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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information relating to the provisional application of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union

The Protocol shall be applied on a provisional basis as of 1 February 2017, in accordance with its Article 8(2).

COUNCIL DECISION (EU) 2017/85**of 16 January 2017**

on the conclusion of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 212, in conjunction with point (a) of the second subparagraph of Article 218(6) and Article 218(7) 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 (EU) 2015/904 ⁽²⁾, the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes ⁽³⁾ ('the Protocol') was signed on behalf of the Union on 4 June 2015.
- (2) The objective of the Protocol is to lay down the financial and technical rules enabling the People's Democratic Republic of Algeria to participate in certain Union programmes. The horizontal framework established by the Protocol constitutes an economic, financial and technical cooperation measure which allows for access to assistance, in particular financial assistance, to be provided by the Union pursuant to the Union programmes. This framework applies only to those Union programmes for which the relevant constitutive legal acts provide for the possibility of the participation of the People's Democratic Republic of Algeria. The conclusion of the Protocol therefore does not entail the exercise of the powers, under the various sectoral policies pursued by the programmes, which are exercised when establishing the programmes.
- (3) The Protocol should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes is hereby approved on behalf of the Union ⁽⁴⁾.

⁽¹⁾ Consent of 13 December 2016 (not yet published in the Official Journal).

⁽²⁾ Council Decision (EU) 2015/904 of 17 December 2014 on the signing and provisional application, on behalf of the European Union, of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes (OJ L 148, 13.6.2015, p. 1).

⁽³⁾ OJ L 148, 13.6.2015, p. 3.

⁽⁴⁾ The Protocol has been published in OJ L 148, 13.6.2015, p. 3, together with the decision on signature.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 10 of the Protocol ⁽¹⁾.

Article 3

The Commission is authorised to determine, on behalf of the Union, the specific terms and conditions applicable to the participation of the People's Democratic Republic of Algeria in any given Union programme, including the financial contribution payable. The Commission will keep the relevant Council working party informed.

Article 4

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

Done at Brussels, 16 January 2017.

For the Council
The President
F. MOGHERINI

⁽¹⁾ The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2017/86

of 20 October 2016

establishing a discard plan for certain demersal fisheries in the Mediterranean Sea

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC⁽¹⁾, and in particular Article 15(6) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation.
- (2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of delegated acts for a period of no more than three years on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.
- (3) Greece, Spain, France, Croatia, Italy, Cyprus, Malta and Slovenia have a direct fisheries management interest in the Mediterranean Sea. On 4 and 7 July 2016 those Member States have submitted three joint recommendations to the Commission concerning discard plans for demersal fisheries in the Adriatic Sea, the south-eastern Mediterranean Sea and the western Mediterranean Sea, respectively⁽²⁾, after consultation of the Mediterranean Sea Advisory Council. Scientific contribution was obtained from relevant scientific bodies. In line with Article 18(3) of Regulation (EU) No 1380/2013, only those measures in the joint recommendations which comply with Article 15(6) of that Regulation should be included in this Regulation.
- (4) As regards the Mediterranean Sea, Article 15 of Regulation (EU) No 1380/2013 establishes a landing obligation for all catches of species which are subject to catch limits and also for catches of species which are subject to minimum sizes as defined in Annex III to Council Regulation (EC) No 1967/2006⁽³⁾. According to Article 15(1)(d) of Regulation (EU) No 1380/2013, the landing obligation should apply to species which define the fisheries at the latest from 1 January 2017.
- (5) The joint recommendations suggested that an exemption from the landing obligation be applied to common sole (*Solea solea*) in the Adriatic Sea and the mollusc bivalves scallop (*Pecten jacobaeus*), carpet clams (*Venerupis* spp.) and Venus shells (*Venus* spp.) in the western Mediterranean Sea, as high survival rates can occur, taking into account the characteristics of the gear, of the fishing practices and of the ecosystem.

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ (i) Discard Plan for Demersal Fisheries in the Adriatic Sea (GSAs 17 and 18) — Joint Recommendation by the Adriatic High-Level Group (Croatia, Italia and Slovenia); (ii) Discard Plan for Demersal Fisheries in the South-Eastern Mediterranean Sea (GSAs 15, 16, 19, 20, 22, 23 and 25) — Joint Recommendation by the Sudestmed High-Level Group (Cyprus, Greece, Italy and Malta); and (iii) Discard Plan for Demersal Fisheries in the Western Mediterranean Sea (GSAs 1, 2, 5, 6, 7, 8, 9, 10 and 11) — Joint Recommendation by the Pescamed High-Level Group (France, Italy and Spain).

