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Legislation

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Contents

[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) 2017/730

of 25 April 2017

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession 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 the first subparagraph of Article 207(4), 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) On 15 July 2013 the Council authorised the Commission to open negotiations with certain other Members of the World Trade Organization under Article XXIV:6 of the General Agreement on Tariffs and Trade (GATT) 1994, in the course of the accession to the Union of the Republic of Croatia.

(2) Negotiations were conducted by the Commission in accordance with the negotiating directives adopted by the Council.

(3) Those negotiations have been concluded and an Agreement in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil pursuant to Article XXIV:6 and Article XXVIII of GATT 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union (the 'Agreement') was initialled on 12 July 2016.

(4) The Agreement was signed on behalf of the Union on 25 November 2016, subject to its conclusion at a later date, in accordance with Council Decision (EU) 2016/1995 ([2]).

(5) The Agreement should be approved,

([1]) The European Parliament provided its consent to the conclusion of the Agreement on 15 March 2017.

([2]) Council Decision (EU) 2016/1995 of 11 November 2016 on the signing, on behalf of the European Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union (OJ L 308, 16.11.2016, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The Agreement in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council shall designate the person(s) empowered to proceed, on behalf of the Union, to the notification provided for in the Agreement, in order to express the consent of the Union to be bound by the Agreement ([1]).

Article 3

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

Done at Brussels, 25 April 2017.

For the Council
The President
I. BORG

([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.

AGREEMENT

in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union

A. **Letter from the Union**

Sir,

Following negotiations under Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of the Schedule of the Republic of Croatia in the course of its accession to the European Union, I have the honour to propose the following:

The European Union shall incorporate in its schedule, for the customs territory of the EU 28, the concessions contained in the schedule of the EU 27 with the following modifications:

Add 4 766 tonnes to the country allocated (Brazil) EU tariff rate quota 'Cut of fowls of the species *gallus domesticus*, frozen', tariff item numbers 0207.14.10, 0207.14.50 and 0207.14.70, maintaining the present in quota rate of 0 %;

Add 610 tonnes to the country allocated (Brazil) EU tariff rate quota 'Cut of turkey, frozen', tariff item numbers 0207.27.10, 0207.27.20 and 0207.27.80, maintaining the present in quota rate of 0 %;

Add 36 000 tonnes under the *erga omnes* part of the EU tariff rate quota 'Raw cane sugar, for refining', tariff item 1701.13.10 and 1701.14.10, maintaining the present in quota rate of 98 EUR per tonne;

Add 78 000 tonnes to the allocation for Brazil under the EU tariff rate quota 'Raw cane sugar, for refining', tariff item 1701.13.10 and 1701.14.10, maintaining the present in quota rate of 98 EUR per tonne.

As regards the volume of 78 000 tonnes allocated to Brazil under the EU tariff rate quota 'Raw cane sugar, for refining', tariff item 1701.13.10 and 1701.14.10, notwithstanding the bound in quota rate of 98 EUR per tonne, the European Union shall autonomously apply:

— during the first six years during which this volume is available, an in quota rate of no more than 11 EUR per tonne, and

— in the seventh year during which this volume is available, an in quota rate of no more than 54 EUR per tonne.

The European Union and the Federative Republic of Brazil shall notify each other of the completion of their internal procedures for the entry into force of the agreement. The agreement shall enter into force 14 days after the date of receipt of the latest notification.

I should be obliged if you would confirm that your Government is in agreement with the above. I have the honour to propose that, if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil.

Please accept, Sir, the assurance of my highest consideration.

Съставено в Брюксел на
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Sastavljeno u Bruxellesu
Fatto a Bruxelles, addì
Briselē,
Priimta Briuselyje,
Kelt Brüsszelben,
Magħmul fi Brussell,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Feito em Bruxelas,
Întocmit la Bruxelles,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den

25 -11- 2016

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

B. **Letter from the Federative Republic of Brazil**

Sir,

I have the honour to acknowledge the receipt of your letter of today's date which reads as follows:

'Following negotiations under Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of the Schedule of the Republic of Croatia in the course of its accession to the European Union, I have the honour to propose the following:

The European Union shall incorporate in its schedule, for the customs territory of the EU 28, the concessions contained in the schedule of the EU 27 with the following modifications:

Add 4 766 tonnes to the country allocated (Brazil) EU tariff rate quota "Cut of fowls of the species *gallus domesticus*, frozen", tariff item numbers 0207.14.10, 0207.14.50 and 0207.14.70, maintaining the present in quota rate of 0 %;

Add 610 tonnes to the country allocated (Brazil) EU tariff rate quota "Cut of turkey, frozen", tariff item numbers 0207.27.10, 0207.27.20 and 0207.27.80, maintaining the present in quota rate of 0 %;

Add 36 000 tonnes under the *erga omnes* part of the EU tariff rate quota "Raw cane sugar, for refining", tariff item 1701.13.10 and 1701.14.10, maintaining the present in quota rate of 98 EUR per tonne;

Add 78 000 tonnes to the allocation for Brazil under the EU tariff rate quota "Raw cane sugar, for refining", tariff item 1701.13.10 and 1701.14.10, maintaining the present in quota rate of 98 EUR per tonne.

