

Official Journal of the European Union

L 348



English edition

Legislation

Volume 59

21 December 2016

Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

- ★ **Council Decision (EU) 2016/2342 of 12 December 2016 on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part, to take account of the accession of the Republic of Croatia to the European Union** 1
- Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part, to take account of the accession of the Republic of Croatia to the European Union** 3

REGULATIONS

- ★ **Commission Regulation (EU) 2016/2343 of 14 December 2016 establishing a prohibition of fishing for undulate ray in Union waters of VIII by vessels flying the flag of Spain** 7
- ★ **Commission Regulation (EU) 2016/2344 of 14 December 2016 establishing a prohibition of fishing for plaice in areas VIIIh, VIIj and VIIk by vessels flying the flag of France** 9
- ★ **Commission Implementing Regulation (EU) 2016/2345 of 14 December 2016 amending Regulation (EC) No 262/2009 and Implementing Regulation (EU) No 1079/2012 as regards references to ICAO provisions ⁽¹⁾** 11
- Commission Implementing Regulation (EU) 2016/2346 of 20 December 2016 establishing the standard import values for determining the entry price of certain fruit and vegetables** 13
- Commission Implementing Regulation (EU) 2016/2347 of 20 December 2016 determining the quantities to be added to the quantity fixed for the subperiod from 1 April to 30 June 2017 under the tariff quotas opened by Regulation (EC) No 539/2007 in the egg sector and for egg albumin** 15

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

Commission Implementing Regulation (EU) 2016/2348 of 20 December 2016 determining the quantities to be added to the quantity fixed for the subperiod from 1 April to 30 June 2017 under the tariff quota opened by Regulation (EC) No 536/2007 for poultrymeat originating in the United States of America	17
Commission Implementing Regulation (EU) 2016/2349 of 20 December 2016 determining the quantities to be added to the quantity fixed for the subperiod from 1 April to 30 June 2017 under the tariff quotas opened by Implementing Regulation (EU) 2015/2077 for eggs, egg products and egg albumin originating in Ukraine	19
Commission Implementing Regulation (EU) 2016/2350 of 20 December 2016 determining the quantities to be added to the quantity fixed for the subperiod from 1 April to 30 June 2017 under the tariff quotas opened by Regulation (EC) No 1384/2007 for poultrymeat originating in Israel	21
Commission Implementing Regulation (EU) 2016/2351 of 20 December 2016 determining the quantities to be added to the quantity fixed for the subperiod 1 April to 30 June 2017 under the tariff quotas opened by Regulation (EC) No 442/2009 in the pigmeat sector	23

DECISIONS

★ Political and Security Committee Decision (CFSP) 2016/2352 of 7 December 2016 on the appointment of the EU Mission Commander for the European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali) and repealing Decision (CFSP) 2016/939 (EUTM Mali/2/2016)	25
★ Council Decision (EU, Euratom) 2016/2353 of 8 December 2016 amending the Council's Rules of Procedure	27
★ Council Decision (EU) 2016/2354 of 12 December 2016 on the position to be adopted, on behalf of the European Union, within the Sanitary and Phytosanitary Sub-Committee established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other, as regards the modification of Annex XI-B to that Agreement	30
★ Council Decision (EU) 2016/2355 of 12 December 2016 on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, as regards the establishment of a list of arbitrators	56
★ Council Decision (CFSP) 2016/2356 of 19 December 2016 in support of SEESAC disarmament and arms control activities in South-East Europe in the framework of the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition	60
★ Commission Decision (EU) 2016/2357 of 19 December 2016 regarding the lack of effective compliance with Regulation (EC) No 216/2008 of the European Parliament and of the Council and its implementing rules in respect of certificates issued by the Hellenic Aviation Training Academy (HATA), and Part-66 licenses issued on the basis thereof (<i>notified under document C(2016) 8645</i>)	72
★ Commission Implementing Decision (EU) 2016/2358 of 20 December 2016 amending Implementing Decision 2014/908/EU as regards the lists of third countries and territories whose supervisory and regulatory requirements are considered equivalent for the purposes of the treatment of exposures according to Regulation (EU) No 575/2013 of the European Parliament and of the Council⁽¹⁾	75

⁽¹⁾ Text with EEA relevance

- ★ Commission Implementing Decision (EU) 2016/2359 of 20 December 2016 determining that the temporary suspension of the preferential customs duty established under the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, is not appropriate for imports of bananas originating in Nicaragua for the year 2016 81

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2016/2342

of 12 December 2016

on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part, to take account of the accession of the Republic of Croatia to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 207 and 209, in conjunction with point (a) of Article 218(6) thereof,

Having regard to the Act of Accession of the Republic of Croatia, and in particular Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament ⁽¹⁾,

Whereas:

- (1) In accordance with Council Decision 2014/717/EU ⁽²⁾, the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part, to take account of the accession of the Republic of Croatia to the European Union ('the Protocol') has been signed, subject to its conclusion at a later date.
- (2) The Protocol should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part, to take account of the accession of the Republic of Croatia to the European Union is hereby approved on behalf of the European Union and its Member States.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to deposit, on behalf of the European Union and its Member States, the instrument of approval provided for in Article 4(1) of the Protocol.

⁽¹⁾ Consent of 17 December 2015 (not yet published in the Official Journal).

⁽²⁾ Council Decision 2014/717/EU of 8 October 2014 on the signing, on behalf of the European Union and its Member States, of the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part, to take account of the accession of the Republic of Croatia to the European Union (OJ L 300, 18.10.2014, p. 1).

Article 3

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

Done at Brussels, 12 December 2016.

For the Council

The President

F. MOGHERINI

PROTOCOL

to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part, to take account of the accession of the Republic of Croatia to the European Union

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as the 'Member States', represented by the Council of the European Union, and

THE EUROPEAN UNION, hereinafter referred to as 'the European Union',

of the one part,

and

THE SOCIALIST REPUBLIC OF VIET NAM, hereinafter referred to as 'Viet Nam',

of the other part,

hereinafter jointly referred to as 'the Contracting Parties' for the purposes of this Protocol,

HAVING REGARD TO the accession of the Republic of Croatia to the European Union on 1 July 2013,

WHEREAS the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part, hereinafter referred to as 'the Agreement', was signed in Brussels on 27 June 2012;

WHEREAS the Treaty concerning the accession of the Republic of Croatia to the European Union, hereinafter referred to as 'the Treaty of Accession', was signed in Brussels on 9 December 2011;

WHEREAS pursuant to Article 6(2) of the Act of Accession of the Republic of Croatia, its accession to the Agreement is to be agreed by the conclusion of a protocol to the Agreement,

HAVE AGREED AS FOLLOWS:

Article 1

The Republic of Croatia hereby accedes as a Party to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part, signed in Brussels on 27 June 2012, and shall respectively adopt and take note, in the same manner as the other Member States of the European Union, of the texts of the Agreement, as well as of the Declarations thereto.

Article 2

In due time after the initialling of this Protocol, the European Union shall communicate to its Member States and to the Socialist Republic of Viet Nam the Croatian language version of the Agreement. Subject to the entry into force of this Protocol, the language version referred to in the first sentence of this Article shall become authentic under the same conditions as the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Vietnamese language versions of the Agreement.

Article 3

This Protocol shall form an integral part of the Agreement.

Article 4

1. This Protocol shall be approved by the European Union, by the Council of the European Union on behalf of the Member States and by Viet Nam in accordance with their own procedures. The Contracting Parties shall notify each other of the completion of the procedures necessary for that purpose. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

2. This Protocol shall enter into force on the first day of the month following the date of the deposit of the last instrument of approval, but not before the date of entry into force of the Agreement.

Article 5

This Protocol is drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Vietnamese languages, each of these texts being equally authentic.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly empowered to this effect, have signed this Protocol.

Съставено в Брюксел на деветнадесети ноември две хиляди и четиринадесета година.

Hecho en Bruselas, el diecinueve de noviembre de dos mil catorce.

V Bruselu dne devatenáctého listopadu dva tisíce čtrnáct.

Udfærdiget i Bruxelles den nittende november to tusind og fjorten.

Geschehen zu Brüssel am neunzehnten November zweitausendvierzehn.

Kahe tuhande neljateistkümnenda aasta novembrikuu üheksateistkümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις δέκα εννέα Νοεμβρίου δύο χιλιάδες δεκατέσσερα.

Done at Brussels on the nineteenth day of November in the year two thousand and fourteen.

Fait à Bruxelles, le dix-neuf novembre deux mille quatorze.

Sastavljeno u Bruxellesu devetnaestog studenoga dvije tisuće četrnaeste.

Fatto a Bruxelles, addì diciannove novembre duemilaquattordici.

Briselē, divi tūkstoši četrpadsmitā gada deviņpadsmitajā novembrī.

Priimta du tūkstančiai keturioliktą metų lapkričio devynioliktą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizenegyedek év november havának tizenkilencedik napján.

Magħmul fi Brussell, fid-dsatax-il jum ta' Novembru tas-sena elfejn u erbatax.

Gedaan te Brussel, de negentiende november tweeduizend veertien.

Sporządzono w Brukseli dnia dziewiętnastego listopada roku dwa tysiące czternastego.

Feito em Bruxelas, em dezanove de novembro de dois mil e catorze.

Întocmit la Bruxelles la nouăsprezece noiembrie două mii paisprezece.

V Bruseli devätnásteho novembra dvetisícštrnásť.

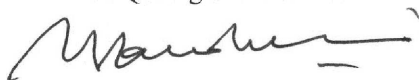
V Bruslju, dne devetnajstega novembra leta dva tisoč štirinajst.

Tehty Brysselissä yhdeksäntenätoista päivänä marraskuuta vuonna kaksituhattaneljätoista.

Som skedde i Bryssel den nittonde november tjugohundrafjorton.

Làm tại Brúc-xen, ngày 19 tháng 11 năm 2014.

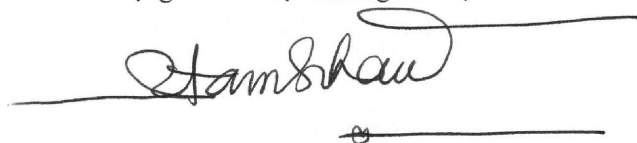
За държавите-членки
 Por los Estados miembros
 Za členské státy
 For medlemsstaterne
 Für die Mitgliedstaaten
 Liikmesriikide nimel
 Για τα κράτη μέλη
 For the Member States
 Pour les États membres
 Za države članice
 Per gli Stati membri
 Dalībvalstu vārdā –
 Valstybių narių vardu
 A tagállamok részéről
 Għall-Istati Membri
 Voor de lidstaten
 W imieniu Państw Członkowskich
 Pelos Estados-Membros
 Pentru statele membre
 Za členské štáty
 Za države članice
 Jäsenvaltioiden puolesta
 För medlemsstaterna
 Các Quốc gia Thành viên



За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen
 Liên Minh Châu Âu



За Социалистическа Република Виетнам
 Por la República Socialista de Vietnam
 Za Vietnamskou Socialistickou Republiku
 For den Socialistiske Republik Vietnam
 Für die Sozialistische Republik Vietnam
 Vietnami Sotsialistliku Vabariigi nimel
 Για τη Σοσιαλιστική Δημοκρατία του Βιετνάμ
 For the Socialist Republic of Viet Nam
 Pour la République socialiste du Viêt Nam
 Za Socjalističku Republiku Vjetnam
 Per la Repubblica Socialista del Vietnam
 Vjetnamas Sociālistiskās Republikas vārdā –
 Vietnamo Socialistinės Respublikos vardu
 A Vietnami Szocialista Köztársaság részéről
 Għar-Repubblika Soċjalista tal-Vjetnam
 Voor de Socialistische Republiek Vietnam
 W imieniu Socjalistycznej Republiki Wietnamu
 Pela República Socialista do Vietnam
 Pentru Republica Socialistă Vietnam
 Za Vietnamskú Socialistickú Republiku
 Za Socialistično Republiko Vietnam
 Vietnamin Sosialistisen Tasavallan puolesta
 För Socialistiska Republiken Vietnam
 Cộng hòa Xã hội Chủ nghĩa Việt Nam



REGULATIONS

COMMISSION REGULATION (EU) 2016/2343

of 14 December 2016

establishing a prohibition of fishing for undulate ray in Union waters of VIII by vessels flying the flag of Spain

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2016/72 ⁽²⁾, lays down quotas for 2016.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2016.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2016 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

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

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2016/72 of 22 January 2016 fixing for 2016 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2015/104 (OJ L 22, 28.1.2016, p. 1).

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

Done at Brussels, 14 December 2016.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	41/TQ72
Member State	Spain
Stock	RJU/8-C.
Species	Undulate ray (<i>Raja undulata</i>)
Zone	Union waters of VIII
Closing date	5.12.2016

COMMISSION REGULATION (EU) 2016/2344**of 14 December 2016****establishing a prohibition of fishing for plaice in areas VIIh, VIIj and VIIk by vessels flying the flag of France**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2016/72 ⁽²⁾ lays down quotas for 2016.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2016.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2016 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

Article 3

Entry into force

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

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2016/72 of 22 January 2016 fixing for 2016 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, and amending Regulation (EU) 2015/104 (OJ L 22, 28.1.2016, p. 1).

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

Done at Brussels, 14 December 2016.