⁽³⁾ Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 (OJ L 409, 30.12.2006, p. 11).

- (6) The Scientific, Technical and Economic Committee for Fisheries (STECF) concludes in its evaluation ⁽¹⁾ that more studies are needed to corroborate the existing findings related to high survivability of the common sole, scallop, carpet clams and Venus shells. As there are no conclusive evidences on the survival rates of these species, the Commission considers that the survivability exemption allowed under Article 15(4)(b) of Regulation (EU) No 1380/2013 should be included in this Regulation for one year only. The Member States concerned should submit relevant data to the Commission to allow STECF to fully assess the justifications for the exemption and the Commission to review the relevant exemptions.
- (7) Based on the scientific evidences provided in the joint recommendation, the revision by the STECF and taking into account the characteristics of the gears, the high number of species in each fishing operations, the fishing patterns and the particularities of the Mediterranean Sea (e.g. predominance of small-scale fisheries), the Commission considers that, in order to avoid disproportionate costs of handling unwanted catches and in accordance with Article 15(5)(c)(ii) of Regulation (EU) No 1380/2013, it is appropriate to establish a *de minimis* exemption in accordance with the percentage level proposed in the joint recommendations, within the limits set out in Article 15(5)(c) of Regulation (EU) No 1380/2013.
- (8) In order to ensure appropriate control, specific requirements for the Member States to establish lists of vessels covered by this Regulation should be laid down.
- (9) Since the measures provided for in this Regulation have a direct impact on the economic activities linked to and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication. In accordance with the joint recommendations and taking into account the time-frame set out in Article 15(1) of Regulation (EU) No 1380/2013, this Regulation should apply from 1 January 2017,

HAS ADOPTED THIS REGULATION:

Article 1

Implementation of the landing obligation

The landing obligation provided for in Article 15(1) of Regulation (EU) No 1380/2013 shall apply in the Mediterranean Sea to the fisheries as set out in the Annex to this Regulation.

That landing obligation shall apply to the species referred to in that Annex when caught during fishing activities in Union waters or by Union fishing vessels outside the Union waters in waters not subject to third countries' sovereignty or jurisdiction.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'Mediterranean Sea' means maritime waters of the Mediterranean to the east of line 5°36' West;
- (b) 'GFCM Geographical Sub-Areas' (GSAs) means General Fisheries Commission for the Mediterranean (GFCM) Geographical Sub-Areas as defined in the Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council ⁽²⁾;

⁽¹⁾ Reports of the Scientific, Technical and Economic Committee for Fisheries (STECF) — Evaluation of the landing obligation joint recommendations (STECF-16-10). 2016. Publications Office of the European Union, Luxembourg, EUR 27758 EN, JRC Scientific and Policy Report, 104 pp. Available at <https://bookshop.europa.eu/en/reports-of-the-scientific-technical-and-economic-committee-for-fisheries-stecf-pbLBAX16010/?CatalogCategoryID=0A4KABsty0gAAAEjqJY4e5L>

⁽²⁾ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p. 44).

- (c) 'Western Mediterranean Sea' means GFCM Geographical Sub-Areas 1, 2, 5, 6, 7, 8, 9, 10 and 11;
- (d) 'Adriatic Sea' means GFCM Geographical Sub-Areas 17 and 18;
- (e) 'South-eastern Mediterranean Sea' means GFCM Geographical Sub-Areas 15, 16, 19, 20, 22, 23 and 25.