As regards the volume of 78 000 tonnes allocated to Brazil under the EU tariff rate quota "Raw cane sugar, for refining", tariff item 1701.13.10 and 1701.14.10, notwithstanding the bound in quota rate of 98 EUR per tonne, the European Union shall autonomously apply:

— during the first six years during which this volume is available, an in quota rate of no more than 11 EUR per tonne, and

— in the seventh year during which this volume is available, an in quota rate of no more than 54 EUR per tonne.

The European Union and the Federative Republic of Brazil shall notify each other of the completion of their internal procedures for the entry into force of the agreement. The agreement shall enter into force 14 days after the date of receipt of the latest notification.

I should be obliged if you would confirm that your Government is in agreement with the above. I have the honour to propose that, if the above is acceptable to your Government, this letter and your confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil.'.

I am able to inform you that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

Fait à Bruxelles, le
Съставено в Брюксел на
Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Brüssel,
Έγινε στις Βρυξέλλες, στις
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Priimta Briuselyje,
Kelt Brüsszelben,
Magħmul fi Brussell,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Feito em Bruxelas,
Întocmit la Bruxelles,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den

25 -11- 2016

Pela República Federativa do Brasil
За Федеративна република Бразилия
Por la República Federativa de Brasil
Za Brazilskou Federativní republiku
For den Føderative Republik Brasilien
Für die Föderative Republik Brasilien
Brasiilia Liitvabariigi nimel
Για την Ομοσπονδιακή Δημοκρατία της Βραζιλίας
For the Federative Republic of Brazil
Pour la République fédérative du Brésil
Za Saveznu Republiku Brazil
Per la Repubblica federativa del Brasile
Brazīlijas Federatīvās Republikas vārdā –
Brazilijos Federacinės Respublikos vardu
A Brazil Szövetségi Köztársaság részéről
Għar-Repubblika Federattiva tal-Brażil
Voor de Federale Republiek Brazilië
W imieniu Federacyjnej Republiki Brazylii
Pentru Republica Federativă a Braziliei
Za Brazílsku federatívnu republiku
Za Federativno republiko Brazilijo
Brasilian liittotasavallan puolesta
För Förbundsrepubliken Brasilien

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/731

of 25 April 2017

amending model veterinary certificates BOV-X, BOV-Y, BOV and OVI set out in Annexes I and II to Regulation (EU) No 206/2010, the model certificates GEL, COL, RCG and TCG set out in Annex II to Implementing Regulation (EU) 2016/759 and the model certificate for composite products set out in Annex I to Regulation (EU) No 28/2012 in relation to the rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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 ([1]), and in particular Article 9(2)(b) and 9(4)(b) thereof,

Having regard to 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 ([2]), and in particular Article 13(1)(e) thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ([3]), and in particular the second paragraph of Article 16 thereof,

Whereas:

(1) Commission Regulation (EU) No 206/2010 ([4]) lays down, inter alia, the veterinary certification requirements for the introduction into the Union of certain consignments of live animals including domestic bovine animals and consignments of fresh meat intended for human consumption, including fresh meat of domestic bovine, ovine and caprine animals.

(2) Part 2 of Annex I to Regulation (EU) No 206/2010 sets out a model of veterinary certificate for domestic bovine animals (including *Bubalus* and *Bison* species and their cross-breeds) intended for breeding and/or production after importation (BOV-X) and a model of veterinary certificate for domestic bovine animals (including *Bubalus* and *Bison* species and their cross-breeds) intended for immediate slaughter after importation (BOV-Y). Part 2 of Annex II to that Regulation sets out a model of veterinary certificate for fresh meat, including minced meat, of domestic bovine animals (including *Bubalus* and *Bison* species and their cross-breeds) (BOV) and a model of veterinary certificate for fresh meat, including minced meat, of domestic ovine animals (*Ovis aries*) and domestic caprine animals (*Capra hircus*) (OVI). Those models of veterinary certificates include guarantees for bovine spongiform encephalopathy (BSE).

(3) Commission Implementing Regulation (EU) 2016/759 ([5]) lays down, inter alia, the veterinary certification requirements for the introduction into the Union of certain products of animal origin intended for human consumption.