*For the Commission,
On behalf of the President,
João AGUIAR MACHADO
Director-General
Directorate-General for Maritime Affairs and Fisheries*

ANNEX

No	37/TQ72
Member State	France
Stock	PLE/7HJK.
Species	Plaice (<i>Pleuronectes platessa</i>)
Zone	VIIh, VIIj and VIIk
Closing date	14.11.2016

COMMISSION IMPLEMENTING REGULATION (EU) 2016/2345**of 14 December 2016****amending Regulation (EC) No 262/2009 and Implementing Regulation (EU) No 1079/2012 as regards references to ICAO provisions****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network ⁽¹⁾, and in particular Article 3(5) thereof,

After consulting the Single Sky Committee Committee,

Whereas:

- (1) Annex I to Commission Regulation (EC) No 262/2009 ⁽²⁾ refers to various provisions laid down in Volume III and Volume IV of Annex 10 to the Chicago Convention, and more specifically to Volume III, First Edition incorporating Amendment 79, and Volume IV, Third Edition incorporating Amendment 77. Since the adoption of Regulation (EC) No 262/2009, the ICAO has amended a number of provisions of Annex 10 to the Chicago Convention, most recently Volume III, Second Edition incorporating Amendment No 90, and Volume IV, Fifth Edition incorporating Amendment 89. The references in Regulation (EC) No 262/2009 to Annex 10 to the Chicago Convention should therefore be updated in order to enable the Member States to meet their international legal obligations and ensure consistency with the ICAO's international regulatory framework.
- (2) Annex II to Commission Implementing Regulation (EU) No 1079/2012 ⁽³⁾ refers to various provisions laid down in Volume III of Annex 10 to the Chicago Convention, and more specifically to Volume III, Second Edition incorporating Amendment 85. Since the adoption of Implementing Regulation (EU) No 1079/2012, the ICAO has amended a number of provisions of Annex 10 to the Chicago Convention, most recently incorporating Amendment No 90 into Volume III, Second Edition. Annex II to Implementing Regulation (EU) No 1079/2012 also refers to provisions laid down in the ICAO PANS-ATM (Doc 4444), and more specifically to the 15th edition of 2007 incorporating Amendment 2. Since the adoption of Implementing Regulation (EU) No 1079/2012, the ICAO has amended a number of provisions of Doc 4444, most recently incorporating Amendment No 6. The references in Implementing Regulation (EU) No 1079/2012 to Annex 10 to the Chicago Convention and to Doc 4444 should therefore be updated in order to enable the Member States to meet their international legal obligations and ensure consistency with the ICAO's international regulatory framework.
- (3) Regulation (EC) No 262/2009 and Implementing Regulation (EU) No 1079/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The text of Annex I to Regulation (EC) No 262/2009 is replaced by the following:

'International Civil Aviation Organisation provisions referred to in Article 3(1) and Annex III point 2

1. Chapter 3 "Surveillance systems", Section 3.1.2.5.2.1.2 "IC: Interrogator code" of ICAO Annex 10 "Aeronautical Telecommunications", Volume IV "Surveillance and Collision Avoidance Systems" (Fifth Edition, July 2014, incorporating Amendment 89).

⁽¹⁾ OJ L 96, 31.3.2004, p. 26.

⁽²⁾ Commission Regulation (EC) No 262/2009 of 30 March 2009 laying down requirements for the coordinated allocation and use of Mode S interrogator codes for the single European sky (OJ L 84, 31.3.2009, p. 20).

⁽³⁾ Commission Implementing Regulation (EU) No 1079/2012 of 16 November 2012 laying down requirements for voice channels spacing for the single European sky (OJ L 320, 17.11.2012, p. 14).

2. Chapter 5 “SSR Mode S Air-Ground Data Link”, Section 5.2.9 “The data link capability report” of ICAO Annex 10 “Aeronautical Telecommunications”, Volume III “Communication Systems” (Second Edition, July 2007, incorporating Amendment 90)’.

Article 2

The text of Annex II to Implementing Regulation (EU) No 1079/2012 is replaced by the following:

‘ICAO provisions referred to in Articles 4 and 8

1. Chapter 2 “Aeronautical Mobile Service”, Section 2.1 “Air-ground VHF communication system characteristics” and Section 2.2 “System characteristics of the ground installation” of Annex 10 to the Chicago Convention, Volume III, Part 2 (Second Edition — July 2007 incorporating Amendment No 90).
2. Chapter 2 “Aeronautical Mobile Service”, Section 2.1 “Air-ground VHF communication system characteristics”, Section 2.3.1 “Transmitting function” and Section 2.3.2 “Receiving function” excluding Subsection 2.3.2.8 “VDL — Interference Immunity Performance” of Annex 10 to the Chicago Convention, Volume III, Part 2 (Second Edition — July 2007 incorporating Amendment No 90).
3. Section 12.3.1.5 “8,33 kHz channel spacing” of ICAO PANS-ATM Doc. 4444 (15th Edition — 2007 incorporating Amendment No 6)’.

Article 3

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, 14 December 2016.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2016/2346**of 20 December 2016****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, 20 December 2016.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General
Directorate-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	99,7
	SN	241,4
	TN	269,5
	TR	108,7
	ZZ	179,8
0707 00 05	MA	72,8
	TR	155,8
	ZZ	114,3
0709 93 10	MA	233,1
	TR	143,1
	ZZ	188,1
0805 10 20	IL	126,4
	TR	71,7
	ZZ	99,1
0805 20 10	MA	72,1
	ZZ	72,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	113,5
	JM	129,1
	MA	74,5
	TR	75,0
	ZZ	98,0
	AR	76,7
0805 50 10	TR	81,8
	ZZ	79,3
0808 10 80	US	132,4
	ZZ	132,4
0808 30 90	CN	101,3
	ZZ	101,3

⁽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) 2016/2347**of 20 December 2016****determining the quantities to be added to the quantity fixed for the subperiod from 1 April to 30 June 2017 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 December 2016 for the subperiod from 1 January to 31 March 2017 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 April to 30 June 2017, 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, 20 December 2016.

For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General
Directorate-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 April to 30 June 2017 (in kg, shell egg equivalent)
09.4015	108 000 000
09.4401	3 899 810
09.4402	11 625 000

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/2348
of 20 December 2016**

determining the quantities to be added to the quantity fixed for the subperiod from 1 April to 30 June 2017 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 December 2016 for the subperiod from 1 January to 31 March 2017 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 April to 30 June 2017, 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, 20 December 2016.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General
Directorate-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 April to 30 June 2017 (kg)
09.4169	16 008 750

**COMMISSION IMPLEMENTING REGULATION (EU) 2016/2349
of 20 December 2016**

determining the quantities to be added to the quantity fixed for the subperiod from 1 April to 30 June 2017 under the tariff quotas opened by Implementing Regulation (EU) 2015/2077 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) 2015/2077 ⁽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 December 2016 for the subperiod from 1 January to 31 March 2017 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 Implementing Regulation (EU) 2015/2077, to be added to the subperiod from 1 April to 30 June 2017, 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, 20 December 2016.

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) 2015/2077 of 18 November 2015 opening and providing for the administration of Union import tariff quotas for eggs, egg products and albumins originating in Ukraine (OJ L 302, 19.11.2015, p. 57).

ANNEX

Order No	Quantities not applied for, to be added to the quantities available for the subperiod from 1 April to 30 June 2017 (shell egg equivalent weight in kg)
09.4275	405 000
09.4276	750 000

COMMISSION IMPLEMENTING REGULATION (EU) 2016/2350**of 20 December 2016****determining the quantities to be added to the quantity fixed for the subperiod from 1 April to 30 June 2017 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 December 2016 for the subperiod from 1 January to 31 March 2017 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 April to 30 June 2017, 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, 20 December 2016.

For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General
Directorate-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 April to 30 June 2017 (in kg)
09.4091	140 000
09.4092	1 000 000

COMMISSION IMPLEMENTING REGULATION (EU) 2016/2351**of 20 December 2016****determining the quantities to be added to the quantity fixed for the subperiod 1 April to 30 June 2017 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 December 2016 for the subperiod 1 January to 31 March 2017 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 April to 30 June 2017, 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, 20 December 2016.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General
Directorate-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 April to 30 June 2017 (kg)
09.4038	25 848 750
09.4170	3 691 500
09.4204	3 468 000

DECISIONS

POLITICAL AND SECURITY COMMITTEE DECISION (CFSP) 2016/2352

of 7 December 2016

on the appointment of the EU Mission Commander for the European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali) and repealing Decision (CFSP) 2016/939 (EUTM Mali/2/2016)

THE POLITICAL AND SECURITY COMMITTEE,

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

Having regard to Council Decision 2013/34/CFSP of 17 January 2013 on a European Union military mission to contribute to the training of Malian Armed Forces (EUTM Mali) ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

- (1) Pursuant to Article 5(1) of Decision 2013/34/CFSP, the Council authorised the Political and Security Committee (PSC), in accordance with Article 38 of the Treaty on European Union, to take the relevant decisions concerning the political control and strategic direction of EUTM Mali, including the decisions to appoint the subsequent EU Mission Commanders.
- (2) On 8 June 2016, the PSC adopted Decision (CFSP) 2016/939 ⁽²⁾, appointing Brigadier General Eric HARVENT as the new EU Mission Commander for EUTM Mali.
- (3) Belgium has recommended the appointment of Brigadier General Peter DEVOGELAERE as the new EU Mission Commander for EUTM Mali to succeed Brigadier General Eric HARVENT as from 19 December 2016.
- (4) On 31 October 2016, the EU Military Committee supported the recommendation.
- (5) Decision (CFSP) 2016/939 should therefore be repealed.
- (6) 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 the implementation of decisions and actions of the Union which have defence implications,

HAS ADOPTED THIS DECISION:

Article 1

Brigadier General Peter DEVOGELAERE is hereby appointed EU Mission Commander for the European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali) as from 19 December 2016.

Article 2

Decision (CFSP) 2016/939 is hereby repealed.

⁽¹⁾ OJ L 14, 18.1.2013, p. 19.

⁽²⁾ Political and Security Committee Decision (CFSP) 2016/939 of 8 June 2016 on the appointment of the EU Mission Commander for the European Union military mission to contribute to the training of the Malian Armed Forces (EUTM Mali) and repealing Decision (CFSP) 2015/2298 (EUTM Mali/1/2016) (OJ L 155, 14.6.2016, p. 25).

Article 3

This Decision shall enter into force on 19 December 2016.

Done at Brussels, 7 December 2016.

For the Political and Security Committee

The Chairperson

W. STEVENS

COUNCIL DECISION (EU, Euratom) 2016/2353
of 8 December 2016
amending the Council's Rules of Procedure

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

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

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Article 11(6) of the Council's Rules of Procedure ⁽¹⁾,

Whereas:

- (1) From 1 November 2014, when an act is to be adopted by the Council acting by qualified majority, it must be verified that the Member States constituting the qualified majority represent at least 65 % of the population of the Union.
- (2) Until 31 March 2017, when an act is to be adopted by the Council acting by qualified majority, a member of the Council may request that it be adopted in accordance with the qualified majority as defined in Article 3(3) of Protocol No 36 on transitional provisions, annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community. In that case, a member of the Council may request that a check be made to ensure that the Member States constituting the qualified majority represent at least 62 % of the total population of the Union.
- (3) Those percentages are calculated according to the population figures set out in Annex III to the Council's Rules of Procedure ('the Rules of Procedure').
- (4) Article 11(6) of the Rules of Procedure provides that, with effect from 1 January each year, the Council is to amend the figures set out in that Annex, in accordance with the data available to the Statistical Office of the European Union on 30 September of the preceding year.
- (5) The Rules of Procedure should therefore be amended accordingly for the year 2017,

HAS ADOPTED THIS DECISION:

Article 1

Annex III to the Rules of Procedure is replaced by the following:

'ANNEX III

Figures concerning the population of the Union and the population of each Member State for implementing the provisions concerning qualified majority voting in the Council

For the purposes of implementing Article 16(4) TEU and Article 238(2) and (3) TFEU, as well as, until 31 March 2017, Article 3(2) of Protocol No 36, the population of the Union and the population of each Member State, as well as the percentage of each Member State's population in relation to the population of the Union, for the period from 1 January 2017 to 31 December 2017 shall be as follows:

Member State	Population	Percentage of the population of the Union
Germany	82 064 489	16,06 %
France	66 661 621	13,05 %

⁽¹⁾ Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

Member State	Population	Percentage of the population of the Union
United Kingdom	65 341 183	12,79 %
Italy	61 302 519	12,00 %
Spain	46 438 422	9,09 %
Poland	37 967 209	7,43 %
Romania	19 759 968	3,87 %
Netherlands	17 235 349	3,37 %
Belgium	11 289 853	2,21 %
Greece	10 793 526	2,11 %
Czech Republic	10 445 783	2,04 %
Portugal	10 341 330	2,02 %
Sweden	9 998 000	1,96 %
Hungary	9 830 485	1,92 %
Austria	8 711 500	1,71 %
Bulgaria	7 153 784	1,40 %
Denmark	5 700 917	1,12 %
Finland	5 465 408	1,07 %
Slovakia	5 407 910	1,06 %
Ireland	4 664 156	0,91 %
Croatia	4 190 669	0,82 %
Lithuania	2 888 558	0,57 %
Slovenia	2 064 188	0,40 %
Latvia	1 968 957	0,39 %
Estonia	1 315 944	0,26 %
Cyprus	848 319	0,17 %
Luxembourg	576 249	0,11 %
Malta	434 403	0,09 %
EU 28	510 860 699	
Threshold (62 %)	316 733 634	
Threshold (65 %)	332 059 455'	

Article 2

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

It shall apply from 1 January 2017.

Done at Brussels, 8 December 2016.

For the Council

The President

L. ŽITŇANSKÁ

COUNCIL DECISION (EU) 2016/2354**of 12 December 2016**

on the position to be adopted, on behalf of the European Union, within the Sanitary and Phytosanitary Sub-Committee established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other, as regards the modification of Annex XI-B to that Agreement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first paragraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part ⁽¹⁾ ('the Agreement') entered into force on 1 July 2016.
- (2) Pursuant to Article 55 of the Agreement, Georgia is to gradually approximate its sanitary and phytosanitary and animal welfare legislative measures to those of the Union as set out in Annex XI to the Agreement.
- (3) Pursuant to Article 55(4) of the Agreement, Georgia is to submit a list of the EU sanitary, phytosanitary and animal welfare legislative measures to which it intends to approximate its domestic legislation, no later than 6 months after the entry into force of the Agreement. That approximation list is to serve as a reference document for the implementation of Chapter 4 (Sanitary and phytosanitary measures) of Title IV (Trade and Trade-related Matters) of the Agreement, and is to be added to Annex XI to the Agreement. Accordingly, Annex XI-B to the Agreement is to be modified by a decision of the Sanitary and Phytosanitary Sub-Committee ('SPS Sub-Committee'), as set out in Article 65 of the Agreement.
- (4) Georgia submitted the approximation list of the EU legislative measures in February 2015 and finalised it, in consultation with the Commission, in December 2015.
- (5) It is appropriate to establish the position to be adopted on the Union's behalf within the SPS Sub-Committee with regard to the modification of Annex XI-B to the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on the Union's behalf within the Sanitary and Phytosanitary Sub-Committee established by Article 65 of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, as regards the modification of Annex XI-B to the Agreement, shall be based on the draft Decision of the Sanitary and Phytosanitary Sub-Committee attached to this Decision.

