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⁽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.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2017/225

of 7 February 2017

on the conclusion, on behalf of the Union, of the Agreement between the European Union and Tuvalu on the short-stay visa waiver

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2), in conjunction with point (a)(v) of the second subparagraph of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

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

Whereas:

- (1) The Commission has negotiated on behalf of the Union an agreement with Tuvalu on the short-stay visa waiver (the 'Agreement').
- (2) In accordance with Council Decision (EU) 2016/1342 ⁽²⁾, the Agreement has been signed and is applied on a provisional basis as from 1 July 2016.
- (3) The Agreement sets up a Joint Committee of experts for the management of the Agreement. The Union is to be represented within that Joint Committee by the Commission, which should be assisted by the representatives of the Member States.
- (4) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (5) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (6) The Agreement should be approved,

⁽¹⁾ Consent given on 1 December 2016.

⁽²⁾ Council Decision (EU) 2016/1342 of 24 June 2016 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and Tuvalu on the short-stay visa waiver (OJ L 213, 6.8.2016, p. 1).

⁽³⁾ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

⁽⁴⁾ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and Tuvalu on the short-stay visa waiver is hereby approved on behalf of the Union.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 8(1) of the Agreement ⁽¹⁾.

Article 3

The Commission, assisted by the representatives of the Member States, shall represent the Union within the Joint Committee of experts set up pursuant to Article 6 of the Agreement.

Article 4

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

Done at Brussels, 7 February 2017.

For the Council
The President
L. GRECH

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

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/226

of 7 February 2017

concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Article 57(4) and Article 58(2) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Council Regulation (EEC) No 2658/87 ⁽²⁾, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 34(9) of Regulation (EU) No 952/2013. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 34(9) of Regulation (EU) No 952/2013 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

Article 3

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

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

Done at Brussels, 7 February 2017.

*For the Commission,
On behalf of the President,
Stephen QUEST
Director-General
Directorate-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
<p>Toys, put up in the same packing for retail sale, consisting of:</p> <ul style="list-style-type: none"> — a battery-powered locomotive and a carriage, of plastics, — wooden tracks, — traffic signs, cars, human figures, animals, trees, etc. <p>See image (*).</p>	9503 00 70	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9503 00 and 9503 00 70.</p> <p>Classification under CN code 9503 00 30 as an 'electric train, including tracks, signals and other accessories therefor' is excluded because the 'set' also contains other toys of wood and plastics, such as traffic signs, cars, human figures, animals, trees, etc., which are toys in their own merit. Those toys are not directly connected with the electric train and the tracks like a train station, a railway crossing or a railway bridge would be and are consequently not considered as accessories to an electric train (see also the Harmonized System Explanatory Note (HSEN) to heading 9503, (D) (iv)).</p> <p>The 'set' of toys consists of different types of articles, designed for the amusement of children or adults, put up in the same packing for retail sale (see also the HSEN to chapter 95, General, and the Explanatory notes to CN code 9503 00 70).</p> <p>The article is therefore to be classified under CN code 9503 00 70 as 'other toys, put up in sets'.</p>

(*) The image is purely for information.



COMMISSION REGULATION (EU) 2017/227**of 9 February 2017****amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards bis(pentabromophenyl)ether****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Bis(pentabromophenyl)ether ('decaBDE') is widely used as an additive flame retardant with applications in many different sectors, in particular in plastic and textile articles but also in adhesives, sealants, coatings and inks.
- (2) On 29 November 2012, the Member State Committee, referred to in Article 76(1)(e) of Regulation (EC) No 1907/2006, identified decaBDE as a persistent, bioaccumulative and toxic substance ('PBT') and a very persistent and very bioaccumulative ('vPvB') substance in accordance with points (d) and (e) respectively of Article 57 of Regulation (EC) No 1907/2006. On 19 December 2012 the substance was included in the Candidate List of Substances of Very High Concern ('SVHC') for possible inclusion in Annex XIV to REACH.
- (3) On 2 May 2013, Norway proposed that decaBDE should be listed in Annex A (Elimination) to the Stockholm Convention on Persistent Organic Pollutants (POPs).
- (4) Following Norway's proposal, the Commission considered that making decaBDE subject to the authorisation requirement under Regulation (EC) No 1907/2006 was no longer the most appropriate regulatory measure. On 21 June 2013, the Commission requested the European Chemicals Agency ('the Agency') to prepare a dossier conforming to the requirements of Annex XV to Regulation (EC) No 1907/2006 (an 'Annex XV dossier'), with a view to initiating a restriction process under Articles 69 to 73 of that Regulation.
- (5) On 4 August 2014, the Agency, in collaboration with Norway, submitted an Annex XV dossier ⁽²⁾ to its Committee for Risk Assessment ('RAC') and its Committee for Socio-Economic Analysis ('SEAC'). The dossier demonstrated that action on a Union-wide basis is necessary to address the risks to human health and the environment posed by the manufacture, placing on the market or use of decaBDE, on its own, as a constituent of other substances, in mixtures or in articles.
- (6) On 2 June 2015, RAC adopted its opinion, which confirmed that the persistent and bioaccumulative properties of decaBDE give rise to specific concerns about its widespread distribution and potential to cause irreversible long-term harm to the environment, even after emissions have ceased. In addition, exposure to decaBDE may result in neurotoxicity in mammals, including humans.
- (7) RAC agreed with the conclusion of the Annex XV dossier that a general restriction on all uses of decaBDE, with some specific exceptions, would reduce emissions of decaBDE as much as possible in the medium- to long-term.