Article 3

Survivability exemption

1. The exemption from the landing obligation pursuant to Article 15(4)(b) of Regulation (EU) No 1380/2013 for species for which scientific evidence demonstrates high survival rates shall apply in 2017 to:
 - (a) common sole (*Solea solea*) caught with rapido (beam trawl), (TBB) ⁽¹⁾ in GSAs 17 and 18;
 - (b) scallop (*Pecten jacobaeus*) caught with mechanised dredges (HMD) in GSAs 1, 2, 5 and 6;
 - (c) carpet clams (*Venerupis* spp.) caught with mechanised dredges (HMD) in GSAs 1, 2, 5 and 6;
 - (d) Venus shells (*Venus* spp.) caught with mechanised dredges (HMD) in GSAs 1, 2, 5 and 6.
2. Common sole (*Solea solea*), scallop (*Pecten jacobaeus*), carpet clams (*Venerupis* spp.) and Venus shells (*Venus* spp.) caught in the circumstances referred to in paragraph 1 shall be released immediately in the area where they have been caught.
3. By 1 May 2017, Member States having a direct management interest in the fisheries in the Mediterranean Sea shall submit to the Commission additional discard data to those provided for in the Joint Recommendations of 4 and 7 July 2016 and any other relevant scientific information supporting the exemption laid down in paragraph 1. The Scientific, Technical and Economic Committee for Fisheries (STECF) shall assess those data and that information by July 2017 at the latest.

Article 4

De minimis exemption

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, the following quantities of species which define the fisheries as set out in the Annex to this Regulation may be discarded pursuant to Article 15(4)(c) of Regulation (EU) No 1380/2013:

- (a) in the western Mediterranean Sea (point 1 of the Annex):
 - (i) for hake (*Merluccius merluccius*) and red mullet (*Mullus* spp.), up to a maximum of 7 % for 2017 and 2018 and up to a maximum of 6 % in 2019 of the total annual catches of these species by vessels using trawl nets; and
 - (ii) for hake (*Merluccius merluccius*) and red mullet (*Mullus* spp.), up to a maximum of 1 % of the total annual catches of these species by vessels using gillnets;
- (b) in the Adriatic Sea (point 2 of the Annex):
 - (i) for hake (*Merluccius merluccius*) and red mullet (*Mullus* spp.), up to 7 % for 2017 and 2018 and up to 6 % for 2019 of the total annual catches of these species by vessels using trawl nets;
 - (ii) for hake (*Merluccius merluccius*) and red mullet (*Mullus* spp.), up to 1 % of the total annual catches of these species by vessels using gillnets;

⁽¹⁾ Gear codes used in this Regulation refer to those codes in Annex XI to Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy (OJ L 112, 30.4.2011, p. 1). For the vessels whose LOA is less than 10 metres, gear codes used in this table refer to the codes from the FAO gear classification.

- (iii) for hake (*Merluccius merluccius*) and red mullet (*Mullus* spp.), up to 1 % of the total annual catches of these species by vessels using rapido (beam trawl);
 - (iv) for common sole (*Solea solea*), up to 3 % for 2017 and 2018 and up to 2 % for 2019 of the total annual catches of this species by vessels using trawl nets; and
 - (v) for common sole (*Solea solea*), 0 % of the total annual catches of this species by vessels using gillnets;
- (c) in the south-eastern Mediterranean Sea (point 3 of the Annex):
- (i) for hake (*Merluccius merluccius*) and red mullet (*Mullus* spp.), up to 7 % for 2017 and 2018 and up to 6 % for 2019 of the total annual catches of these species by vessels using trawl nets;
 - (ii) for hake (*Merluccius merluccius*) and red mullet (*Mullus* spp.), up to 1 % of the total annual catches of these species by vessels using gillnets; and
 - (iii) for deep-water rose shrimp (*Parapenaeus longirostris*), up to 7 % for 2017 and 2018 and up to 6 % for 2019 of the total annual catches of this species by vessels using trawl nets.

Article 5

List of vessels

1. The Member States concerned shall determine, in accordance with the criteria laid down in the Annex, the vessels subject to the landing obligation for each particular fishery.
2. By 31 December 2016, the Member States concerned shall submit to the Commission and to the other Member States, using the secure Union control website, the lists of all vessels targeting hake, red mullet, common sole and deep-water rose shrimp. They shall keep those lists updated.

Article 6

Entry into force and application

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

It shall apply from 1 January 2017 to 31 December 2019.

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

Done at Brussels, 20 October 2016.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

1. Western Mediterranean Sea

Fisheries	Fishing gear	Landing obligation
Hake (<i>Merluccius merluccius</i>)	All bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX)	Where the total landings per vessel of all species in 2014 and 2015 consist of more than 25 % of hake, the landing obligation shall apply to hake.
	All longlines (LL, LLS, LLD, LX, LTL, LHP, LHM)	
	All gillnets and trammel nets (GNS, GN, GND, GNC, GTN, GTR, GEN)	
Red mullet (<i>Mullus barbatus</i>)	All bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX)	Where the total landings per vessel of all species in 2014 and 2015 consist of more than 25 % of red mullet, the landing obligation shall apply to red mullet.
	All longlines (LL, LLS, LLD, LX, LTL, LHP, LHM)	
	All gillnets and trammel nets (GNS, GN, GND, GNC, GTN, GTR, GEN)	
Scallop (<i>Pecten jacobaeus</i>), Carpet clams (<i>Venerupis</i> spp.), Venus shells (<i>Venus</i> spp.) in GSAs 1, 2, 5 and 6	HMD	All mechanised dredges.