Minor technical corrections to the draft Decision may be agreed to by the representatives of the Union within the SPS Sub-Committee without further decision of the Council.

⁽¹⁾ OJ L 261, 30.8.2014, p. 4.

Article 2

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

Done at Brussels, 12 December 2016.

For the Council
The President
G. MATEČNÁ

DRAFT

**DECISION No 1/2016 OF THE EU-GEORGIA SANITARY AND PHYTOSANITARY
SUB-COMMITTEE****of ...****modifying Annex XI-B to the Association Agreement**

THE SANITARY AND PHYTOSANITARY SUB-COMMITTEE,

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 Georgia, of the other part, and in particular Articles 55 and 65 thereof,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part ⁽¹⁾ ('the Agreement') entered into force on 1 July 2016.
- (2) Pursuant to Article 55(1) of the Agreement, Georgia is to gradually approximate its sanitary and phytosanitary and animal welfare legislative measures to those of the Union as set out in Annex XI to the Agreement.
- (3) Pursuant to Article 55(4) of the Agreement, Georgia is to submit a list of the EU sanitary, phytosanitary and animal welfare legislative measures to which it intends to approximate its domestic legislation, no later than six months after the entry into force of the Agreement. That approximation list is to serve as a reference document for the implementation of Chapter 4 (Sanitary and phytosanitary measures) of Title IV (Trade and Trade-related Matters) of the Agreement.
- (4) Article 65 of the Agreement established the Sanitary and Phytosanitary Sub-Committee ('SPS Sub-Committee'), which is to consider any matter relating to Chapter 4 (Sanitary and phytosanitary measures) of Title IV (Trade and Trade-related Matters), including its implementation, and is empowered to review and modify Annex XI to the Agreement.
- (5) Georgia submitted the approximation list of the EU legislative measures to the European Commission in February 2015, following which, in consultation with the European Commission, the list was reviewed and finalised in December 2015.
- (6) It is appropriate that the SPS Sub-Committee takes a decision to amend Annex XI-B to the Agreement to include the list as set out in the Annex to this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Annex XI-B to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, is hereby modified as set out in the Annex to this Decision.

Article 2

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

Done at ..., ...

*For the Sanitary and Phytosanitary
Sub-Committee
The Chair*

⁽¹⁾ OJEU L 261, 30.8.2014, p. 4.

ANNEX

MODIFICATION OF ANNEX XI-B TO THE ASSOCIATION AGREEMENT

Annex XI-B to the Agreement is hereby modified and shall read as follows:

'ANNEX XI-B

LIST OF THE UNION LEGISLATION TO BE APPROXIMATED BY GEORGIA

In accordance with Article 55(4) of this Agreement, Georgia shall approximate its legislation to the following Union legislation within the timeframes as listed below.

Union legislation	Deadline for approximation
Section 1 — Veterinary	
Council Regulation (EC) No 21/2004 of 17 December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC	2015
Commission Regulation (EC) No 1505/2006 of 11 October 2006 implementing Council Regulation (EC) No 21/2004 as regards the minimum level of checks to be carried out in relation to the identification and registration of ovine and caprine animals	2015
Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC	2015
Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97	2015
Commission Regulation (EC) No 1082/2003 of 23 June 2003 laying down detailed rules for the implementation of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals	2015
Commission Regulation (EC) No 911/2004 of 29 April 2004 implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards ear tags, passports and holding registers	2015
Commission Regulation (EC) No 494/98 of 27 February 1998 laying down detailed rules for the implementation of Council Regulation (EC) No 820/97 as regards the application of minimum administrative sanctions in the framework of the system for the identification and registration of bovine animals	2015
Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever	2015

Union legislation	Deadline for approximation
Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease	2015
Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever	2015
Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs	2016
Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC	2016
Commission Regulation (EC) No 616/2009 of 13 July 2009 implementing Council Directive 2005/94/EC as regards the approval of poultry compartments and other captive birds compartments with respect to avian influenza and additional preventive biosecurity measures in such compartments	2016
Commission Decision 2010/367/EU of 25 June 2010 on the implementation by Member States of surveillance programmes for avian influenza in poultry and wild birds	2016
Commission Decision 2002/106/EC of 1 February 2002 approving a Diagnostic Manual establishing diagnostic procedures, sampling methods and criteria for evaluation of the laboratory tests for the confirmation of classical swine fever	2016
Commission Decision 2003/422/EC of 26 May 2003 approving an African swine fever diagnostic manual	2016
Commission Decision 2006/437/EC of 4 August 2006 approving a Diagnostic Manual for avian influenza as provided for in Council Directive 2005/94/EC	2016
Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies	2016
Commission Decision 2001/183/EC of 22 February 2001 laying down the sampling plans and diagnostic methods for the detection and confirmation of certain fish diseases and repealing Decision 92/532/EEC	2016
Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals	2017
Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002	2017

Union legislation	Deadline for approximation
Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive	2017
Commission Regulation (EC) No 1251/2008 of 12 December 2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species	2017
Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC	2017
Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC	2017
Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine	2017
Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC	2018
Commission Regulation (EC) No 1266/2007 of 26 October 2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue	2018
Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue	2018
Commission Delegated Regulation (EU) No 1152/2011 of 14 July 2011 supplementing Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards preventive health measures for the control of <i>Echinococcus multilocularis</i> infection in dogs	2018
Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption	2018
Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products	2018

Union legislation	Deadline for approximation
Directive 2004/28/EC of the European Parliament and of the Council of 31 March 2004 amending Directive 2001/82/EC on the Community code relating to veterinary medicinal products	2018
Commission Regulation (EC) No 1662/95 of 7 July 1995 laying down certain detailed arrangements for implementing the Community decision-making procedures in respect of marketing authorizations for products for human or veterinary use	2018
Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council	2018
Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC	2019
Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents	2019
Commission Regulation (EC) No 1177/2006 of 1 August 2006 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards requirements for the use of specific control methods in the framework of the national programmes for the control of salmonella in poultry	2019
Commission Decision 2007/843/EC of 11 December 2007 concerning approval of <i>Salmonella</i> control programmes in breeding flocks of <i>Gallus gallus</i> in certain third countries in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and amending Decision 2006/696/EC, as regards certain public health requirements at import of poultry and hatching eggs	2019
Commission Directive 2006/130/EC of 11 December 2006 implementing Directive 2001/82/EC of the European Parliament and of the Council as regards the establishment of criteria for exempting certain veterinary medicinal products for food-producing animals from the requirement of a veterinary prescription	2019
Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene	2019
Commission Regulation (EC) No 141/2007 of 14 February 2007 concerning a requirement for approval in accordance with Regulation (EC) No 183/2005 of the European Parliament and of the Council for feed business establishments manufacturing or placing on the market feed additives of the category 'coccidiostats and histomonostats'	2019
Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease	2020

Union legislation	Deadline for approximation
Commission Decision 2000/428/EC of 4 July 2000 establishing diagnostic procedures, sampling methods and criteria for the evaluation of the results of laboratory tests for the confirmation and differential diagnosis of swine vesicular disease	2020
Commission Directive 2008/38/EC of 5 March 2008 establishing a list of intended uses of animal feedingstuffs for particular nutritional purposes	2020
Commission Directive 82/475/EEC of 23 June 1982 laying down the categories of feed materials which may be used for the purposes of labelling compound feedingstuffs for pet animals	2020
Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC	2020
Commission Recommendation 2011/25/EU of 14 January 2011 establishing guidelines for the distinction between feed materials, feed additives, biocidal products and veterinary medicinal products	2020
Commission Regulation (EU) No 68/2013 of 16 January 2013 on the Catalogue of feed materials	2020
Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed	2021
Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition	2021
Commission Regulation (EC) No 378/2005 of 4 March 2005 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the duties and tasks of the Community Reference Laboratory concerning applications for authorisations of feed additives	2021
Commission Regulation (EC) No 429/2008 of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives	2021
Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for <i>Trichinella</i> in meat	2021
Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes	2022

Union legislation	Deadline for approximation
Commission Decision 2006/778/EC of 14 November 2006 concerning minimum requirements for the collection of information during the inspections of production sites on which certain animals are kept for farming purposes	2022
Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves	2022
Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs	2022
Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing	2022
Commission Directive 2002/4/EC of 30 January 2002 on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC	2022
Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production	2022
Council Regulation (EC) No 1255/97 of 25 June 1997 concerning Community criteria for control posts and amending the route plan referred to in the Annex to Directive 91/628/EEC	2022
Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97	2022
Commission Implementing Regulation (EU) No 750/2014 of 10 July 2014 on protection measures in relation to porcine epidemic diarrhoea as regards the animal health requirements for the introduction into the Union of porcine animals	2023
Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens	2023
Commission Regulation (EU) No 101/2013 of 4 February 2013 concerning the use of lactic acid to reduce microbiological surface contamination on bovine carcasses	2023
Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community	2024
Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed	2024
Commission Recommendation 2004/704/EC of 11 October 2004 on the monitoring of background levels of dioxins and dioxin-like PCBs in feedingstuffs	2024

Union legislation	Deadline for approximation
Commission Implementing Regulation (EU) No 139/2013 of 7 January 2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof	2024
Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae	2024
Commission Regulation (EU) No 605/2010 of 2 July 2010 laying down animal and public health and veterinary certification conditions for the introduction into the European Union of raw milk, dairy products, colostrum and colostrum-based products intended for human consumption	2025
Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae	2025
Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae	2025
Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae	2025
Council Directive 2009/157/EC of 30 November 2009 on pure-bred breeding animals of the bovine species	2026
Commission Decision 84/247/EEC of 27 April 1984 laying down the criteria for the recognition of breeders organizations and associations which maintain or establish herd-books for pure-bred breeding animals of the bovine species	2026
Council Directive 87/328/EEC of 18 June 1987 on the acceptance for breeding purposes of pure-bred breeding animals of the bovine species	2026
Council Directive 94/28/EC of 23 June 1994 laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen, ova and embryos, and amending Directive 77/504/EEC on pure-bred breeding animals of the bovine species	2026
Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness	2026
Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species	2026
Commission Implementing Decision 2012/137/EU of 1 March 2012 on imports into the Union of semen of domestic animals of the porcine species	2027

Union legislation	Deadline for approximation
Council Directive 88/661/EEC of 19 December 1988 on the zoo technical standards applicable to breeding animals of the porcine species	2027
Council Directive 90/428/EEC of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein	2027
Section 2 — Food safety	
Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety	2015
Commission Regulation (EU) No 16/2011 of 10 January 2011 laying down implementing measures for the Rapid alert system for food and feed	2015
Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management	2015
Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs	2015
Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin	2015
Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs	2015
Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004	2015
Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules	2015
Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption	2015

Union legislation	Deadline for approximation
Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin	2015
Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC	2015
Commission Decision 97/747/EC of 27 October 1997 fixing the levels and frequencies of sampling provided for Council Directive 96/23/EC for the monitoring of certain substances and residues thereof in certain animal products	2015
Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stock-farming of certain substances having a hormonal or thyrostatic action and of beta-agonists, and repealing Directives 81/602/EEC, 88/146/EEC and 88/299/EEC	2015
Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food	2015
Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97	2015
Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs	2015
Commission Decision 2002/657/EC of 12 August 2002 implementing Council Directive 96/23/EC concerning the performance of analytical methods and the interpretation of results	2016
Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules	2016
Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC	2016
Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004	2016
Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods	2016

Union legislation	Deadline for approximation
Commission Regulation (EU) No 1047/2012 of 8 November 2012 amending Regulation (EC) No 1924/2006 with regard to the list of nutrition claims	2016
Commission Implementing Decision 2013/63/EU of 24 January 2013 adopting guidelines for the implementation of specific conditions for health claims laid down in Article 10 of Regulation (EC) No 1924/2006 of the European Parliament and of the Council	2016
Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives	2016
Regulation (EC) No 1925/2006 of the European Parliament and of the Council of 20 December 2006 on the addition of vitamins and minerals and of certain other substances to foods	2016
Commission Regulation (EC) No 1170/2009 of 30 November 2009 amending Directive 2002/46/EC of the European Parliament and of the Council and Regulation (EC) No 1925/2006 of the European Parliament and of the Council as regards the lists of vitamin and minerals and their forms that can be added to foods, including food supplements	2016
Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin	2016
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	2016
Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the control of the levels of trace elements and processing contaminants in foodstuffs	2016
Commission Decision 94/360/EC of 20 May 1994 on the reduced frequency of physical checks of consignments of certain products to be implemented from third countries, under Council Directive 90/675/EEC	2017
Directive 2011/91/EU of the European Parliament and of the Council of 13 December 2011 on indications or marks identifying the lot to which a foodstuff belongs	2017
Council Decision 92/608/EEC of 14 November 1992 laying down methods for the analysis and testing of heat-treated milk for direct human consumption	2017
Commission Regulation (EC) No 669/2009 of 24 July 2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin and amending Decision 2006/504/EC	2017

Union legislation	Deadline for approximation
Commission Regulation (EC) No 645/2000 of 28 March 2000 setting out detailed implementing rules necessary for the proper functioning of certain provisions of Article 7 of Council Directive 86/362/EEC and of Article 4 of Council Directive 90/642/EEC concerning the arrangements for monitoring the maximum levels of pesticide residues in and on cereals and products of plant origin, including fruit and vegetables, respectively	2017
Commission Implementing Regulation (EU) No 489/2012 of 8 June 2012 establishing implementing rules for the application of Article 16 of Regulation (EC) No 1925/2006 of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods	2017
Commission Implementing Regulation (EU) No 307/2012 of 11 April 2012 establishing implementing rules for the application of Article 8 of Regulation (EC) No 1925/2006 of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods	2017
Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009	2017
Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings	2017
Commission Regulation (EU) No 234/2011 of 10 March 2011 implementing Regulation (EC) No 1331/2008 of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings	2018
Commission Regulation (EU) No 257/2010 of 25 March 2010 setting up a programme for the re-evaluation of approved food additives in accordance with Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives	2018
Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC	2018
Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC	2018
Commission Recommendation 2004/787/EC of 4 October 2004 on technical guidance for sampling and detection of genetically modified organisms and material produced from genetically modified organisms as or in products in the context of Regulation (EC) No 1830/2003	2018
Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed	2018