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ <http://echa.europa.eu/documents/10162/a3f810b8-511d-4fd0-8d78-8a8a7ea363bc>

- (8) On 10 September 2015, SEAC adopted its opinion, indicating that the proposed restriction, as modified by SEAC, is the most appropriate Union-wide measure to reduce emission of decaBDE in terms of its socioeconomic benefits and its socioeconomic costs. SEAC based its opinion on the cost-effectiveness of the proposed restriction, as modified, and on a number of additional qualitative arguments.
- (9) SEAC agreed with the eighteen-month deferral of application of the restriction proposed in the Annex XV dossier to allow stakeholders to take the necessary compliance measures.
- (10) RAC and SEAC agreed with the exemption from the restriction proposed in the Annex XV dossier for the civil aviation sector. Following comments received during the public consultation, SEAC also suggested that it should cover military aircraft.
- (11) The proposed restriction should not apply to electrical and electronic equipment within the scope of Directive 2011/65/EU of the European Parliament and of the Council ⁽¹⁾, as the placing on the market of such equipment containing polybrominated diphenyl ethers ('PBDE') in a concentration above 0,1 % by weight is already regulated by that Directive.
- (12) RAC and SEAC also agreed to exempt from the proposed restriction articles already placed on the market before the date of application of that restriction.
- (13) Based on information from the public consultation, SEAC suggested exemptions for spare parts for motor vehicles covered by Directive 2007/46/EC of the European Parliament and of the Council ⁽²⁾, for agricultural and forestry vehicles covered by Regulation (EU) No 167/2013 of the European Parliament and of the Council ⁽³⁾ and for machinery covered by Directive 2006/42/EC of the European Parliament and of the Council ⁽⁴⁾, provided such vehicles and machines are produced before 1 July 2018. SEAC justified those exemptions on the basis of the disproportionate burden that the proposed restriction would impose in relation to such spare parts, given the low volumes involved, the progressive reduction in the quantity of decaBDE required (as vehicles and machinery reached the end-of-life stage) and the cost of testing alternative materials for the production of such spare parts. SEAC saw no basis for treating the spare parts of those vehicles and machines differently, although their life cycles vary.
- (14) The Agency's Forum for Exchange of Information on Enforcement, referred to in Article 76(1)(f) of Regulation (EC) No 1907/2006, was consulted during the restriction process and its recommendations have been taken into account.
- (15) On 28 September 2015, the Agency submitted to the Commission the opinions of RAC and SEAC ⁽⁵⁾.
- (16) Based on those opinions, the Commission is of the opinion that an unacceptable risk to human health and the environment arises from the manufacture, use or placing on the market of decaBDE, on its own, as a constituent of other substances, in mixtures and in articles. The Commission considers that those risks need to be addressed on a Union wide basis.
- (17) In the light of the remaining uncertainties with regard to the capacity of the recycling sector to ensure the management of waste containing decaBDE, the Commission considers that a longer deferral period than eighteen months is necessary.
- (18) The possibility to ensure the continued availability of decaBDE for the production of aircraft, whether civil or military, should be limited to 10 years from the entry into force of this Regulation, since this should give the industry sufficient time to adapt. Exemptions should also be granted in relation to the production and the placing on the market of spare parts for all aircraft, civil or military, produced before the expiry of that period.

