE ASSOCIATION COUNCIL,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 466 thereof,

Whereas:

- (1) In accordance with Article 486 of the Agreement, parts of the Agreement have been applied provisionally as of 1 November 2014.
- (2) Pursuant to Article 466(2) of the Agreement the Association Council may decide to set up any special committee or body in specific areas necessary for the implementation of the Agreement to assist the Association Council in carrying out its duties.
- (3) In order to allow for expert level discussions on the key areas falling within the scope of the provisional application of the Agreement, two sub-committees should be established.
- (4) Upon agreement of the Parties, it should be possible to modify the list of sub-committees and the scope of the individual sub-committees,

HAS ADOPTED THIS DECISION:

Article 1

The Sub-Committees listed in the Annex are hereby established.

Article 2

The Rules of Procedure of the Sub-Committees listed in the Annex are governed by Article 16 of the Rules of Procedure of the Association Committee and of Sub-Committees as adopted by Decision No 1/2014 of the EU-Ukraine Association Council.

Article 3

Upon agreement of the Parties the list of Sub-Committees set out in the Annex and the scope of individual Sub-Committees listed in the Annex can be modified.

Article 4

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

Done at Brussels, 15 December 2014.

For the Association Council

The Chair

F. MOGHERINI

⁽¹⁾ OJ L 161, 29.5.2014, p. 3.

ANNEX

LIST OF SUB-COMMITTEES

- (1) Sub-Committee on Freedom, Security and Justice
 - (2) Sub-Committee on Economic and Other Sector Cooperation.
-

CORRIGENDA**Corrigendum to Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment**

(Official Journal of the European Union L 189 of 27 June 2014)

On page 184, Article 14(7):

for: ‘7. By way of derogation from paragraphs 1 and 2 of this Article, the competent authorities may, where justified ... in respect of which the procedures referred to in paragraphs 1 and 2 of this Article have not been applied and the use of which is in the interests of experimentation.’,

read: ‘7. By way of derogation from paragraphs 1 to 6 of this Article, the competent authorities may, where justified ... in respect of which the procedures referred to in paragraphs 1 to 6 of this Article have not been applied and the use of which is in the interests of experimentation’;

on page 200, Article 48(2):

for: ‘2. Member States shall not impede the making available on the market and/or the putting into service of pressure equipment or assemblies covered by Directive 97/23/EC which are in conformity with that Directive and which were placed on the market before 1 June 2015.’,

read: ‘2. Member States shall not impede the making available on the market and/or the putting into service of pressure equipment or assemblies covered by Directive 97/23/EC which are in conformity with that Directive and which were placed on the market before 19 July 2016.’.

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