Union legislation	Deadline for approximation
Commission Decision 2007/363/EC of 21 May 2007 on guidelines to assist Member States in preparing the single integrated multi-annual national control plan provided for in Regulation (EC) No 882/2004 of the European Parliament and of the Council	2019
Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council	2019
Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients	2019
Commission Recommendation 97/618/EC of 29 July 1997 concerning the scientific aspects and the presentation of information necessary to support applications for the placing on the market of novel foods and novel food ingredients and the preparation of initial assessment reports under Regulation (EC) No 258/97 of the European Parliament and of the Council	2019
Commission Regulation (EC) No 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food	2019
Commission Regulation (EC) No 641/2004 of 6 April 2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003 of the European Parliament and of the Council as regards the application for the authorisation of new genetically modified food and feed, the notification of existing products and adventitious or technically unavoidable presence of genetically modified material which has benefited from a favourable risk evaluation	2019
Commission Recommendation 2013/165/EU of 27 March 2013 on the presence of T-2 and HT-2 toxin in cereals and cereal products	2019
Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97	2020
Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC	2020
Commission Regulation (EU) No 873/2012 of 1 October 2012 on transitional measures concerning the Union list of flavourings and source materials set out in Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council	2020
Council Directive 78/142/EEC of 30 January 1978 on the approximation of the laws of the Member States relating to materials and articles which contain vinyl chloride monomer and are intended to come into contact with foodstuffs	2020

Union legislation	Deadline for approximation
Commission Directive 92/2/EEC of 13 January 1992 laying down the sampling procedure and the Community method of analysis for the official control of the temperatures of quick-frozen foods intended for human consumption	2020
Council Directive 89/108/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption	2020
Commission Regulation (EC) No 37/2005 of 12 January 2005 on the monitoring of temperatures in the means of transport, warehousing and storage of quick-frozen foodstuffs intended for human consumption	2020
Commission Decision 2005/463/EC of 21 June 2005 establishing a network group for the exchange and coordination of information concerning coexistence of genetically modified, conventional and organic crops	2020
Commission Decision 2009/770/EC of 13 October 2009 establishing standard reporting formats for presenting the monitoring results of the deliberate release into the environment of genetically modified organisms, as or in products, for the purpose of placing on the market, pursuant to Directive 2001/18/EC of the European Parliament and of the Council	2020
Commission Implementing Regulation (EU) No 872/2012 of 1 October 2012 adopting the list of flavouring substances provided for by Regulation (EC) No 2232/96 of the European Parliament and of the Council, introducing it in Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 1565/2000 and Commission Decision 1999/217/EC	2021
Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November on smoke flavourings used or intended for use in or on foods	2021
Commission Implementing Regulation (EU) No 1321/2013 of 10 December 2013 establishing the Union list of authorised smoke flavouring primary products for use as such in or on foods and/or for the production of derived smoke flavourings	2021
Commission Directive 93/11/EEC of 15 March 1993 concerning the release of the N-nitrosamines and N-nitrosatable substances from elastomer or rubber teats and soothers	2021
Commission Regulation (EC) No 1895/2005 of 18 November 2005 on the restriction of use of certain epoxy derivatives in materials and articles intended to come into contact with food	2021
Commission Recommendation of 13 July 2010 on guidelines for the development of national co-existence measures to avoid the unintended presence of GMOs in conventional and organic crops	2021

Union legislation	Deadline for approximation
Commission Regulation (EC) No 1882/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of the levels of nitrates in certain foodstuffs	2021
Commission Decision 86/474/EEC of 11 September 1986 on the implementation of the on-the-spot inspections to be carried out in respect of the importation of bovine animals and swine and fresh meat from non-member countries	2022
Directive 2002/46/EC of the European Parliament and of the Council of 10 June 2002 on the approximation of the laws of the Member States relating to food supplements	2022
Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food	2022
Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters	2022
Commission Directive 2003/40/EC of 16 May 2003 establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters	2022
Directive 2009/41/EC of the European Parliament and of the Council of 6 May 2009 on the contained use of genetically modified micro-organisms	2022
Commission Implementing Regulation (EU) No 1337/2013 of 13 December 2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry	2022
Commission Regulation (EU) No 115/2010 of 9 February 2010 laying down the conditions for use of activated alumina for the removal of fluoride from natural mineral waters and spring waters	2023
Commission Decision 2000/608/EC of 27 September 2000 concerning the guidance notes for risk assessment outlined in Annex III of Directive 90/219/EEC on the contained use of genetically modified micro-organisms	2023
Commission Regulation (EU) No 28/2012 of 11 January 2012 laying down requirements for the certification for imports into and transit through the Union of certain composite products and amending Decision 2007/275/EC and Regulation (EC) No 1162/2009	2023
Commission Decision 2005/34/EC of 11 January 2005 laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries	2023

Union legislation	Deadline for approximation
Council Directive 82/711/EEC of 18 October 1982 laying down the basic rules necessary for testing migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs	2023
Council Directive 84/500/EEC of 15 October 1984 on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs	2023
Commission Directive 96/8/EC of 26 February 1996 on foods intended for use in energy-restricted diets for weight reduction	2023
Council Decision 2002/812/EC of 3 October 2002 establishing pursuant to Directive 2001/18/EC of the European Parliament and of the Council the summary information format relating to the placing on the market of genetically modified organisms as or in products	2023
Commission Regulation (EU) No 210/2013 of 11 March 2013 on the approval of establishments producing sprouts pursuant to Regulation (EC) No 852/2004 of the European Parliament and of the Council	2024
Commission Regulation (EU) No 579/2014 of 28 May 2014 granting derogation from certain provisions of Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea	2024
Commission Regulation (EU) No 432/2012 of 16 May 2012 establishing a list of permitted health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health	2024
Council Directive 85/572/EEC of 19 December 1985 laying down the list of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs	2024
Commission Regulation (EC) No 124/2009 of 10 February 2009 setting maximum levels for the presence of coccidiostats or histomonostats in food resulting from the unavoidable carry-over of these substances in non-target feed	2024
Commission Directive 2007/42/EC of 29 June 2007 relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs	2024
Commission Recommendation 2011/516/EU of 23 August 2011 on the reduction of the presence of dioxins, furans and PCBs in feed and food	2025
Commission Recommendation 2006/794/EC of 16 November 2006 on the monitoring of background levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in foodstuffs	2025

Union legislation	Deadline for approximation
Commission Regulation (EU) No 589/2014 of 2 June 2014 laying down methods of sampling and analysis for the control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EU) No 252/2012	2025
Commission Implementing Regulation (EU) No 503/2013 of 3 April 2013 on applications for authorisation of genetically modified food and feed in accordance with Regulation (EC) No 1829/2003 of the European Parliament and of the Council and amending Commission Regulations (EC) No 641/2004 and (EC) No 1981/2006	2025
Commission Recommendation 2003/598/EC of 11 August on the prevention and reduction of patulin contamination in apple juice and apple juice ingredients in other beverages	2026
Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation	2026
Directive 1999/3/EC of the European Parliament and of the Council of 22 February 1999 on the establishment of a Community list of foods and food ingredients treated with ionising radiation	2026
Commission Regulation (EU) No 907/2013 of 20 September 2013 setting the rules for applications concerning the use of generic descriptors (denominations)	2026
Directive 2009/32/EC of the European Parliament and of the Council of 23 April 2009 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients	2026
Commission Regulation (EC) No 450/2009 of 29 May 2009 on active and intelligent materials and articles intended to come into contact with food	2026
Commission Regulation (EU) No 284/2011 of 22 March 2011 laying down specific conditions and detailed procedures for the import of polyamide and melamine plastic kitchenware originating in or consigned from the People's Republic of China and Hong Kong Special Administrative Region, China	2026
Commission Regulation (EC) No 282/2008 of 27 March 2008 on recycled plastic materials and articles intended to come into contact with foods and amending Regulation (EC) No 2023/2006	2026
Commission Implementing Regulation (EU) No 321/2011 of 1 April 2011 amending Regulation (EU) No 10/2011 as regards the restriction of use of Bisphenol A in plastic infant feeding bottles	2026

Union legislation	Deadline for approximation
Section 3 — Plant protection	
Commission Directive 2008/61/EC of 17 June 2008 establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Council Directive 2000/29/EC may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections	2015
Commission Recommendation 2014/63/EU of 6 February 2014 on measures to control <i>Diabrotica virgifera virgifera</i> Le Conte in Union areas where its presence is confirmed	2015
Commission Directive 2004/105/EC of 15 October 2004 determining the models of official phytosanitary certificates or phytosanitary certificates for re-export accompanying plants, plant products or other objects from third countries and listed in Council Directive 2000/29/EC	2015
Commission Directive 94/3/EC of 21 January 1994 establishing a procedure for the notification of interception of a consignment or a harmful organism from third countries and presenting an imminent phytosanitary danger	2015
Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community	2016
Commission Directive 92/90/EEC of 3 November 1992 establishing obligations to which producers and importers of plants, plant products or other objects are subject and establishing details for their registration	2016
Council Directive 2007/33/EC of 11 June 2007 on the control of potato cyst nematodes and repealing Directive 69/465/EEC	2016
Council Directive 98/57/EC of 20 July 1998 on the control of <i>Ralstonia solanacearum</i> (Smith) Yabuuchi et al.	2017
Commission Directive 2004/103/EC of 7 October 2004 on identity and plant health checks of plants, plant products or other objects, listed in Part B of Annex V to Council Directive 2000/29/EC, which may be carried out at a place other than the point of entry into the Community or at a place close by and specifying the conditions related to these checks	2017
Council Directive 93/85/EC of 4 October 1993 on control of Potato Ring Rot	2017
Commission Regulation (EC) No 1756/2004 of 11 October 2004 specifying the detailed conditions for the evidence required and the criteria for the type and level of the reduction of the plant health checks of certain plants, plant products or other objects listed in Part B of Annex V to Council Directive 2000/29/EC	2018
Commission Directive 98/22/EC of 15 April 1998 laying down the minimum conditions for carrying out plant health checks in the Community, at inspection posts other than those at the place of destination, of plants, plant products or other objects coming from third countries	2018

Union legislation	Deadline for approximation
Commission Directive 92/70/EEC of 30 July 1992 laying down detailed rules for surveys to be carried out for purposes of the recognition of protected zones in the Community	2018
Commission Directive 93/51/EEC of 24 June 1993 establishing rules for movements of certain plants, plant products or other objects through a protected zone, and for movements of such plants, plant products or other objects originating in and moving within such a protected zone	2018
Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine	2018
Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed	2018
Commission Regulation (EU) No 544/2011 of 10 June 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the data requirements for active substances	2018
Commission Regulation (EU) No 283/2013 of 1 March 2013 setting out the data requirements for active substances, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market	2018
Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC	2018
Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed	2019
Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed	2019
Commission Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market	2019
Commission Implementing Decision 2012/756/EU of 5 December 2012 as regards measures to prevent the introduction into and the spread within the Union of <i>Pseudomonas syringae</i> pv. <i>actinidiae</i> Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto	2019
Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production	2019
Council Directive 98/56/EC of 20 July 1998 on the marketing of propagating material of ornamental plants	2019

Union legislation	Deadline for approximation
Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed	2019
Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed	2019
Commission Implementing Decision 2012/138/EU of 1 March 2012 as regards emergency measures to prevent the introduction into and the spread within the Union of <i>Anoplophora chinensis</i> (Forster)	2020
Commission Implementing Decision 2012/270/EU of 16 May 2012 as regards emergency measures to prevent the introduction into and the spread within the Union of <i>Epitrix cucumeris</i> (Harris), <i>Epitrix papa</i> sp. n., <i>Epitrix subcrinita</i> (Lec.) and <i>Epitrix tuberis</i> (Gentner)	2020
Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes	2020
Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants	2020
Commission Decision 81/675/EEC of 28 July 1981 establishing that particular sealing systems are 'non-reusable systems' within the meaning of Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC	2020
Council Decision 2003/17/EC of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries	2020
Commission Regulation (EC) No 217/2006 of 8 February 2006 laying down rules for the application of Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC as regards the authorisation of Member States to permit temporarily the marketing of seed not satisfying the requirements in respect of the minimum germination	2020
Commission Regulation (EU) No 284/2013 of 1 March 2013 setting out the data requirements for plant protection products, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market	2020
Commission Regulation (EU) No 547/2011 of 8 June 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards labelling requirements for plant protection products	2020
Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides	2020
Council Directive 2006/91/EC of 7 November 2006 on control of San José Scale	2021

Union legislation	Deadline for approximation
Commission Decision 2006/464/EC of 27 June 2006 on provisional emergency measures to prevent the introduction into and the spread within the Community of <i>Dryocosmus kuriphilus</i> Yasumatsu	2021
Commission Decision 2007/365/EC of 25 May 2007 on emergency measures to prevent the introduction into and the spread within the Community of <i>Rhynchophorus ferrugineus</i> (Olivier)	2021
Commission Regulation (EU) No 546/2011 of 10 June 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards uniform principles for evaluation and authorisation of plant protection products	2021
Commission Decision 2002/757/EC of 19 September 2002 on provisional emergency phytosanitary measures to prevent the introduction into and the spread within the Community of <i>Phytophthora ramorum</i> Werres, De Cock & Man in 't Veld sp. Nov	2022
Commission Implementing Decision 2014/497/EU of 23 July 2014 as regards measures to prevent the introduction into and the spread within the Union of <i>Xylella fastidiosa</i> (Well and Raju)	2022
Commission Implementing Decision 2012/535/EU of 26 September 2012 on emergency measures to prevent the spread within the Union of <i>Bursaphelenchus xylophilus</i> (Steiner et Buhner) Nickle et al. (the pine wood nematode)	2022
Commission Decision 80/755/EEC of 17 July 1980 authorizing the indelible printing of prescribed information on packages of cereal seed	2022
Commission Directive 2004/29/EC of 4 March 2004 on determining the characteristics and minimum conditions for inspecting vine varieties	2022
Commission Directive 93/61/EEC of 2 July 1993 setting out the schedules indicating the conditions to be met by vegetable propagating and planting material, other than seed pursuant to Council Directive 92/33/EEC	2022
Commission Directive 93/62/EEC of 5 July 1993 setting out the implementing measures concerning the supervision and monitoring of suppliers and establishments pursuant to Council Directive 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed	2022
Commission Directive 93/48/EEC of 23 June 1993 setting out the schedule indicating the conditions to be met by fruit plant propagating material and fruit plants intended for fruit production, pursuant to Council Directive 92/34/EEC	2022
Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances	2022
Commission Implementing Regulation (EU) No 541/2011 of 1 June 2011 amending Implementing Regulation (EU) No 540/2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances	2022