⁽¹⁾ Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011, p. 88).

⁽²⁾ Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (O) L 263, 9.10.2007, p. 1).

⁽³⁾ Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (OL L 60, 2.3.2013, p. 1).

⁽⁴⁾ Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (OJ L 157, 9.6.2006, p. 24).

⁽⁵⁾ <http://echa.europa.eu/documents/10162/b5ac0c91-e110-4afb-a68d-08a923b53275>

- (19) There should be an exemption for the production and placing on the market of spare parts for vehicles and machinery, referred to in recital 13, that are produced before 2 March 2019.
- (20) Regulation (EC) No 1907/2006 should therefore be amended accordingly.
- (21) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 9 February 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

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

<p>'67. Bis(pentabromophenyl)ether (decabromodiphenyl ether; decaBDE) CAS No 1163-19-5 EC No 214-604-9</p>	<ol style="list-style-type: none"> 1. Shall not be manufactured or placed on the market as a substance on its own after 2 March 2019. 2. Shall not be used in the production of, or placed on the market in: <ol style="list-style-type: none"> (a) another substance, as a constituent; (b) a mixture; (c) an article, or any part thereof, in a concentration equal to or greater than 0,1 % by weight, after 2 March 2019. 3. Paragraphs 1 and 2 shall not apply to a substance, constituent of another substance or mixture that is to be used, or is used: <ol style="list-style-type: none"> (a) in the production of an aircraft before 2 March 2027. (b) in the production of spare parts for either of the following: <ol style="list-style-type: none"> (i) an aircraft produced before 2 March 2027; (ii) motor vehicles within the scope of Directive 2007/46/EC, agricultural and forestry vehicles within the scope of Regulation (EU) No 167/2013 of the European Parliament and of the Council (*) or machinery within the scope of Directive 2006/42/EC of the European Parliament and of the Council (**), produced before 2 March 2019. 4. Subparagraph 2(c) shall not apply to any of the following: <ol style="list-style-type: none"> (a) articles placed on the market before 2 March 2019; (b) aircraft produced in accordance with subparagraph 3(a); (c) spare parts of aircraft, vehicles or machines produced in accordance with subparagraph 3(b); (d) electrical and electronic equipment within the scope of Directive 2011/65/EU. 5. For the purposes of this entry 'aircraft' means one of the following: <ol style="list-style-type: none"> (a) a civil aircraft produced in accordance with a type certificate issued under Regulation (EU) No 216/2008 of the European Parliament and of the Council (***) or with a design approval issued under the national regulations of a contracting State of the International Civil Aviation Organisation (ICAO), or for which a certificate of airworthiness has been issued by an ICAO contracting State under Annex 8 to the Convention on International Civil Aviation; (b) a military aircraft.
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(*) Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (OL L 60, 2.3.2013, p. 1).

(**) Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (OJ L 157, 9.6.2006, p. 24).

(***) 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 (OJ L 79 19.3.2008, p. 1).

COMMISSION REGULATION (EU) 2017/228**of 9 February 2017****amending Regulation (EC) No 178/2002 of the European Parliament and of the Council as regards the names and the areas of competence of the scientific panels of the European Food Safety Authority****(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 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 ⁽¹⁾, and in particular the second subparagraph of Article 28(4) thereof,

Whereas:

- (1) Article 28 of Regulation (EC) No 178/2002 sets up ten scientific panels responsible for providing the scientific opinions of the European Food Safety Authority ('the Authority'), each within their own spheres of competence. Those panels include, among others: the Panel on food additives and nutrient sources added to food ('ANS Panel'), the Panel on dietetic products, nutrition and allergies ('NDA Panel'), and the Panel on food contact materials, enzymes, flavourings and processing aids ('CEF Panel').
- (2) On 3 February 2016, the Authority submitted a request to the Commission to rename the ANS, NDA and CEF Panels in order to take account of expected changes in technical and scientific development.
- (3) The technical and scientific changes mainly impact the workload of the panels. In particular, the workload of the CEF Panel is likely to increase in the coming years due to the need for evaluation of pending applications for inclusion in the Union list of food enzymes, in accordance with Regulation (EC) No 1332/2008 of the European Parliament and of the Council ⁽²⁾. Therefore, the evaluation of flavourings currently undertaken by the CEF Panel should be assigned to the ANS Panel.
- (4) However, to avoid overloading the current ANS Panel, the evaluation of nutrient sources and other substances with physiological effect added to foods should be assigned to the NDA Panel, as its workload is likely to decrease due to the finalisation of dietary reference values and the decreasing number of applications for inclusion in the list of permitted health claims, in accordance with Regulation (EC) No 1924/2006 of the European Parliament and of the Council ⁽³⁾. Such re-allocation is also in accordance with the expertise of the NDA Panel, as some substances used as nutrient sources fall in the category of novel foods, which are currently assessed by the NDA Panel.
- (5) The name of the three panels concerned is therefore changed by this Regulation as follows: the ANS Panel is renamed into the 'Panel on food additives and flavourings', the NDA Panel is renamed into the 'Panel on nutrition, novel foods and food allergens', and the CEF Panel is renamed into the 'Panel on food contact materials, enzymes and processing aids'.
- (6) The current term of office of members of the ANS and CEF Panels will come to an end on 30 June 2017 and the current term of office of members of the eight remaining scientific panels of the Authority, including the