2. Adriatic Sea

Fisheries	Fishing gear	Landing obligation
Hake (<i>Merluccius merluccius</i>), Red mullet (<i>Mullus barbatus</i>), Common sole (<i>Solea solea</i>)	All bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX, TBB)	Where the total landings per vessel of all species in 2014 and 2015 consist of more than 25 % of either hake, or red mullet, or common sole, the landing obligation shall apply to hake, or red mullet, or common sole, or all together.
	All gillnets and trammel nets (GNS, GN, GND, GNC, GTN, GTR, GEN)	

3. South-eastern Mediterranean Sea

Fisheries	Fishing gear	Landing obligation
Hake (<i>Merluccius merluccius</i>), Red mullet (<i>Mullus barbatus</i>), Deep-water rose shrimp (<i>Parapenaeus longirostris</i>)	All bottom trawls (OTB, OTT, PTB, TBN, TBS, TB, OT, PT, TX)	Where the total landings per vessel of all species in 2014 and 2015 consist of more than 25 % of either hake, or red mullet, or deep-water rose shrimp, the landing obligation shall apply to hake, or red mullet, or deep-water rose shrimp, or all together.
	All gillnets and trammel nets (GNS, GN, GND, GNC, GTN, GTR, GEN)	

COMMISSION DELEGATED REGULATION (EU) 2017/87
of 20 October 2016
establishing a discard plan for turbot fisheries in the Black Sea

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC⁽¹⁾, and in particular Article 15(6) thereof,

Whereas:

- (1) Regulation (EU) No 1380/2013 aims to progressively eliminate discards in all Union fisheries through the introduction of a landing obligation.
- (2) Article 15(6) of Regulation (EU) No 1380/2013 empowers the Commission to adopt discard plans by means of delegated acts for a period of no more than three years on the basis of joint recommendations developed by Member States in consultation with the relevant Advisory Councils.
- (3) Bulgaria and Romania have a direct fisheries management interest in the exploitation of turbot in the Black Sea. On 30 June 2016 those Member States have submitted a joint recommendation to the Commission concerning a discard plan for turbot fisheries in the Black Sea, taking into account the opinion of the sector. Scientific contribution was obtained from relevant scientific bodies. In line with Article 18(3) of Regulation (EU) No 1380/2013, only those measures in the joint recommendation which comply with Article 15(6) of that Regulation should be included in this Regulation.
- (4) As regards the Black Sea, Article 15 of Regulation (EU) No 1380/2013 establishes a landing obligation for all catches of species which are subject to catch limits. According to Article 15(1)(d) of Regulation (EU) No 1380/2013, the landing obligation is to apply to species which define the fisheries at the latest from 1 January 2017. Turbot is one of those species.
- (5) The joint recommendation suggested that an exemption from the landing obligation be applied to turbot in the Black Sea, as scientific evidences suggest high survival rates. Based on the scientific evidence provided in the joint recommendation and reviewed by the Scientific, Technical and Economic Committee for Fisheries (STECF)⁽²⁾, the survivability exemption allowed under Article 15(4)(b) of Regulation (EU) No 1380/2013 should be included in this Regulation for one year. The Member States concerned should submit relevant data to the Commission to allow STECF to fully assess the justifications for the exemption for turbot caught with the bottom set gillnets concerned and the Commission to review that exemption.
- (6) In order to ensure appropriate control, specific requirements for the Member States to establish a list of vessels covered by this Regulation should be laid down.
- (7) Since the measures provided for in this Regulation have a direct impact on the economic activities linked to and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication. In accordance with the joint recommendation and taking into account the time-frame set out in Article 15(1) of Regulation (EU) No 1380/2013, this Regulation should apply from 1 January 2017,