Union legislation	Deadline for approximation
Commission Decision 2004/371/EC of 20 April 2004 on conditions for the placing on the market of seed mixtures intended for use as fodder plants	2023
Commission Directive 2008/124/EC of 18 December 2008 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed'	2023
Commission Directive 2010/60/EU of 30 August 2010 providing for certain derogations for marketing of fodder plant seed mixtures intended for use in the preservation of the natural environment	2023
Commission Implementing Decision 2012/340/EU of 25 June 2012 on the organisation of a temporary experiment under Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC and 2002/57/EC as regards field inspection under official supervision for basic seed and bred seed of generations prior to basic seed	2023
Commission Decision 2009/109/EC of 9 February 2009 on the organisation of a temporary experiment providing for certain derogations for the marketing of seed mixtures intended for use as fodder plants pursuant to Council Directive 66/401/EEC to determine whether certain species not listed in Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC or 2002/57/EC fulfil the requirements for being included in Article 2(1) (A) of Directive 66/401/EEC	2023
Commission Decision 2004/200/EC of 27 February 2004 on measures to prevent the introduction into and the spread within the Community of Pepino mosaic virus	2023
Commission Directive 93/64/EEC of 5 July 1993 setting out the implementing measures concerning the supervision and monitoring of suppliers and establishments pursuant to Council Directive 92/34/EEC on the marketing of fruit plant propagating material and fruit plants intended for fruit production	2023
Commission Directive 93/79/EEC of 21 September 1993 setting out additional implementing provisions for lists of varieties of fruit plant propagating material and fruit plants, as kept by suppliers under Council Directive 92/34/EEC	2023
Commission Directive 93/49/EEC of 23 June 1993 setting out the schedule indicating the conditions to be met by ornamental plant propagating material and ornamental plants pursuant to Council Directive 91/682/EEC	2023
Commission Directive 1999/66/EC of 28 June 1999 setting out requirements as to the label or other document made out by the supplier pursuant to Council Directive 98/56/EC	2023
Commission Directive 1999/68/EC of 28 June 1999 setting out additional provisions for lists of varieties of ornamental plants as kept by suppliers under Council Directive 98/56/EC	2023

Union legislation	Deadline for approximation
Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC	2023
Council Directive 74/647/EEC of 9 December 1974 on control of carnation leaf-rollers	2024
Commission Decision 2007/433/EC of 18 June 2007 on provisional emergency measures to prevent the introduction into and the spread within the Community of <i>Gibberella circinata</i> Nirenberg & O'Donnell	2024
Commission Regulation (EC) No 2301/2002 of 20 December 2002 laying down detailed rules for the application of Council Directive 1999/105/EC as regards the definition of small quantities of seed	2024
Commission Directive 2003/90/EC of 6 October 2003 setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species	2024
Commission Decision 2004/842/EC of 1 December 2004 concerning implementing rules whereby Member States may authorise the placing on the market of seed belonging to varieties for which an application for entry in the national catalogue of varieties of agricultural plant species or vegetable species has been submitted	2024
Commission Regulation (EC) No 637/2009 of 22 July 2009 establishing implementing rules as to the suitability of the denominations of varieties of agricultural plant species and vegetable species	2024
Commission Decision 90/639/EEC of 12 November 1990 determining the names to be borne by the varieties derived from the varieties of vegetable species listed in Decision 89/7/EEC	2024
Commission Implementing Regulation (EU) No 208/2013 of 11 March 2013 on traceability requirements for sprouts and seeds intended for the production of sprouts	2024
Commission Implementing Decision 2012/697/EU of 8 November 2012 as regards measures to prevent the introduction into and the spread within the Union of the genus <i>Pomacea</i> (Perry)	2025
Commission Directive 93/50/EEC of 24 June 1993 specifying certain plants not listed in Annex V, part A to Council Directive 77/93/EEC, the producers of which, or the warehouses, dispatching centres in the production zones of such plants, shall be listed in an official register	2025
Commission Directive 2003/91/EC of 6 October 2003 setting out implementing measures for the purposes of Article 7 of Council Directive 2002/55/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of vegetable species	2025
Commission Implementing Directive 2014/20/EU of 6 February 2014 determining Union grades of basic and certified seed potatoes, and the conditions and designations applicable to such grades	2025

Union legislation	Deadline for approximation
Commission Implementing Directive 2014/21/EU of 6 February 2014 determining minimum conditions and Union grades for pre-basic seed potatoes	2025
Commission Decision 97/125/EC of 24 January 1997 authorizing the indelible printing of prescribed information on packages of seed of oil and fibre plants and amending Decision 87/309/EEC authorizing the indelible printing of prescribed information on packages of certain fodder plant species	2025
Commission Directive 92/105/EEC of 3 December 1992 establishing a degree of standardization for plant passports to be used for the movement of certain plants, plant products or other objects within the Community, and establishing the detailed procedures related to the issuing of such plant passports and the conditions and detailed procedures for their replacement	2025
Commission Regulation (EU) No 211/2013 of 11 March 2013 on certification requirements for imports into the Union of sprouts and seeds intended for the production of sprouts	2025
Commission Decision 2004/266/EC of 17 March 2004 authorising the indelible printing of prescribed information on packages of seed of fodder plants	2026
Commission Implementing Decision 2014/87/EU of 13 February 2014 as regards measures to prevent the spread within the Union of <i>Xylella fastidiosa</i> (Well and Raju)	2026
Commission Decision 2007/410/EC of 12 June 2007 on measures to prevent the introduction into and the spread within the Community of Potato spindle tuber viroid	2026
Commission Directive 2008/62/EC of 20 June 2008 providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties	2026
Commission Directive 2009/145/EC of 26 November 2009 providing for certain derogations, for acceptance of vegetable landraces and varieties which have been traditionally grown in particular localities and regions and are threatened by genetic erosion and of vegetable varieties with no intrinsic value for commercial crop production but developed for growing under particular conditions and for marketing of seed of those landraces and varieties	2026
Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights	2026
Commission Regulation (EC) No 1768/95 of 24 July 1995 implementing rules on the agricultural exemption provided for in Article 14(3) of Council Regulation (EC) No 2100/94 on Community plant variety rights	2026
Commission Regulation (EC) No 874/2009 of 17 September 2009 establishing implementing rules for the application of Council Regulation (EC) No 2100/94 as regards proceedings before the Community Plant Variety Office	2026 ¹

COUNCIL DECISION (EU) 2016/2355**of 12 December 2016**

on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, as regards the establishment of a list of arbitrators

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first paragraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ⁽¹⁾ ('the Agreement'), entered into force on 1 July 2016.
- (2) In accordance with Article 404(1) of the Agreement, the Association Committee in Trade configuration, as set out in Article 438(4) of the Agreement, is to establish, no later than 6 months after the entry into force of the Agreement, a list of at least 15 individuals to serve as arbitrators in dispute settlement proceedings.
- (3) A draft list of individuals to serve as arbitrators in dispute settlement proceedings has been discussed between the Parties. In accordance with Article 404(1) of the Agreement, that draft list provides for five candidate arbitrators proposed by the Union, five candidate arbitrators proposed by the Republic of Moldova and five third-country nationals who may serve as chairpersons to an arbitration panel.
- (4) It is appropriate to establish the position to be taken on the Union's behalf in the Association Committee in Trade configuration with regard to the list of individuals to serve as arbitrators in dispute settlement proceedings,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Association Committee in Trade configuration with regard to the establishment of a list of individuals to serve as arbitrators in dispute settlement proceedings shall be based on the draft Decision of that Committee attached to this Decision.

Minor technical corrections to the draft Decision may be agreed to by the representatives of the Union within the Association Committee in Trade configuration without further decision of the Council.

Article 2

After its adoption, the Decision of the Association Committee in Trade configuration shall be published in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 260, 30.8.2014, p. 4.

Article 3

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

Done at Brussels, 12 December 2016.

For the Council
The President
G. MATEČNÁ

DRAFT

**DECISION No.../2016 OF THE EU-REPUBLIC OF MOLDOVA ASSOCIATION COMMITTEE IN
TRADE CONFIGURATION****of ...****on the establishment of the list of arbitrators referred to in Article 404(1) of the Association
Agreement between the European Union and the European Atomic Energy Community and their
Member States, of the one part, and the Republic of Moldova, of the other part**

THE ASSOCIATION COMMITTEE IN TRADE CONFIGURATION,

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 the Republic of Moldova, of the other part, and in particular Article 404(1) thereof,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ⁽¹⁾ ('the Agreement'), entered into force on 1 July 2016.
- (2) In accordance with Article 404(1) of the Agreement, the Association Committee in Trade configuration, as set out in Article 438(4) of the Agreement, is to establish, no later than six months after the entry into force of the Agreement, a list of at least 15 individuals to serve as arbitrators in dispute settlement proceedings,

HAS ADOPTED THIS DECISION:

Article 1

The list of individuals to serve as arbitrators in dispute settlement proceedings for the purposes of Article 404(1) of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, is established as set out in the Annex to this Decision.

Article 2

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

Done at ..., ...

*For the Association Committee in
Trade configuration
The Chair*

⁽¹⁾ OJ EUL 260, 30.8.2014, p. 4.

ANNEX

LIST OF ARBITRATORS REFERRED TO IN ARTICLE 404(1) OF THE AGREEMENT

Arbitrators proposed by the Republic of Moldova

1. Mihail BURUIANĂ
2. Procop BURUIANĂ
3. Octavian CAZAC
4. Lilia GRIBINCEA
5. Viorel RUSU

Arbitrators proposed by the European Union

1. Jacques BOURGEOIS
2. Claus-Dieter EHLERMANN
3. Pieter Jan KUIJPER
4. Giorgio SACERDOTI
5. Ramon TORRENT

Chairpersons

1. Leora BLUMBERG (South Africa)
 2. William DAVEY (United States)
 3. Merit JANOW (United States)
 4. Helge SELAND (Norway)
 5. David UNTERHALTER (South Africa)
-

COUNCIL DECISION (CFSP) 2016/2356**of 19 December 2016****in support of SEESAC disarmament and arms control activities in South-East Europe in the framework of the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 26(2) and 31(1) thereof,

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

Whereas:

- (1) On 15 and 16 December 2005, the European Council adopted the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition ('the Strategy'), which sets the guidelines for Union action in the field of small arms and light weapons ('SALW'). The Strategy identifies the Balkans and South-East Europe as regions particularly affected by the excessive accumulation and spread of SALW. It states that the Union will give priority attention to Central and Eastern Europe and underlines, with specific reference to the Balkans, that support for effective multilateralism as well as for relevant regional initiatives is an effective instrument for its implementation. It also specifically promotes the need to participate in the efforts to reduce surplus stocks of SALW left over in Eastern Europe from the Cold War.
- (2) At the 2016 6th Preparatory Review Conference on the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects ('the Programme of Action'), which was adopted on 20 July 2001, all UN Member States reaffirmed their commitment to prevent the illicit trafficking of SALW. States welcomed the progress made with regard to the strengthening of subregional and regional cooperation and committed to establish or strengthen, where appropriate, such cooperation, coordination and information-sharing mechanisms, including the sharing of best practices, in order to support the implementation of the Programme of Action.
- (3) The South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), established in Belgrade in 2002 and functioning under the joint mandate of the United Nations Development Programme (UNDP) and the Regional Cooperation Council (successor to the Stability Pact for South-Eastern Europe), assists national and regional stakeholders in controlling and reducing the spread and misuse of SALW and ammunition, and thus contributes to enhanced stability, security and development in South-Eastern and Eastern Europe. SEESAC places particular emphasis on the development of regional projects to address the reality of cross-border flows of weapons.
- (4) The Union previously supported SEESAC by means of Council Decision 2002/842/CFSP ⁽¹⁾, extended and amended by Council Decisions 2003/807/CFSP ⁽²⁾ and 2004/791/CFSP ⁽³⁾ as well as Council Decision 2010/179/CFSP ⁽⁴⁾. The Union also supported SEESAC arms control activities by means of Council Decision 2013/730/CFSP ⁽⁵⁾.

⁽¹⁾ Council Decision 2002/842/CFSP of 21 October 2002 concerning the implementation of Joint Action 2002/589/CFSP with a view to a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in South East Europe (OJ L 289, 26.10.2002, p. 1).

⁽²⁾ Council Decision 2003/807/CFSP of 17 November 2003 extending and amending Decision 2002/842/CFSP concerning the implementation of Joint Action 2002/589/CFSP with a view to a European Union contribution to combating the destabilising accumulation and spread of small arms and light weapons in South East Europe (OJ L 302, 20.11.2003, p. 39).

⁽³⁾ Council Decision 2004/791/CFSP of 22 November 2004 extending and amending Decision 2002/842/CFSP implementing Joint Action 2002/589/CFSP with a view to a European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons in South East Europe (OJ L 348, 24.11.2004, p. 46).

⁽⁴⁾ Council Decision 2010/179/CFSP of 11 March 2010 in support of SEESAC arms control activities in the Western Balkans, in the framework of the EU Strategy to combat the illicit accumulation and trafficking of SALW and their ammunition (OJ L 80, 26.3.2010, p. 48).

⁽⁵⁾ Council Decision 2013/730/CFSP of 9 December 2013 in support of SEESAC disarmament and arms control activities in South East Europe in the framework of the EU Strategy to Combat the Illicit Accumulation and Trafficking of SALW and their Ammunition (OJ L 332, 11.12.2013, p. 19).

- (5) The Union wishes to finance a further SEESAC project on reducing the threat of the illicit spread and trafficking of SALW and their ammunition in South-East Europe,

HAS ADOPTED THIS DECISION:

Article 1

With a view to the implementation of the EU Strategy to combat illicit accumulation and trafficking of small arms and light weapons (SALW) and their ammunition, and to the promotion of peace and security, the SEESAC project on reducing the threat of the illicit spread and trafficking of SALW and their ammunition in South-East Europe to be supported by the Union shall have the following specific objectives:

increasing regional cooperation, knowledge exchange and information-sharing with a view to enhancing capacity for evidence-based policymaking;

improving capacity for physical security and stockpile management ('PSSM') through infrastructure security upgrades, surplus reduction and training;

enhancing capacity for marking, tracing and record-keeping;

reducing illicit possession and misuse of firearms through support for awareness-raising and collection campaigns.