([1]) OJ L 18, 23.1.2003, p. 11.
([2]) OJ L 139, 30.4.2004, p. 320.
([3]) OJ L 139, 30.4.2004, p. 206.
([4]) Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ L 73, 20.3.2010, p. 1).
([5]) Commission Implementing Regulation (EU) 2016/759 of 28 April 2016 drawing up lists of third countries, parts of third countries and territories from which Member States are to authorise the introduction into the Union of certain products of animal origin intended for human consumption, laying down certificate requirements, amending Regulation (EC) No 2074/2005 and repealing Decision 2003/812/EC (OJ L 126, 14.5.2016, p. 13).

(4) Annex II to Implementing Regulation (EU) 2016/759 sets out a model certificate for imports of gelatine intended for human consumption (GEL) in Part III thereof, a model certificate for imports of collagen intended for human consumption (COL) in Part IV thereof, a model for imports of the raw materials for the production of gelatine and collagen intended for human consumption (RCG) in Part V thereof, and a model certificate for imports of the treated raw materials for the production of gelatine and collagen intended for human consumption (TCG) in Part VI. Those models of veterinary certificates include guarantees for BSE for products of bovine, ovine and caprine origin.

(5) Commission Regulation (EU) No 28/2012 ([1]) lays down, inter alia, the health certification requirements for imports into or transit through the Union of consignments of certain composite products intended for human consumption.

(6) Annex I to Regulation (EU) No 28/2012 sets out the model of health certificate for imports into the European Union of composite products intended for human consumption. That model of health certificate includes guarantees for BSE for products of bovine, ovine and caprine origin.

(7) Regulation (EC) No 999/2001 of the European Parliament and of the Council ([2]) lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in bovine, ovine and caprine animals. Chapter B of Annex IX to Regulation (EC) No 999/2001 lays down the conditions for import into the Union of bovine animals as regards BSE and Chapter C of that Annex lays down the conditions for import into the Union of products of animal origin for human consumption from bovine, ovine and caprine animals as regards BSE.

(8) Regulation (EC) No 999/2001 was amended by Commission Regulation (EU) 2016/1396 ([3]). Those amendments provide, inter alia, for clarification of the rules laid down in Chapter B and Chapter C of Annex IX to Regulation (EC) No 999/2001. They also provide for the amendment of the requirement to indicate a blue stripe on the label of the carcasses or wholesale cuts of the carcasses of bovine animals when removal of the vertebral column is not required as set out in Chapter C of Annex IX to that Regulation. This amendment requires that a red stripe should be indicated instead on the label when such removal is required for products of bovine animal origin imported into the Union.

(9) In particular Regulation (EC) No 999/2001, as amended by Regulation (EU) 2016/1396, permits the imports of products of animal origin for human consumption of bovine, ovine and caprine animal origin from third countries with a negligible BSE risk as laid down in Section B of Chapter C of Annex IX, also where those products are derived from raw material coming from countries with a controlled or an undetermined BSE risk, provided that specified risk material has been removed from such raw material.

(10) The model veterinary certificates BOV-X and BOV-Y set out in Part 2 of Annex I and BOV and OVI set out in Part 2 of Annex II to Regulation (EU) No 206/2010, the model veterinary certificates GEL, COL, RCG and TCG set out in Annex II to Implementing Regulation (EU) 2016/759 and the model health certificate for import into the Union of composite products set out in Annex I to Regulation (EU) No 28/2012 should therefore be amended in order to reflect the requirements relating to imports of bovine animals and of fresh meat of bovine, ovine and caprine animals and of products of animal origin for human consumption of bovine, ovine and caprine animal origin, laid down in Regulation (EC) No 999/2001, as amended by Regulation (EU) 2016/1396.

(11) Regulation (EU) No 206/2010, Implementing Regulation (EU) 2016/759 and Regulation (EU) No 28/2012 should therefore be amended accordingly.

(12) Regulation (EU) 2016/1396 provides that the amendments that it made to Annex IX to Regulation (EC) No 999/2001 are to apply from 1 July 2017.

([1]) 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 (OJ L 12, 14.1.2012, p. 1).

([2]) 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 (OJ L 147, 31.5.2001, p. 1).

([3]) Commission Regulation (EU) 2016/1396 of 18 August 2016 amending certain Annexes to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 225, 19.8.2016, p. 76).

(13) In order to avoid any disruption of imports into the Union of consignments of live bovine, ovine and caprine animals, of fresh meat of domestic bovine, ovine and caprine animals, of gelatine, collagen, raw materials for production of gelatine and collagen and treated raw materials for the production of gelatine and collagen intended for human consumption and of certain composite products intended for human consumption, the use of certificates issued in accordance with Regulation (EU) No 206/2010, Implementing Regulation (EU) 2016/759 and Regulation (EU) No 28/2012 as applicable prior to the amendments being introduced by this Regulation should continue to be authorised during a transitional period subject to certain conditions.