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ Reports of the Scientific, Technical and Economic Committee for Fisheries (STECF) — Evaluation of the landing obligation joint recommendations (STECF-16-10). 2016. Publications Office of the European Union, Luxembourg, EUR 27758 EN, JRC Scientific and Policy Report, 104 pp. Available at <https://bookshop.europa.eu/en/reports-of-the-scientific-technical-and-economic-committee-for-fisheries-stecf-pbLBAX16010/?CatalogCategoryID=0A4KABsty0gAAAEjqJEY4e5L>

HAS ADOPTED THIS REGULATION:

Article 1

Implementation of the landing obligation

The landing obligation provided for in Article 15(1) of Regulation (EU) No 1380/2013 shall apply in the Black Sea to the fisheries of turbot (*Psetta maxima*) caught with bottom-set gillnets (gear code ⁽¹⁾ GNS).

Article 2

Definition

For the purposes of this Regulation, 'Black Sea' means maritime waters in the General Fisheries Commission for the Mediterranean (GFCM) Geographical Sub-Area 29 as defined in Annex I to Regulation (EU) No 1343/2011 of the European Parliament and of the Council ⁽²⁾.

Article 3

Survivability exemption

1. The exemption from the landing obligation pursuant to Article 15(4)(b) of Regulation (EU) No 1380/2013 for species for which scientific evidence demonstrates high survival rates shall apply in 2017 to turbot (*Psetta maxima*) caught with bottom-set gillnets (GNS) in the Black Sea.
2. Turbot (*Psetta maxima*) caught in the circumstances referred to in paragraph 1 shall be released immediately in the area where it has been caught.
3. By 1 May 2017, Member States having a direct management interest in the turbot fisheries in the Black Sea shall submit to the Commission additional discard data to those provided for in the Joint Recommendation of 4 July 2016 and any other relevant scientific information supporting the exemption laid down in paragraph 1. The Scientific, Technical and Economic Committee for Fisheries (STECF) shall assess those data referred in paragraph 3 by July 2017 at the latest.

Article 4

List of vessels

1. The Member States concerned shall determine the vessels subject to the landing obligation for the fisheries of turbot (*Psetta maxima*) caught with bottom-set gillnets (GNS).
2. By 31 December 2016, the Member States concerned shall submit to the Commission and to the other Member States, using the secure Union control website, the list of all vessels targeting turbot. They shall keep the list updated.

Article 5

Entry into force and application

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

It shall apply from 1 January 2017 to 31 December 2019.

⁽¹⁾ Gear codes used in this Regulation refer to those codes in Annex XI to Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common fisheries policy (OJ L 112, 30.4.2011, p. 1). For the vessels whose LOA is less than 10 metres, gear codes used in this regulation refer to the codes from the FAO gear classification.

⁽²⁾ Regulation (EU) No 1343/2011 of the European Parliament and of the Council of 13 December 2011 on certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area and amending Council Regulation (EC) No 1967/2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea (OJ L 347, 30.12.2011, p. 44).

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

Done at Brussels, 20 October 2016.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2017/88**of 17 January 2017****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, 17 January 2017.

*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	IL	162,4
	MA	135,7
	SN	190,2
	TR	157,5
	ZZ	161,5
0707 00 05	EG	258,6
	MA	79,2
	TR	201,9
0709 91 00	ZZ	179,9
	EG	153,4
	ZZ	153,4
0709 93 10	MA	325,1
	TR	254,8
	ZZ	290,0
0805 10 20	EG	47,1
	MA	55,0
	TR	76,7
	ZZ	59,6
0805 20 10	IL	155,4
	MA	75,8
	ZZ	115,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	EG	97,9
	IL	113,9
	JM	116,5
	MA	111,6
	TR	75,2
	ZZ	103,0
	ZZ	103,0
0805 50 10	TR	85,8
	ZZ	85,8
0808 10 80	CN	119,1
	US	105,5
	ZZ	112,3
0808 30 90	CL	307,7
	CN	77,9
	TR	133,1
	ZZ	172,9

⁽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'.