The Union shall finance the project, a detailed description of which is set out in the Annex.

Article 2

1. The High Representative shall be responsible for the implementation of this Decision.
2. The technical implementation of the project referred to in Article 1 shall be carried out by SEESAC.
3. SEESAC shall perform its tasks under the responsibility of the High Representative. For that purpose, the High Representative shall enter into the necessary arrangements with UNDP, which shall act on behalf of SEESAC.

Article 3

1. The financial reference amount for the implementation of the project financed by the Union referred to in Article 1 shall be EUR 6 508 136. The total estimated budget of the overall programme shall be EUR 9 142 355. The programme shall be co-financed by the Union, the Ministry of Foreign Affairs of the Kingdom of Norway and the beneficiary.

2. The expenditure financed by the reference amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the Union budget.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For that purpose, it shall conclude the necessary agreement with UNDP, which shall act on behalf of SEESAC. The agreement shall stipulate that SEESAC has to ensure the visibility of the Union's contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

Article 4

1. The High Representative shall report to the Council on the implementation of this Decision on the basis of regular quarterly reports prepared by SEESAC. Those reports shall form the basis of the evaluation carried out by the Council.
2. The Commission shall report on the financial aspects of the project referred to in Article 1.

Article 5

1. This Decision shall enter into force on the date of its adoption.
2. This Decision shall expire 36 months after the date of conclusion of the agreement referred to in Article 3(3) or, if no agreement has been concluded within that period, six months after the date of its entry into force.

Done at Brussels, 19 December 2016.

For the Council
The President
L. SÓLYMOS

ANNEX

Proposal for the Union's contribution to the SEESAC project on reducing the threat of the illicit spread and trafficking of small arms and light weapons (SALW) and their ammunition in South-East Europe**1. Introduction and objectives**

South-East Europe (SEE) remains an area of particular concern as well as an important challenge in the EU Strategy to combat illicit accumulation and trafficking of small arms and light weapons (SALW) and their ammunition ('the EU SALW Strategy'). While significant progress has been made in recent years, the sheer scale of accumulation of SALW and ammunition, inadequate storage conditions, large illicit possession, and policymaking and implementation-capacity gaps continue to limit the effectiveness of SALW control efforts. Therefore, in order to ensure continuous progress, secure the gains and pave the way for a long-term solution, the continuation of support to combat the threat posed by the spread and illicit trafficking of SALW in and from SEE forms an essential part of the Union's efforts to achieve the goals of the EU SALW Strategy.

The overall objective of the project is to contribute to international peace and security by combating the threat posed by the widespread accumulation and illicit trafficking of SALW and their ammunition in and from SEE. At the same time, it will enhance regional stability by working within the framework of the Regional Cooperation Council (RCC; successor to the Stability Pact for South-East Europe) and in partnership with other relevant initiatives. Specifically, the project will: increase regional cooperation, knowledge exchange and information-sharing and lead to enhanced capacity for evidence-based policymaking; improve capacities for physical security and stockpile management ('PSSM') through infrastructure security upgrades, surplus reduction and training; enhance capacity for marking, tracing and record-keeping; and reduce illicit possession and misuse of firearms through support for awareness-raising and collection campaigns.

The implementation of the project is grounded in the Regional Implementation Plan on Combating the Proliferation of SALW and will result in increased security and stability in SEE and beyond, addressing the spread and illicit trafficking of SALW and their ammunition. The project will directly contribute to the implementation of the EU Security Strategy, the EU SALW Strategy, the EU Firearms Strategy, the Arms Trade Treaty, the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects, the International Tracing Instrument, the UN Firearms Protocol and UN Security Council Resolution 1325 (2000), and will specifically enhance regional cooperation in combating the threat posed by the spread of SALW and their ammunition. The project results will also directly contribute the implementation of Sustainable Development Goal 16 on peaceful and just societies, in particular targets 16.1 (significantly reduce all forms of violence and death rate everywhere) and 16.4 (significantly reduce illicit arms flows). In addition, the project will support the implementation of the Commission Action Plan to target the illicit trafficking of firearms and explosives in the Union.

Building upon the successful implementation of Council Decision 2013/730/CFSP in particular, and in line with the EU SALW Strategy, this follow-up project thus aims to further strengthen national control systems and to continue to foster multilateralism forging regional mechanisms for countering the supply and destabilising spread of SALW and their ammunition. Furthermore, in order to ensure that the capacity gains from SEE are shared with other possible areas of concern, the project will seek a more comprehensive regional dimension through targeted knowledge-transfer efforts.

2. Selection of implementing agency and coordination with other relevant funding initiatives

SEESAC is a joint initiative of the United Nations Development Programme (UNDP) and the RCC, and as such is the focal point for SALW-related activities in SEE. As the executive arm of the Regional Implementation Plan on Combating the Proliferation of Small Arms and Light Weapons (SALW), SEESAC has been working since 2002 with national and international stakeholders in SEE on implementing a holistic approach to SALW control through the execution of a wide spectrum of activities including: awareness-raising and SALW collection campaigns, stockpile management, surplus reduction, and improved marking and tracing capabilities, as well as improved arms exports control. In this way, SEESAC has acquired a unique capacity and experience implementing multi-stakeholder

regional interventions against the shared political and economic background of the countries in the region, ensuring national and regional ownership and the long-term sustainability of its actions and establishing itself as the primary regional authority in the SALW control field.

SEESAC has open bilateral and multilateral channels of communication with all relevant actors and organisations. SEESAC is also the Secretariat of the Regional Steering Group for SALW (RSG). In addition, SEESAC is the Secretariat of the Regional Approach to Stockpile Reduction (RASR) initiative. SEESAC is regularly invited to take part in all relevant regional fora such as the EU-Western Balkans annual meetings of ministers of justice and home affairs, the NATO structural information exchange process on SALW and the South-Eastern Europe defence ministerial ('SEDM') process. It has a wide network of formal and informal partnerships with organisations such as RACVIAC (Regional Arms Control Verification and Implementation Assistance Centre) — Centre for Security Cooperation and the Organization for Security and Cooperation in Europe (OSCE) Forum for Security Cooperation (FSC). Regular coordination meetings with other UN agencies such as UNODC and UNODA take place through the UN Coordinating Action on Small Arms (CASA) as well as other mechanisms. SEESAC thus developed into a regional hub and focal point for a wide spectrum of issues related to security sector reform, with a particular focus on SALW control and stockpile management. Based in Belgrade, SEESAC currently operates throughout SEE, with activities in Albania, Bosnia and Herzegovina (BiH), Kosovo*, the Republic of Moldova, Montenegro, Serbia and the former Yugoslav Republic of Macedonia (FYROM). In the past, SEESAC also operated in Bulgaria, Croatia and Romania. Regional ownership is ensured through the RCC as well as through the RSG, where representatives of all states in SEE provide the strategic guidance, initiatives and requests for SEESAC activities.

SEESAC has pioneered an approach based on tackling shared problems through regional initiatives, which has yielded impressive results in SEE not only because of the crucial information-sharing and promotion of healthy regional competition which it sparks, but also because it helps achieve consistent and easily measurable results through a holistic implementation modality. Participation by SEESAC in all relevant regional processes and initiatives (such as SEDM, RASR and RACVIAC) provides timely and candid information exchange, strong situational awareness and the foresight necessary to ensure implementation not prone to overlap and in line with the current needs of the governments and the regions as well as with developing trends.

SEESAC grounds all of its activities on the collected baseline data and secures endorsement and political support from national stakeholders as a precondition for action. SEESAC implemented its previous Union-funded projects with a very high delivery rate of the envisaged activities, delivering sustainable project results by developing and fostering national ownership of its projects and activities, and promoting regional coordination, experience and the sharing of best practices, as well as regional research. Its SALW expertise and in-depth knowledge of regional affairs and relevant stakeholders makes SEESAC the most suitable implementing partner for this particular action.

The project also complements existing national-level efforts seeking maximum synergies. With specific regard to BiH, the project is complementary to two other projects in particular:

- the EXPLODE project, funded by the short-term component of the Union's Instrument contributing to Stability and Peace and implemented by the UNDP Office in Sarajevo in partnership with the OSCE Mission to BiH, to enhance the safety of the people of BiH by decreasing unstable ammunition stockpiles and enhancing storage safety;
- the SECUP BiH project for security upgrades of ammunition and weapons storage sites, which is implemented jointly by the OSCE Mission to BiH and the BiH Ministry of Defence, with EUFOR providing expert technical advice and monitoring of safety and security aspects of the project implementation.

SEESAC will work through the coordination mechanism set up by the MoD and international actors and will regularly liaise with EUFOR Althea, the OSCE Mission to BiH and the UNDP Office in Sarajevo to ensure continuous coordination and complementarity with these projects as well as with the ongoing efforts of the international community to address the issue of surplus stocks of conventional ammunition held by the BiH MoD and

* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

in view of any possible future plans for a campaign to collect illegal conventional weapons in BiH. In the previous phase, significant gains were achieved through tight cooperation and coordination with these two projects, which resulted in more efficient results.

The proposed project is part of the wider programme, and SEESAC will work in combination with the following international assistance efforts:

- in Montenegro, the MONDEM project, managed by UNDP in partnership with the OSCE, is designed to work on the reduction of counter-proliferation risks through the development of safe and secure conventional ammunition storage infrastructure and management systems, reduction of explosive risk to communities by the environmentally benign demilitarisation, destruction of toxic hazardous waste (liquid rocket propellant) and support for defence reform through the destruction of a limited quantity of heavy weapons systems designated by the Ministry of Defence of Montenegro;
- in Kosovo, the firearms and explosives risk mitigation ('FERM') project, (formerly KOSSAC), designed initially to reduce armed violence in Kosovo and increase community safety, aims to support the Kosovo stakeholders in controlling the widespread illegal possession and circulation of SALW and, through risk-based management and an evidence-based approach, to minimise the risks of these weapons and explosive materials;
- in Serbia, the CASM project, funded by the United States Department of State, UNDP and the OSCE, is designed to enhance security and safety of predefined conventional ammunition storage locations and the disposal of reported surplus ammunition.

In addition, the project will work to coordinate with nascent initiatives in FYROM seeking to increase stockpile management capacities of the police.

SEESAC also regularly liaises with OSCE, NATO and Norwegian People's Aid, as well as with other relevant actors, in order to secure complementarities of action, timeliness of intervention and cost-effectiveness in the use of resources.

3. Project description

The new phase of the SEESAC project will build upon the basis of the achievements under Council Decision 2013/730/CFSP and will focus on four main areas, maintaining the holistic approach to tackling the threat posed by SALW in the region. The four areas address the strategic/policy level as well as the operational aspects, combining more traditional SALW control approaches with a focus on law-enforcement capabilities and networking by looking at the main threats (large, poorly secured stockpiles; lack of information; increase in illicit trafficking; widespread illicit possession). In particular, the project will result in:

- increased regional cooperation, knowledge exchange and information-sharing, leading to enhanced capacity for evidence-based policymaking;
- improved capacity for PSSM through infrastructure security upgrades, surplus reduction and training;
- enhanced capacity for marking, tracing and record-keeping;
- reduced illicit possession and misuse of firearms through support for awareness-raising and collection campaigns.

The project's strategy is grounded in SEESAC's unique approach of building and fostering confidence and cooperation in the region as a prerequisite for achieving concrete and measurable transformational change. In particular, at the regional level, the different processes facilitated by SEESAC, involving both policymakers and technical-level practitioners, have proven to be an essential ingredient in ensuring an enabling environment for knowledge transfer, expertise exchange and information-sharing. This has served not only to increase the capacities in the region, but more importantly to build confidence and establish bridges of cooperation among institutions and individual experts. In turn, the atmosphere of professional trust enables national-level progress on issues tackled by this project: PSSM, including surplus reduction; marking, tracing and record-keeping; operational-level cooperation between law-enforcement; and cross-border cooperation. In addition, the regional cooperation

approach has made the region more transparent and efficient in its efforts to control the arms trade, with the result that the SEE states are among the most transparent globally in their reporting on arms transfers. Therefore, the project will continue to foster regional cooperation as the essential enabling element for measurable results.

The project's geographic scope is SEE, with direct project beneficiaries being Albania, BiH, Kosovo, the Republic of Moldova, Montenegro, Serbia and FYROM. In addition, the project will seek to facilitate the transfer of knowledge and expertise to Eastern European countries dealing with the same SALW problems, in particular Ukraine and Belarus.

3.1. *Increased regional cooperation, knowledge exchange and information-sharing, leading to enhanced capacity for evidence-based policymaking*

Objective

To further strengthen the capacity to design and implement evidence-based SALW control policies in line with international best practice including the International SALW Control Standards and thus contribute to the reduction of the threat of illicit proliferation of SALW.

Description

Building upon the successful approach of facilitating networking at regional level, in particular between arms transfers licensing authorities (under the regional information exchange process) and the SALW commissions, which resulted in increased activity and improved policies, this component will continue to facilitate regional cooperation between SALW commissions through regular regional meetings, information exchange and work on collecting data and increasing capacity for evidence-based policymaking. The work under this component will result in: increased capacity for policymaking through improved data collection and analysis, including detailed surveys; regional information exchange; and increased knowledge and understanding among policymakers and policy-implementers on the complexity of the SALW control problematic. Transparency of arms transfers will also be increased through the integration of the regional information exchange process on arms transfers into the SALW commission cooperation process, as well as support for continuing transparency of arms transfers in SEE. In addition, this component envisages the transfer of SEE acquired expertise to other regions in order to support Union interventions in other areas. Finally, this component will also provide technical support through targeted and on-demand policy relevant research and briefs for policymakers.

Specifically, the project envisages the continued facilitation of the regional information exchange process through:

- formal regional meetings of SALW commissions and relevant policymaking bodies (twice per year) focusing on information exchange, knowledge-sharing and standardisation, as well as training;
- the transfer of expertise to Belarus and Ukraine through the facilitation of participation in select formal meetings and the translation and dissemination of existing SALW control tools.

Furthermore, the capacities for evidence-based policymaking will be enhanced by:

- improving and updating the regional SALW situation baseline by means of a regional SALW survey (including national surveys), thus assessing the changes since the last survey (2006), based on an improved methodology;
- enhancing data collection and analysis capabilities through the development and continuous updating of a monitoring tool based on SEESAC's 'Targeting Weapons' online platform, enhanced through the regular dissemination of an SEE SALW Monitor compiling relevant data and enabling the tracking of trends;
- strengthening knowledge management through the systematic collection of lessons learned and the maintenance of the online information-exchange platform and its enhancement through the development of policy-relevant on-demand knowledge products;
- providing on-demand technical advice and expertise in order to enhance policy development, design, adoption and implementation.