(14) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EU) No 206/2010 are amended in accordance with Annex I to this Regulation.

Article 2

Annex II to Implementing Regulation (EU) 2016/759 is amended in accordance with Annex II to this Regulation.

Article 3

Annex I to Regulation (EU) No 28/2012 is amended in accordance with Annex III to this Regulation.

Article 4

1. For a transitional period until 31 December 2017, consignments of live bovine, ovine and caprine animals, accompanied by a model certificate issued in accordance with the model set out in Part 2 of Annex I to Regulation (EU) No 206/2010 and consignments of fresh meat of domestic bovine, ovine and caprine animals, accompanied by a model certificate issued in accordance with the model set out in Part 2 of Annex II to Regulation (EU) No 206/2010, as applicable before the amendments made by this Regulation, shall continue to be authorised for importation into the Union provided that the certificate was issued no later than 30 November 2017.

2. For a transitional period until 31 December 2017, consignments of gelatine intended for human consumption, collagen intended for human consumption, raw materials for production of gelatine and collagen intended for human consumption and treated raw materials for the production of gelatine and collagen intended for human consumption, accompanied by a model certificate issued in accordance with the model set out respectively in Parts III, IV, V and VI of Annex II to Implementing Regulation (EU) 2016/759, as applicable before the amendments made by this Regulation, shall continue to be authorised for importation into the Union provided that the certificate was issued no later than 30 November 2017.

3. For a transitional period until 31 December 2017, consignments of certain composite products intended for human consumption, accompanied by a model certificate issued in accordance with the model set out in Annex I to Regulation (EU) No 28/2012, as applicable before the amendments made by this Regulation, shall continue to be authorised for importation into the Union provided that the certificate was issued no later than 30 November 2017.

Article 5

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

It shall apply from 1 July 2017.

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

Done at Brussels, 25 April 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

Annexes I and II to Regulation (EU) No 206/2010 are amended as follows:

(1) In Annex I, Part 2 is amended as follows:

(a) The model veterinary certificate BOV-X is amended as follows:

(i) In Part II.1, Public Health Attestation, point II.1.3 is replaced by the following:

'II.1.3. with regard to bovine spongiform encephalopathy (BSE):

(a) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and they have not been exposed to the following animals:

(i) any BSE cases;

(ii) bovine animals which, during their first year of life, were reared with the BSE cases during their first year of life, and which investigation has shown consumed the same potentially contaminated feed during that period; or

(iii) if the results of the investigation referred to in indent (ii) are inconclusive, bovine animals born in the same herd as, and within 12 months of the birth of, the BSE cases;

([1]) ([2]) *either* [(b) if there have been BSE indigenous cases in the country concerned, the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health, was effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]

([1]) ([3]) *or* [(b) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health, was effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]

([1]) ([4]) *or* [(b) the animals were born at least two years after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health, was effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]'

(ii) In Part II of the Notes, the footnotes (2), (3) and (4) are replaced by the following:

'([2]) Only if the animals were born and continuously reared in a country or region or countries or regions classified in accordance with Decision 2007/453/EC as countries or regions posing a negligible BSE risk.

([3]) Only if the country or region of origin is classified in accordance with Decision 2007/453/EC as a country or region posing a controlled BSE risk.

([4]) Only if the country or region of origin has been classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk.'

(b) The model veterinary certificate BOV-Y is amended as follows:

(i) In Part II.1, Public Health Attestation, point II.1.3 is replaced by the following:

'II.1.3. with regard to bovine spongiform encephalopathy (BSE):

(a) the animals are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin, and have not been exposed to the following animals:

(i) any BSE cases;

(ii) bovine animals which, during their first year of life, were reared with the BSE cases during their first year of life, and which investigation has shown consumed the same potentially contaminated feed during that period; or

(iii) if the results of the investigation referred to in indent (ii) are inconclusive, bovine animals born in the same herd as, and within 12 months of the birth of, the BSE cases;

([1]) ([2]) *either* [(b) if there have been BSE indigenous cases in the country concerned, the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health, was effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]

([1]) ([3]) *or* [(b) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health, was effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]

([1]) ([4]) *or* [(b) the animals were born at least two years after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health, was effectively enforced or after the date of birth of the last BSE indigenous case if born after the date of the feed ban.]'

(ii) In Part II of the Notes, footnotes (2), (3) and (4) are replaced by the following:

'([2]) Only if the animals were born and continuously reared in a country or region or countries or regions classified in accordance with Decision 2007/453/EC as countries or regions posing a negligible BSE risk.