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2017/89

of 17 January 2017

on the establishment of the annual priority lists for 2017 for the development of network codes and guidelines

(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 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003 ⁽¹⁾, and in particular Article 6(1) thereof,

Having regard to Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to natural gas transmission networks and repealing Regulation (EC) No 1775/2005 ⁽²⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) The development and implementation of network codes and guidelines are essential in order to fully integrate the internal energy market. The Third Energy Package ⁽³⁾ has created an institutional framework for the development of network codes with a view to harmonising, where necessary, the technical, operational and market rules governing the electricity and gas grids. For this purpose the Agency for the Cooperation of Energy Regulators (ACER), the European Network of Transmission System Operators (ENTSOs) and the Commission work in close cooperation with all relevant stakeholders.
- (2) The areas in which network codes can be developed are set out in Articles 8(6) of Regulation (EC) No 714/2009 and Regulation (EC) No 715/2009. Despite the possibility to develop network codes the Commission may also decide to develop guidelines in the areas set out in Article 18(1), (2), (3) of Regulation (EC) No 714/2009 and Article 23(1) of Regulation (EC) No 715/2009. In accordance with Articles 6(1) of Regulation (EC) No 714/2009 and Regulation (EC) No 715/2009 the Commission should first establish an annual priority list identifying the areas to be included in the development of network codes.
- (3) Harmonised gas rules on congestion management procedures, capacity allocation, balancing and interoperability and data exchange have already been adopted and published in the past 3 years.
- (4) Harmonised electricity rules on capacity allocation and congestion management, on connection of generators, on demand connection, on high voltage direct current and on forward capacity allocation have already been adopted and published.

⁽¹⁾ OJ L 211, 14.8.2009, p. 15.

⁽²⁾ OJ L 211, 14.8.2009, p. 36.

⁽³⁾ The Third Energy Package consists of Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (OJ L 211, 14.8.2009, p. 55), Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94), Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC (OJ L 176, 15.7.2003, p. 57), Regulation (EC) No 714/2009, Regulation (EC) No 715/2009 and Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators (OJ L 211, 14.8.2009, p. 1).

- (5) In the public consultation ⁽¹⁾ the majority of stakeholders supported the prioritisation of the work already started and emphasised the importance of a proper and well-coordinated implementation of adopted network codes and guidelines whereby a structured involvement of stakeholders is ensured. Regarding electricity, a number of stakeholders supported the development of rules regarding harmonised transmission tariff structures, of rules regarding distributed flexibility and of rules regarding operational training.
- (6) Acknowledging the responses of stakeholders and having regard to the future legislative initiatives in the context of the market design initiative, the various actions needed to ensure the full integration of the internal energy market and the fact that the implementation of network codes and guidelines will require significant resources from all relevant parties including the European Commission, ACER, ENTSOs and stakeholders, no new areas have been added to the annual priority lists.
- (7) Acknowledging the conclusions of the Gas Regulatory Forum of 2016, the amendment of the gas network code on interoperability and data exchange rules incorporating the adopted CEN standard on H-gas quality (EN 16726:2015) will not be pursued in 2017.

HAS ADOPTED THIS DECISION:

Article 1

This Decision establishes the annual priority lists for 2017 for the development of network codes and guidelines for electricity and gas.

Article 2

The annual priority list for 2017 for the development of harmonised electricity rules shall be the following:

- rules regarding system operation (finalisation of Commission adoption phase after Committee voting in 2016),
- rules on emergency and restoration requirements and procedures (finalisation of Commission adoption phase after Committee voting in 2016),
- balancing rules (finalisation of Commission adoption phase after Committee voting in 2017).

Article 3

The annual priority list for 2017 for the development of harmonised gas rules shall be the following:

- rules on harmonised transmission tariff structures for gas (finalisation of Commission adoption phase after Committee voting in 2016),
- rules regarding an EU-wide market-based approach on the allocation of 'new build' gas transmission capacity (finalisation of Commission adoption phase after Committee voting in 2016).

⁽¹⁾ The responses are published under: <https://ec.europa.eu/energy/en/consultations/consultation-establishment-annual-priority-lists-development-network-codes-and-0>

Article 4

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, 17 January 2017.

For the Commission
The President
Jean-Claude JUNCKER

CORRIGENDA**Corrigendum to Directive 2011/35/EU of the European Parliament and of the Council of 5 April 2011 concerning mergers of public limited liability companies**

(Official Journal of the European Union L 110 of 29 April 2011)

On page 2, in Article 1(1):

for: ‘— Hungary:

— részvénytársaság,’

read: ‘— Hungary:

— nyilvánosan működő részvénytársaság,’

for: ‘— Malta:

— kumpannija pubblika/public limited liability company, kumpannija privata/private limited liability company,’

read: ‘— Malta:

— kumpannija pubblika ta’ responsabbiltà limitata/public limited liability company,’

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