In order to increase the effectiveness of SALW control policies and to ensure their implementation improves security for both women and men, the gender perspective will be integrated into SALW control policies and addressed through technical advice and expertise, development of knowledge products and training, with a particular focus on domestic violence.

This will be achieved through a fully participatory approach, thus providing not only the finished products but also capacity development and adoption support for the key institutions, therefore ensuring the sustainability of the intervention.

Project results/implementation indicators

The project will help reduce the risks of proliferation through the enhancement of capacities for the design, adoption and implementation of evidence-based SALW control policies by:

- publishing an SALW survey and establishing an up-to-date baseline;
- ensuring regular data collection, analysis and dissemination;
- developing or updating up to 10 policy-relevant knowledge products;
- enabling information exchange, knowledge transfer and standardisation;
- providing technical advice and capacity development through up to three training sessions;
- organising up to six formal meetings of SALW commissions;
- facilitating knowledge transfer.

3.2. *Improved capacity for PSSM through infrastructure security upgrades, surplus reduction and training*

Objective

To reduce the risk of proliferation through the enhancement of weapons and ammunition stockpile security and reducing surplus stocks of SALW and their ammunition in storage.

Description

Since 2010, SEESAC has successfully been using a two-pronged approach of: (1) improving the security of storage locations; and (2) building the capacity of the personnel tasked with managing stockpiles, significantly increasing security provisions and reducing the risk of the unwanted proliferation of stockpiles of SALW and their ammunition. In line with a comprehensive approach to PSSM of SALW and their ammunition, the new phase will expand this approach by merging it with the reduction of surpluses, therefore further reducing the risks of proliferation. Therefore, the project will continue to improve the security of weapons and ammunition storage in SEE by providing further specific technical and infrastructural assistance in line with international best practices and standards.

While security in military storage locations has been significantly increased under Council Decision 2013/730/CFSP, SEESAC has identified police and MoI stocks as an area of concern due to the lack of capacity for safeguarding, inadequate record-keeping and stockpile management capabilities, and more complex systems which include formation weapons as well as confiscated firearms. Therefore, this component will support the MoIs and police services with a view to:

- increasing security of stockpiles through cost-effective targeted infrastructure upgrades at police storage facilities in Albania, BiH, the Republic of Moldova, Montenegro, Serbia and Kosovo. The upgrades will focus on central police storages as well as evidence rooms in main police stations with a view to providing the most efficient and cost-effective increase to the security of the stockpiles;

- destroying up to 50 000 surplus and confiscated SALW in the region, as well as up to 500 000 pieces of SALW ammunition;
- providing capacity development through the training of a regional pool of MoI trainers and support for national training sessions on PSSM based on the SEESAC curricula piloted under Council Decision 2013/730/CFSP.

Project results/implementation indicators

The project will result in a significant decrease of SALW proliferation vulnerabilities through the enhancement of security of stockpiles and the reduction of the number of surplus and confiscated SALW, explosives and ammunition stored by MoIs and police services in Albania, BiH, Kosovo, the Republic of Moldova, Montenegro and Serbia:

- Security of central storage locations (7) enhanced in accordance with international standards and best practices;
- Security of evidence rooms (15) increased;
- A total of up to 50 000 pieces of conventional weapons destroyed;
- A total of up to 500 000 pieces of ammunition and explosives at risk of proliferation demilitarised and destroyed.

3.3. *Enhanced capacity for marking, tracing and record-keeping*

Objective

To reduce the threat of illicit trafficking of firearms by enhancing SEE law-enforcement capacities for marking and tracing through a regional cooperation approach based on the increased gathering, analysis and sharing of information.

Description

Considering the increase in illicit trafficking of firearms towards the Union, as well as the increase use of firearms in organised crime and terrorist incidents, the development of robust information-gathering and exchange systems and mechanisms is an essential element in efforts to combat this threat. Therefore, significant efforts were made in the past several years to increase cooperation, as well as to enhance the knowledge and understanding of the arms-trafficking phenomenon, while at the same time devising efficient mitigation measures. Through its longstanding work in the region, and especially through the successful implementation of Council Decision 2013/730/CFSP, including the establishment and facilitation of the SEE Firearms Experts Network (SEEFEN), SEESAC has been at the forefront of such efforts, acting as convener of cooperation processes while working to increase the capacity of law-enforcement agencies for marking, tracing and record-keeping, including through technical assistance and support for the establishment and enhancement of record-keeping systems. This activity will build upon the basis established in the previous period by:

- further strengthening SEEFEN, while at the same time using it as a platform for increased cooperation among law-enforcement agencies in SEE to combat illicit trafficking of SALW and their ammunition. In particular, the SEEFEN will be supported through the continuous facilitation of expert meetings (twice yearly) and the enhancement of information-sharing. In addition, support will be provided to the firearms experts with targeted training and technical advisory support, in addition to cost-effective select provision of technical assistance through the provision of equipment (import marking machines) to law-enforcement agencies;
- supporting the establishment, in all seven beneficiaries, of firearms focal points — central information-collection and analysis units supporting investigators and prosecutors, and enabling the building and updating of the intelligence picture on firearms trafficking from and through SEE;

- building upon the work done on enhancing registration systems and ballistic intelligence capabilities as well as the recommendations of the Regional Feasibility Study;
- working closely with Interpol's iArms in order to support the capacity of SEE police service to collect, process and share data on lost or stolen SALW.

All of the activities of SEEFEN will be closely coordinated with and contribute to the efforts of EUROPOL, European Firearms Experts, DG Migration and Home Affairs, Interpol, Eurojust and Frontex, as well as other relevant actors. This part of the project supports the strengthening of the effective rule of law, limiting, registering and measuring the quantities and demand of SALW. The project is designed in line with and will therefore enhance the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects, the International Tracing Instrument, the UN Firearms Protocol, Council Directive 91/477/EEC and Council Common Position 2008/944/CFSP by improving the capacity of SEE institutions with regard to marking, tracing and record-keeping of weapons, focusing in particular on the capabilities to build up the right intelligence picture in order to devise effective countermeasures to the trafficking threat.

Project results/implementation indicators

- SEEFEN work strengthened and enhanced, with six meetings (twice yearly) focusing on networking and information exchange between law-enforcement firearms experts organised;
- SEEFEN online information-exchange platform improved;
- SEEFEN members' capacities enhanced through targeted training sessions and the provision of technical and advisory support;
- Firearms focal points in all seven beneficiaries established and functioning;
- Forensic capacities for tracing increased;
- Effective marking system with the procurement of marking machines established;
- Capacity for the sharing of information and firearms-related intelligence in SEE enhanced.

3.4. *Reducing illicit possession and misuse of firearms through support for awareness-raising and collection campaigns*

Objective

To increase regional security by combating large-scale illicit possession of firearms through awareness-raising and collection campaigns.

Description

The legacy of the past conflicts, as well as a traditional attachment to weapons among the population in SEE, has created a serious problem with large-scale possession of illegal weapons (estimated to be several million pieces). This poses a serious threat not only to peace and stability in the region but also beyond. Despite some success from efforts in the past to curb it, the illicit possession remains significant throughout the region, potentially fuelling the supply side of illicit trafficking towards the Union. However, this problem requires a long-term solution focusing on changing attitudes and perceptions through sustained targeted interventions. The complexity of the issue requires a rethink of the approaches taken thus far and the need to establish a strong baseline analysis of the reasons for which individuals hold on to illegal weapons. The previous phase showed the need for sustained outreach and awareness-raising efforts in order to reduce the illicit possession of firearms, which remains one of the most immediate threats. Therefore, this component proposes a more sustained effort to raise awareness of the dangers posed by illicit possession as well as to increase the rate of SALW handover by using innovative citizen-centric methodologies and approaches. It will do so through:

- a regional survey establishing a comprehensive understanding of the phenomena behind illicit weapons possession;

- the development and implementation of innovative awareness-raising and (where possible) collection campaigns seeking to reduce the levels of illicit possession.

Activities will be conducted in partnership with a wide number of institutions and civil-society organisations, thus creating a basis for long-term efforts to address this problem.

Project results/implementation indicators

The project will contribute to the overall reduced demand and possession of illicit weapons by:

- improving understanding of the phenomena of illicit possession through an in-depth attitude study;
- enhancing awareness of the dangers posed by illicit possession of weapons, ammunition and explosives through the conduct of region-wide campaigns.

4. Beneficiaries

The direct beneficiaries of the project will be the national institutions responsible for SALW control in SEE. With regard to stockpile management, the ministries of interior and police services of the Republic of Albania, BiH, Kosovo, the Republic of Moldova, Montenegro, Serbia and FYROM will benefit from capacity development, improved infrastructure at storage sites and stockpile reduction support. These ministries will also be the direct beneficiaries of enhanced capabilities for SALW marking, tracing and record-keeping, and will reap the benefits of the regional firearms experts network. Finally, SALW commissions and other institutions responsible for the control of SALW in SEE will benefit from training and information-sharing as well as regional cooperation. In addition, key institutions tasked with SALW control in Belarus and Ukraine will benefit from limited and targeted knowledge transfer.

The proposed activities are fully in line with national priorities on SALW control and have been endorsed by the relevant national SALW control authorities, demonstrating their buy-in and commitment for the achievement of project results.

The general population of the countries in SEE and the Union, at risk from the widespread proliferation of SALW, will benefit indirectly from this project as the risk decreases.

5. Union visibility

SEESAC shall take all appropriate measures to publicise the fact that the action has been funded by the Union. Such measures will be carried out in accordance with the Commission's Communication and Visibility Manual for European Union External Actions. SEESAC will thus ensure the visibility of the Union's contribution with appropriate branding and publicity, highlighting the role of the Union, ensuring the transparency of its actions and raising awareness of the reasons for the Decision as well as Union support for the Decision and the results of this support. Material produced by the project will prominently display the European Union flag in accordance with Union guidelines for the accurate use and reproduction of the flag.

Given that planned activities vary greatly in scope and character, a range of promotional tools will be used, including: traditional media; websites; social media; and informational and promotional materials including infographics, leaflets, newsletters, press releases and others, as appropriate. Publications, public events, campaigns, equipment and construction works procured under the project will be branded accordingly. To further amplify the impact by raising awareness among various national governments and the public, the international community and local and international media, each of the project target groups will be addressed using the appropriate language. Particular focus will be placed on new media and online presence.

6. Duration

Based on the experience of implementing Council Decision 2010/179/CFSP, and taking into consideration the regional scope of the project, the number of beneficiaries and the number and the complexity of planned activities, the timeframe for implementation is 36 months.

7. General set-up

The technical implementation of this action has been entrusted to UNDP, acting on behalf of SEESAC, the regional initiative working under the mandate of UNDP and the Regional Cooperation Council, successor to the Stability Pact for South-East Europe. SEESAC is the executive arm of the Regional Implementation Plan on Combating the Proliferation of Small Arms and Light Weapons (SALW) and, as such, acts as focal point for all SALW-related issues in the SEE region.

UNDP, acting on behalf of SEESAC, will have the overall responsibility for the implementation of project activities and accountability for project implementation. The project duration is three years (36 months).

8. Partners

SEESAC will directly implement the action in close cooperation with SALW commissions as well as with the ministries of interior of Albania, BiH, Kosovo, the Republic of Moldova, Montenegro, Serbia and FYROM. Other relevant institutions will be closely involved, in particular under activities 3.4, in line with the established multi-stakeholder holistic approach to SALW control.

9. Reporting

Reporting, narrative as well as financial, shall cover the whole of the action described in the relevant contribution-specific agreement and its attached budget, regardless of whether this action is wholly financed or co-financed by the Commission.

On a quarterly basis, narrative progress reports shall be submitted to record and monitor progress towards the completion of key results.

10. Estimated budget

The total estimated cost of the Union-financed project is EUR 6 508 136.

COMMISSION DECISION (EU) 2016/2357**of 19 December 2016****regarding the lack of effective compliance with Regulation (EC) No 216/2008 of the European Parliament and of the Council and its implementing rules in respect of certificates issued by the Hellenic Aviation Training Academy (HATA), and Part-66 licenses issued on the basis thereof***(notified under document C(2016) 8645)*

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC ⁽¹⁾, and in particular Article 11(2) thereof,

After consulting the Air Safety Committee,

Whereas:

- (1) In February 2014, the European Aviation Safety Agency (hereafter ‘the Agency’) carried out an Airworthiness Standardisation inspection (AIR.EL.02.2014) to the Hellenic Civil Aviation Authority (HCAA). During this inspection, a non-conformity was identified raising safety concerns if not timely corrected (class D-finding), in accordance with Commission Implementing Regulation (EU) No 628/2013 ⁽²⁾ on working methods of the Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation (EC) No 216/2008.
- (2) The non-conformity concerned alleged examination fraud at the Part-147 maintenance training organisation, Hellenic Aviation Training Academy (HATA), with approval number EL.147.0007. Safety concerns were raised due to the possibility that aircraft maintenance certifying staff have gained a Part-66 license based on Certificates of Recognition issued by HATA under Annex III (Part-66) to Commission Regulation (EU) No 1321/2014 ⁽³⁾, on the basis of alleged fraudulent activities, and are exercising privileges and releasing aircraft following maintenance without having the necessary aircraft basic knowledge.
- (3) On 26 February 2014, the HCAA revoked the approval of HATA and informed all Member States’ Competent Authorities of the possibility of fraudulent Certificates of Recognition issued by HATA.
- (4) On 3 July 2014, the Agency and HCAA agreed a corrective action plan, including amongst others, investigations into Certificates of Recognition that have been used to issue Part-66 licences by Member States’ Competent Authorities and Certificates of Recognition that have not yet been used to gain Part-66 licenses.
- (5) On 9 December 2014, the Agency issued a Safety Information Bulletin (SIB No: 2014-32) informing about the potential safety concern associated with the alleged examination fraud at HATA and recommending concrete measures to the Member States’ Competent Authorities in order to address this situation.
- (6) In April 2016, the Agency carried out another Standardisation inspection to the HCAA. During this inspection, the Agency reviewed the agreed corrective action plan and concluded that HCCA has not been able to adequately implement the agreed actions before the agreed due dates. Consequently, in May 2016, the Agency issued a Supplementary Report to the HCCA, in accordance with Article 22(3) of Implementing Regulation (EU) No 628/2013.