([3]) Only if the country or region of origin is classified in accordance with Decision 2007/453/EC as a country or region posing a controlled BSE risk.

([4]) Only if the country or region of origin has been classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk.'

(2) Annex II, Part 2 is amended as follows:

(a) The model veterinary certificate BOV is amended as follows:

(i) In Part II.1, Public Health Attestation, point II.1.9 is replaced by the following:

'([1]) *either* [II.1.9. with regard to bovine spongiform encephalopathy (BSE):

(a) the country or region of dispatch is classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk;

([1]) *either* [(b) the animals, from which the meat or minced meat was derived:

(i) were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk;

(ii) were slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity;]

([1]) *or* [(b) the animals, from which the meat or minced meat was derived, were not slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity;]

([1]) *either* [(c) the meat or minced meat does not contain and is not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001 (*);]

(1) *or* [(c) (i) the meat or minced meat is derived from animals which originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a controlled or an undetermined BSE risk;

(ii) the carcasses, half carcasses or half carcasses cut into no more than three wholesale cuts, and quarters contain no specified risk material other than the vertebral column, including dorsal root ganglia;

(iii) the carcasses or wholesale cuts of carcasses of animals aged over 30 months and containing vertebral column are identified by a clearly visible red stripe on the label referred to in Article 13 or 15 of Regulation (EC) No 1760/2000 (3);]

(1) *either* [(d) the meat or minced meat is derived from mechanically separated meat, obtained from bones of bovine animals which were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk and in which there have been no BSE indigenous cases;]

(1) *or* [(d) the meat or minced meat is not derived from mechanically separated meat, obtained from bones of bovine animals;]

(1) [(e) (i) the animals, from which the meat or minced meat is derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk;

(ii) the animals, from which the meat or minced meat is derived, have not been fed with meat-and-bone meal or greaves, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health;

(iii) the meat or minced meat was produced and handled in a manner which ensures that it did not contain and was not contaminated with nervous and lymphatic tissues exposed during the deboning process.]]

(1) *or* [II.1.9. with regard to bovine spongiform encephalopathy (BSE):

(a) the country or region of dispatch is classified in accordance with Decision 2007/453/EC as a country or region posing a controlled BSE risk;

(b) the animals from which the bovine meat or minced meat is derived were not been killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity;

(1) *either* [(c) the meat or minced meat does not contain and is not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine animals.]

(1) *or* [(c) the carcasses, half carcasses or half carcasses cut into no more than three wholesale cuts, and quarters contain no specified risk material other than the vertebral column, including dorsal root ganglia. The carcasses or wholesale cuts of carcasses of animals aged over 30 months and containing vertebral column are identified by a clearly visible red stripe on the label referred to in Article 13 or 15 of Regulation (EC) No 1760/2000 (3).]]

(1) *or* [II.1.9. with regard to bovine spongiform encephalopathy (BSE):

(a) the country or region of dispatch has not been classified in accordance with Decision 2007/453/EC or is classified as a country or region with an undetermined BSE risk;

(b) the animals from which the meat or minced meat is derived were not fed meat-and-bone meal or greaves derived from ruminants, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health;

(c) the animals from which the meat or minced meat is derived were not killed, after stunning, by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity;

([1]) *either* [(d) the meat or minced meat does not contain and is not derived from:

(i) specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001;

(ii) nervous and lymphatic tissues exposed during the deboning process;

(iii) mechanically separated meat obtained from bones of bovine animals.]

([1]) *or* [(d) the carcasses, half carcasses or half carcasses cut into no more than three wholesale cuts, and quarters contain no specified risk material other than the vertebral column, including dorsal root ganglia. The carcasses or wholesale cuts of carcasses of animals aged over 30 months and containing vertebral column are identified by a clearly visible red stripe on the label referred to in Article 13 or 15 of Regulation (EC) No 1760/2000 ([3]).]]'

(ii) In Part II of the Notes, footnote (3) is replaced by the following:

'([3]) The number of bovine carcasses or wholesale cuts of carcasses, from which removal of the vertebral column is required shall be added to the Common Veterinary Entry Document (CVED) referred to in Article 2(1) of Regulation (EC) No 136/2004.'

(iii) In Part II of the Notes, the following footnote (*) is added:

'(*) The removal of specified risk material is not required if the meat or minced meat derives from animals born, continuously reared and slaughtered in a third country or region of a third country classified in accordance with Decision 2007/453/EC as posing a negligible BSE risk.'