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ 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 (OJ L 354, 31.12.2008, p. 7).

⁽³⁾ 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 (OJ L 404, 30.12.2006, p. 9).

NDA Panel, will come to an end on 30 June 2018. In order to give enough time for an efficient organization of the panels by the Authority pursuant to Article 28(5) and (9) of Regulation (EC) No 178/2002, this Regulation applies from 1 July 2018.

- (7) Regulation (EC) No 178/2002 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 28(4) of Regulation (EC) No 178/2002 is amended as follows:

- (1) point (a) is replaced by the following:

‘(a) the Panel on food additives and flavourings;’;

- (2) point (e) is replaced by the following:

‘(e) the Panel on nutrition, novel foods and food allergens;’;

- (3) point (j) is replaced by the following:

‘(j) the Panel on food contact materials and enzymes and processing aids.’.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union* and shall apply from 1 July 2018.

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

Done at Brussels, 9 February 2017.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2017/229**of 9 February 2017****entering a name in the register of traditional specialities guaranteed (Traditionally Reared Pedigree Welsh Pork (TSG))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(b) of Regulation (EU) No 1151/2012, the United Kingdom's application to register the name 'Traditionally Reared Pedigree Welsh Pork' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Traditionally Reared Pedigree Welsh Pork' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Traditionally Reared Pedigree Welsh Pork' (TSG) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.1. — Fresh meat (and offal), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 9 February 2017.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 382, 15.10.2016, p. 19.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION IMPLEMENTING REGULATION (EU) 2017/230**of 9 February 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, 9 February 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	MA	114,2
	SN	359,5
	TN	311,6
	TR	147,7
	ZZ	233,3
0707 00 05	MA	79,2
	TR	181,3
	ZZ	130,3
0709 91 00	EG	181,2
	ZZ	181,2
0709 93 10	MA	78,6
	TR	217,5
	ZZ	148,1
0805 10 22, 0805 10 24, 0805 10 28	EG	44,8
	IL	78,4
	MA	47,1
	TN	52,2
	TR	76,4
	ZZ	59,8
	ZZ	59,8
0805 21 10, 0805 21 90, 0805 29 00	IL	129,2
	MA	89,9
	TR	86,5
	ZZ	91,4
	ZZ	113,3
	ZZ	103,6
0805 50 10	TR	60,4
	ZZ	92,4
	EG	61,7
	TR	83,4
0808 10 80	ZZ	72,6
	CN	139,4
	ZZ	139,4
0808 30 90	CL	181,7
	CN	80,7
	ZA	127,2
	ZZ	129,9
	ZZ	129,9

⁽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'.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/231**of 9 February 2017****on the minimum selling price for skimmed milk powder for the fourth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) 2016/2080**

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) 2016/1240 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage ⁽²⁾, and in particular Article 32 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2080 ⁽³⁾ has opened the sale of skimmed milk powder by a tendering procedure.
- (2) In the light of the tenders received for the fourth partial invitation to tender, a minimum selling price should not be fixed.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the fourth partial invitation to tender for the selling of skimmed milk powder within the tendering procedure opened by Implementing Regulation (EU) 2016/2080, in respect of which the period during which tenders were to be submitted ended on 7 February 2017, a minimum selling price has not been fixed.

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, 9 February 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 206, 30.7.2016, p. 71.

⁽³⁾ Commission Implementing Regulation (EU) 2016/2080 of 25 November 2016 opening the sale of skimmed milk powder by a tendering procedure (OJ L 321, 29.11.2016, p. 45).

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