⁽¹⁾ OJ L 79, 19.3.2008, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 628/2013 of 28 June 2013 on working methods of the European Aviation Safety Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation (EC) No 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 736/2006 (OJ L 179, 29.6.2013, p. 46).

⁽³⁾ Commission Regulation (EU) No 1321/2014 of 26 November 2014 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 362, 17.12.2014, p. 1).

- (7) Since HCAA has not conducted sufficient investigations of HATA to detect the alleged fraud committed by this organisation and has not fully investigated Part-66 licences which have been issued on the basis of Certificates of Recognition issued by HATA, the potential safety concern remains. There are concerns with regard to the Certificates of Recognition issued by HATA for basic knowledge exams on the technical modules (modules 7, 11, 12, 13, 14, 15, 16, 17).
- (8) In light of all the above, the Agency requested the Commission to ensure that Article 11(1) of Regulation (EC) No 216/2008 ceases to apply to the Certificates of Recognition for basic knowledge examination on technical modules issued by HATA and to the Part-66 licences issued by the Member States' Competent Authorities on the basis of these Certificates of Recognition. In addition, the Agency opined that those Competent Authorities shall be required to take appropriate corrective action and safeguard measures in order to address the safety risks.
- (9) In line with the analysis set out by the Agency, the Commission concludes that the situation showed a systemic failure in the HCAA safety oversight tasks and responsibilities, which entails the lack of sufficient guarantees attached to the Certificates of Recognition issued by HATA. It is therefore necessary for the Competent Authorities concerned to take corrective action ensuring the required level of safety under the circumstances,

HAS ADOPTED THIS DECISION:

Article 1

Lack of effective compliance

The following does not effectively comply with Regulation (EC) No 216/2008 and its implementing rules:

- (1) Certificates of Recognition for basic knowledge examination on technical modules issued by the Hellenic Aviation Training Academy (HATA) pursuant to 147.A.145(a)(4) and Appendix III of Annex IV (Part-147) to Regulation (EU) No 1321/2014, which are submitted by an applicant as supporting documentation for the issue of a Part 66 licence by the Competent Authorities pursuant to 66.B.100 of Annex III (Part-66) of this Regulation;
- (2) Part-66 aircraft maintenance licenses issued by the Competent Authorities pursuant to Annex III (Part-66) to Regulation (EU) No 1321/2014 on the basis of Certificates of Recognition for basic knowledge examination on technical modules issued by HATA pursuant to 147.A.145(a)(4) and Appendix III of Annex IV (Part-147) of that Regulation.

Article 2

Corrective Actions

- 1. The Competent Authorities that have issued Part-66 licenses on the basis of Certificates of Recognition for basic knowledge examination on technical modules issued by HATA shall carry out within 3 months from the date of notification of this decision a reassessment of each Part-66 license concerned, taking into account, without prejudice to the present Decision, the recommendations laid down in Safety Information Bulletin EASA SIB No: 2014-32 issued by the Agency on 9 December 2014, at its latest revision.
- 2. After the completion of this reassessment, the Competent Authorities shall:
 - (a) where justified in view of Article 1, limit, suspend or revoke the Part-66 licence in accordance with 66.B.500 of Annex III (Part-66); and
 - (b) in any event, provide the Commission and the Agency with the results of the reassessment.

*Article 3***Addressees and publication**

This Decision is addressed to the Member States.

It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 19 December 2016.

For the Commission
Violeta BULC
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2016/2358**of 20 December 2016****amending Implementing Decision 2014/908/EU as regards the lists of third countries and territories whose supervisory and regulatory requirements are considered equivalent for the purposes of the treatment of exposures according to Regulation (EU) No 575/2013 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 ⁽¹⁾, and in particular Articles 107(4), 114(7), 115(4), 116(5) and 142(2) thereof,

Whereas:

- (1) Commission Implementing Decision 2014/908/EU ⁽²⁾ lays down lists of third countries and territories whose supervisory and regulatory arrangements are found equivalent to the corresponding supervisory and regulatory arrangements applied in the Union in accordance with Regulation (EU) No 575/2013.
- (2) The Commission has conducted further assessments of the supervisory and regulatory arrangements applicable to credit institutions in third countries and territories. These assessments have enabled the Commission to evaluate the equivalence of these arrangements for the purposes of determining the treatment of the relevant categories of exposures mentioned in Articles 107, 114, 115, 116 and 142 of Regulation (EU) No 575/2013.
- (3) The equivalence has been determined by an outcome-based analysis of the third country's regulatory and supervisory arrangements which tests their ability to achieve the same general objectives as the Union's supervisory and regulatory arrangements. The objectives refer, in particular, to the stability and integrity of both the domestic and the global financial system in its entirety; the effectiveness and adequacy of protection of depositors and other consumers of financial services; the cooperation between different actors of the financial system, including regulators and supervisors; the independence and the effectiveness of supervision; and the effective implementation and enforcement of relevant internationally agreed standards. In order to achieve the same general objectives of the Union's supervisory and regulatory arrangements, the supervisory and regulatory arrangements of the third country should comply with a series of operational, organisational and supervisory standards reflecting the essential elements of the Union's supervisory and regulatory requirements applicable to relevant categories of financial institutions.
- (4) In its assessments, the Commission has considered relevant developments in the supervisory and regulatory framework since the adoption of Commission Implementing Decision (EU) 2016/230 ⁽³⁾ and taken into account available sources of information, including assessments made by the European Banking Authority on New Zealand and Turkey, as well as the information provided by Denmark on Faroe Islands and Greenland.
- (5) The Commission has concluded that Turkey, New Zealand, Faroe Islands and Greenland have in place supervisory and regulatory arrangements which comply with a series of operational, organisational and supervisory standards reflecting the essential elements of the Union's supervisory and regulatory arrangements applicable to credit institutions. Therefore, it is appropriate to consider the supervisory and regulatory requirements applied to credit institutions located in those third countries and territories as at least equivalent to those applied in the Union for the purposes of Articles 107(4), 114(7), 115(4), 116(5) and Article 142(1)(4)(b) of Regulation (EU) No 575/2013.

⁽¹⁾ OJ L 176, 27.6.2013, p. 1.

⁽²⁾ Commission Implementing Decision 2014/908/EU of 12 December 2014 on the equivalence of the supervisory and regulatory requirements of certain third countries and territories for the purposes of the treatment of exposures according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 359, 16.12.2014, p. 155).

⁽³⁾ Commission Implementing Decision (EU) 2016/230 of 17 February 2016 amending Implementing Decision 2014/908/EU as regards the lists of third countries and territories whose supervisory and regulatory requirements are considered equivalent for the purposes of the treatment of exposures according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 41, 18.2.2016, p. 23).

- (6) Implementing Decision 2014/908/EU should therefore be amended to include those third countries and territories in the appropriate list of third countries and territories whose supervisory and regulatory requirements are considered equivalent to the Union's regime for the purposes of the treatment of exposures according to Regulation (EU) No 575/2013.
- (7) The list of third countries and territories considered to be equivalent for the purposes of this Decision is not definitive. The Commission, with the assistance of the European Banking Authority, will continue monitoring on a regular basis the evolution of the supervisory and regulatory arrangements of third countries and territories with a view to updating, as appropriate and at least every 5 years, the lists of third countries and territories set out in this Decision in light, in particular, of the constant development of supervisory and regulatory arrangements, in the Union and at global level, and taking into account new available sources of relevant information.
- (8) The regular review of the prudential and supervisory requirements applicable in the third countries and territories listed in the Annexes should be without prejudice to the possibility of the Commission to undertake a specific review relating to an individual third country or territory at any time outside the general review, where relevant developments make it necessary for the Commission to re-assess the recognition granted by this Decision. Such re-assessment could lead to the withdrawal of the recognition of equivalence.
- (9) The measures provided for in this Decision are in accordance with the opinion of the European Banking Committee.

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision 2014/908/EU is amended as follows:

- (1) Annex I is replaced by the text set out in Annex I to this Decision;
- (2) Annex IV is replaced by the text set out in Annex II to this Decision;
- (3) Annex V is replaced by the text set out in Annex III to this Decision.

Article 2

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

Done at Brussels, 20 December 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

'ANNEX I

List of third countries and territories for the purposes of Article 1 (credit institutions)

- (1) Australia
 - (2) Brazil
 - (3) Canada
 - (4) China
 - (5) Faroe Islands
 - (6) Greenland
 - (7) Guernsey
 - (8) Hong Kong
 - (9) India
 - (10) Isle of Man
 - (11) Japan
 - (12) Jersey
 - (13) Mexico
 - (14) Monaco
 - (15) New Zealand
 - (16) Saudi Arabia
 - (17) Singapore
 - (18) South Africa
 - (19) Switzerland
 - (20) Turkey
 - (21) USA'
-

ANNEX II

‘ANNEX IV

List of third countries and territories for the purposes of Article 4 (credit institutions)

- (1) Australia
 - (2) Brazil
 - (3) Canada
 - (4) China
 - (5) Faroe Islands
 - (6) Greenland
 - (7) Guernsey
 - (8) Hong Kong
 - (9) India
 - (10) Isle of Man
 - (11) Japan
 - (12) Jersey
 - (13) Mexico
 - (14) Monaco
 - (15) New Zealand
 - (16) Saudi Arabia
 - (17) Singapore
 - (18) South Africa
 - (19) Switzerland
 - (20) Turkey
 - (21) USA'
-

ANNEX III

ANNEX V

List of third countries and territories for the purposes of Article 5 (credit institutions and investment firms)

Credit institutions:

- (1) Australia
- (2) Brazil
- (3) Canada
- (4) China
- (5) Faroe Islands
- (6) Greenland
- (7) Guernsey
- (8) Hong Kong
- (9) India
- (10) Isle of Man
- (11) Japan
- (12) Jersey
- (13) Mexico
- (14) Monaco
- (15) New Zealand
- (16) Saudi Arabia
- (17) Singapore
- (18) South Africa
- (19) Switzerland
- (20) Turkey
- (21) USA

Investment firms:

- (1) Australia
- (2) Brazil
- (3) Canada
- (4) China
- (5) Hong Kong
- (6) Indonesia
- (7) Japan (limited to Type I Financial Instruments Business Operators)
- (8) Mexico
- (9) South Korea

(10) Saudi Arabia

(11) Singapore

(12) South Africa

(13) USA'

COMMISSION IMPLEMENTING DECISION (EU) 2016/2359**of 20 December 2016**

determining that the temporary suspension of the preferential customs duty established under the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, is not appropriate for imports of bananas originating in Nicaragua for the year 2016

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 20/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other ⁽¹⁾, and in particular Article 15 thereof,

Whereas:

- (1) A stabilisation mechanism for bananas has been introduced by the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, which provisionally started to apply in the Central American countries during 2013, in Nicaragua on 1 August 2013.
- (2) According to this mechanism, and pursuant to Article 15(2) of Regulation (EU) No 20/2013, once a defined trigger volume is exceeded for imports of fresh bananas (heading 0803 90 10 of the European Union Combined Nomenclature of 1 January 2012) from one of the countries concerned, the Commission shall adopt an implementing act by which it may either temporarily suspend the preferential customs duty applied to imports of fresh bananas for that country or determine that such suspension is not appropriate.
- (3) The decision of the Commission shall be taken in accordance with Article 8 of Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽²⁾, in conjunction with Article 4 thereof.
- (4) Imports into the European Union of fresh bananas originating in Nicaragua exceeded the threshold of 13 000 tonnes defined by the above Agreement on 31 October 2016.
- (5) In this context, pursuant to Article 15(3) of Regulation (EU) No 20/2013, the Commission took into consideration the impact of the imports concerned on the situation of the Union market for bananas in order to decide whether or not the preferential customs duty should be suspended. For this purpose the Commission has examined the effect of the imports concerned on the Union price level, the development of imports from other sources and the overall stability of the Union market for fresh bananas.
- (6) Imports of fresh bananas from Nicaragua represented 0,6 % of the total imports to the European Union of fresh bananas subject to the banana stabilization mechanism when they exceeded their threshold for 2016. Furthermore, based on the period January-August 2016, Nicaragua represents 0,36 % of the total imports of fresh bananas into the European Union. Based on a projection of imports until the end of 2016 and taking into consideration the development of the monthly imports so far in 2016, imports of bananas from Nicaragua are unlikely to exceed 1 % of the total imports for the whole year 2016. The share of yearly import level from Nicaragua would be in line with that of 2015.
- (7) The import price from Nicaragua was on average 530 EUR/tonne for the first 8 months of 2016, which is 17 % lower than the average prices of the total imports of fresh bananas into the EU.
- (8) Imports of fresh bananas from other traditional large exporting countries with whom the EU also has a Free Trade Agreement, notably Colombia, Costa Rica and Panama, remained up to October 2016 largely below the

⁽¹⁾ OJ L 17, 19.1.2013, p. 13.

⁽²⁾ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

thresholds defined for them in the comparable stabilisation mechanisms, and they have been following similar trends and unit values in the past four years. For example the level of imports from Colombia and Costa Rica were respectively 720 000 tonnes and 407 000 tonnes below their defined thresholds in October 2016, which is significantly higher than the total trigger level for Nicaragua for a whole year (13 000 tonnes).

- (9) The average wholesale banana price on the Union market at the end of October 2016 (984 EUR/tonne) did not register notable changes compared to the average wholesale prices of yellow bananas for the previous months.
- (10) There is thus neither an indication that the stability of the Union market has been disturbed by the imports of fresh bananas from Nicaragua in excess of the defined annual trigger import volume, nor that this had any significant impact on the situation of EU producers.
- (11) Finally there is no indication of threat of serious deterioration or of serious deterioration for producers in the outermost regions of the EU in October 2016.
- (12) On the basis of the examination above, the Commission has concluded that the suspension of preferential customs duty on imports of bananas originating in Nicaragua is not appropriate,

HAS ADOPTED THIS DECISION:

Article 1

The temporary suspension of preferential customs duty on imports of fresh bananas classified under heading 0803 90 10 of the European Union Combined Nomenclature and originating in Nicaragua is not appropriate during the year 2016.

Article 2

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

Done at Brussels, 20 December 2016.

For the Commission
The President
Jean-Claude JUNCKER