(b) The model veterinary certificate OVI is amended as follows:

(i) In Part II.1, Public Health Attestation, point II.1.9 is replaced by the following:

'([1]) *either* [II.1.9. with regard to bovine spongiform encephalopathy (BSE):

(a) the country or region of dispatch is classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk;

([1]) *either* [(b) the animals, from which the meat or minced meat is derived, were not slaughtered after stunning, by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity;]

([1]) *or* [(b) the animals, from which the meat or minced meat is derived:

(i) were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk;

(ii) were slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity;]

(c) the meat or minced meat does not contain and is not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001 (*);

([1]) *either* [(d) the meat or minced meat is not derived from mechanically separated meat, obtained from bones of ovine or caprine animals;]

([1]) *or* [(d) the meat or minced meat is derived from mechanically separated meat obtained from bones of ovine or caprine animals which were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk and in which there have been no BSE indigenous cases;]

([1]) [(e) (i) the animals, from which the meat or minced meat is derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk;

(ii) the animals, from which the meat or minced meat is derived, have not been fed with meat-and-bone meal or greaves, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health;

(iii) the meat or minced meat was produced and handled in a manner which ensures that it did not contain and was not contaminated with nervous and lymphatic tissues exposed during the deboning process.]]

([1]) *or* [II.1.9. with regard to bovine spongiform encephalopathy (BSE):

(a) the country or region is classified in accordance with Decision 2007/453/EC as a country or region posing a controlled BSE risk;

(b) the animals from which the meat or minced meat is derived were not killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity;

(c) the meat or minced meat does not contain and is not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of ovine or caprine animals.]

([1]) *or* [II.1.9. with regard to bovine spongiform encephalopathy (BSE):

(a) the country or region has not been classified in accordance with Decision 2007/453/EC or is classified as a country or region with an undetermined BSE risk;

(b) the animals from which the meat or minced meat is derived were not fed meat-and-bone meal or greaves derived from ruminants, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health;

(c) the animals from which the meat or minced meat is derived were not killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity;

(d) the meat or minced meat does not contain and is not derived from:

(i) specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001;

(ii) nervous and lymphatic tissues exposed during the deboning process;

(iii) mechanically separated meat obtained from bones of ovine or caprine animals.]'

(ii) In Part II of the Notes, the following footnote (*) is added:

'(*) The removal of specified risk material is not required if the meat or minced meat derives from animals born, continuously reared and slaughtered in a third country or region of a third country classified in accordance with Decision 2007/453/EC as posing a negligible BSE risk.'

ANNEX II

Annex II to Implementing Regulation (EU) 2016/759 is amended as follows:

(1) In Part III, the model certificate for imports of gelatine intended for human consumption, Model GEL, is amended as follows:

(a) Part II.1, Public Health Attestation, is replaced by the following:

'I, the undersigned, declare that I am aware of the relevant provisions of 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 (OJ L 31, 1.2.2002, p. 1), Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1) and 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 (OJ L 139, 30.4.2004, p. 55) and certify that the gelatine described above was produced in accordance with those requirements, in particular that:

— it comes from (an) establishment(s) implementing a programme based on the Hazard analysis and critical control points (HACCP) principles in accordance with Article 5 of Regulation (EC) No 852/2004,

— it has been produced from raw materials that met the requirements of Chapters I and II of Section XIV of Annex III to Regulation (EC) No 853/2004,

— it has been manufactured in compliance with the conditions set out in Chapter III of Section XIV of Annex III to Regulation (EC) No 853/2004,

— it satisfies the criteria of Chapter IV of Section XIV of Annex III to Regulation (EC) No 853/2004 and of Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1);

and, if of bovine, ovine and caprine animal origin,

it has been derived from animals which have passed *ante mortem* and *post mortem* inspections,

([1]) and, except for gelatine derived from hides and skins,

([1]) *either* — [it comes from a country or a region classified in accordance with Commission Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a negligible BSE risk,

— the gelatine does not contain and is not derived from specified risk material as defined in point 1 of Annex V to 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 (OJ L 147, 31.5.2001, p. 1) ([2]),

— the gelatine does not contain and is not derived from mechanically separated meat obtained from bones of bovine, ovine or caprine animals, except for gelatine derived from animals that were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk in which there have been no BSE indigenous cases,

— the animals, from which the gelatine is derived were not slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, except if the animals were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk,

— (1) [the animals, from which the gelatine is derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk, and the animals were not fed with meat-and-bone meal or greaves, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health],

— (1) [the animals, from which the gelatine is derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk, and the gelatine was produced and handled in a manner which ensures that it did not contain and were not contaminated with nervous and lymphatic tissues exposed during the deboning process.]]

or — [it comes from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a controlled BSE risk,

— the animals, from which the gelatine is derived, were not killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the gelatine does not contain and is not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals.]

or — [it comes from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a negligible BSE risk,

— the gelatine is derived both from animals born, continuously reared and slaughtered in a country or region with negligible BSE risk in accordance with Decision 2007/453/EC, and from animals born in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a controlled BSE risk, and which were not killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the gelatine does not contain and is not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals.]

or — [it comes from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region with an undetermined BSE risk,

— the animals, from which the gelatine is derived, were not fed meat-and-bone meal or greaves derived from ruminants, as defined in the Terrestrial Animal health Code of the World Organisation for Animal Health,

— the animals, from which the gelatine is derived, were not killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the gelatine is not derived from:

(i) specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001;

(ii) nervous and lymphatic tissues exposed during the deboning process;

(iii) mechanically separated meat obtained from bones of bovine, ovine or caprine animals.]'

(b) In Part II of the Notes, the following footnote (2) is added:

'(2) The removal of specified risk material is not required if the gelatine derives from animals born, continuously reared and slaughtered in a third country or region of a third country classified in accordance with Decision 2007/453/EC as posing a negligible BSE risk.'

(2) In Part IV, the model certificate for imports of collagen for human consumption, Model COL, is amended as follows:

(a) Part II.1, Public Health Attestation, is replaced by the following:

'I, the undersigned, declare that I am aware of the relevant provisions of 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 (OJ L 31, 1.2.2002, p. 1), Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1) and 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 (OJ L 139, 30.4.2004, p. 55) and certify that the collagen described above was produced in accordance with those requirements, in particular that:

— it comes from (an) establishment(s) implementing a programme based on the Hazard analysis and critical control points (HACCP) principles in accordance with Article 5 of Regulation (EC) No 852/2004,

— it has been produced from raw materials that met the requirements of Chapters I and II of Section XV of Annex III to Regulation (EC) No 853/2004,

— it has been manufactured in compliance with the conditions set out in Chapter III of Section XV of Annex III to Regulation (EC) No 853/2004,

— it satisfies the criteria of Chapter IV of Section XV of Annex III to Regulation (EC) No 853/2004 and of Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1);

([1]) and, if of bovine, ovine and caprine animal origin,

it has been derived from animals which have passed *ante mortem* and *post mortem* inspections,

([1]) and, except for collagen derived from hides and skins,

([1]) *either* — [it comes from a country or a region classified in accordance with Commission Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a negligible BSE risk,

— the collagen does not contain and is not derived from specified risk material as defined in point 1 of Annex V to 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 (OJ L 147, 31.5.2001, p. 1) ([2]),

— the collagen does not contain and is not derived from mechanically separated meat obtained from bones of bovine, ovine or caprine animals, except for collagen derived from animals that were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk in which there have been no BSE indigenous cases,

— the animals from which the collagen was derived have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, except if the animals were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk,

— (1) [the animals, from which the collagen is derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk, and the animals were not fed with meat-and-bone meal or greaves, as defined in the OIE Terrestrial Animal Health Code],

— (1) [the animals, from which the collagen is derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk, and the collagen was produced and handled in a manner which ensures that it did not contain and were not contaminated with nervous and lymphatic tissues exposed during the deboning process.]]

(1) *or* — [it comes from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a controlled BSE risk,

— the animals, from which the collagen is derived, were not killed, after stunning, by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the collagen does not contain and is not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals.]

(1) *or* — [it comes from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region with an undetermined BSE risk,

— the animals, from which the collagen is derived, were not fed meat-and-bone meal or greaves derived from ruminants, as defined in the Terrestrial Animal health Code of the World Organisation for Animal Health,

— the animals, from which the collagen is derived, were not killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the collagen is not derived from:

(i) specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001,

(ii) nervous and lymphatic tissues exposed during the deboning process,

(iii) mechanically separated meat obtained from bones of bovine, ovine or caprine animals.]'

(b) In Part II of the Notes, the following footnote (2) is added:

'(2) The removal of specified risk material is not required if the collagen derives from animals born, continuously reared and slaughtered in a third country or region of a third country classified in accordance with Decision 2007/453/EC as posing a negligible BSE risk.'

(3) In Part V, the model certificate for imports of raw material for the production of gelatine/collagen intended for human consumption, Model RCG, is amended as follows:

(a) Part II.1, Public Health Attestation, is replaced by the following:

'I, the undersigned, declare that I am aware of the relevant provisions of 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 (OJ L 31, 1.2.2002, p. 1), Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1), 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 (OJ L 139, 30.4.2004, p. 55) and 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 (OJ L 139, 30.4.2004, p. 206) and certify that the raw materials described above comply with those requirements, in particular that:

— (1) [bones, hides and skins of domestic and farmed ruminant animals, pigs and poultry and tendons and sinews described above are derived from animals which were slaughtered in a slaughterhouse and the carcasses of which were found fit for human consumption following *ante* and *post mortem* inspection,]

and/or

— (1) [wild game hides, skins and bones described above are derived from killed animals whose carcasses have been found fit for human consumption following *post mortem* inspection,]

and/or

— (1) [fish skins and bones described above are derived from plants manufacturing fishery products for human consumption authorised for export,]

(1) and, if of bovine, ovine and caprine animal origin,

— they have been derived from animals which passed *ante mortem* and *post mortem* inspections,

(1) and, except for hides and skins of ruminants,

(1) *either* — [they come from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a negligible BSE risk,

— they do not contain and are not derived from specified risk material as defined in point 1 of Annex V to 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 (OJ L 147, 31.5.2001, p. 1) (6),

— they do not contain and are not derived from mechanically separated meat obtained from bones of bovine, ovine or caprine animals, except for raw materials derived from animals that were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk in which there have been no BSE indigenous cases,

— the animals, from which the raw materials are derived, were not slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, except if the animals were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk,

— (1) [the animals, from which the raw materials are derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk, and the animals were not fed with meat-and-bone meal or greaves, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health],

— (1) [the animals, from which the raw materials are derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk, and the raw materials were produced and handled in a manner which ensures that they did not contain and were not contaminated with nervous and lymphatic tissues exposed during the deboning process.]]

([1]) *or* — [they come from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a controlled BSE risk,

— the animals, from which the raw materials of bovine, ovine and caprine animal origin intended for export are derived, were not killed, after stunning, by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the raw materials of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals;]

([1]) *or* — [they come from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region with an undetermined BSE risk,

— the animals, from which the raw materials are derived, were not fed meat-and-bone meal or greaves derived from ruminants, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health,

— the animals from which the raw materials of bovine, ovine and caprine animal origin are derived, were not killed, after stunning, by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the raw materials are not derived from:

(i) specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001;

(ii) nervous and lymphatic tissues exposed during the de-boning process;

(iii) mechanically separated meat obtained from bones of bovine, ovine or caprine animals.]'

(b) In Part II of the Notes, the following footnote (6) is added:

'([6]) The removal of specified risk material is not required if the raw materials derive from animals born, continuously reared and slaughtered in a third country or region of a third country classified in accordance with Decision 2007/453/EC as posing a negligible BSE risk.'

(4) In Part VI, the model certificate for imports of treated raw material for the production of gelatine/collagen intended for human consumption, Model TCG, is amended as follows:

(a) Part II.1, Public Health Attestation, is replaced by the following:

'I, the undersigned, certify that the treated raw materials described above comply with the following requirements:

— they have been derived from establishments under the control of and listed by the competent authority,

and

— ([1]) [bones, hides and skins of domestic and farmed ruminant animals, pigs and poultry described above are derived from animals which were slaughtered in a slaughterhouse and the carcasses of which were found fit for human consumption following *ante* and *post mortem* inspection,]

([1]) and/or

— [wild game hides, skins and bones described above are derived from killed animals whose carcasses were found fit for human consumption following *post mortem* inspection,]

([1]) and/or

— [fish skins and bones described above are derived from plants manufacturing fishery products for human consumption authorised for export,]

and

([1]) *either* — [they are dried bones of species from bovine, ovine, caprine, porcine and equine animals, including farmed and wild animals, poultry including ratites and feathered game for the production of collagen or gelatine, they derived from healthy animals slaughtered in a slaughterhouse, and they have been treated as follows:

([1]) *either* — [crushed to pieces of approximately 15 mm and degreased with hot water at a temperature of minimum 70 °C for at least 30 minutes, minimum 80 °C for at least 15 minutes, or minimum 90 °C for at least 10 minutes, and then separated and subsequently washed and dried for at least 20 minutes in a stream of hot air with an initial temperature of minimum 350 °C, or for 15 minutes in a stream of hot air with an initial temperature of more than 700 °C.]

([1]) *or* [sun-dried for a minimum of 42 days at an average temperature of at least 20 °C.]

([1]) *or* [acid treatment such that the pH is maintained at less than 6 to the core for at least one hour before drying.]]

([1]) *or* [they are hides and skins of farmed ruminant animals, pig skins, poultry skins or wild game hides and skins, they derived from healthy animals and they:

([1]) *either* — [have undergone an alkali treatment which ensures a pH > 12 to the core followed by salting for at least 7 days]

([1]) *or* [were dried for at least 42 days at a temperature of at least 20 °C.]

([1]) *or* [have undergone an acid treatment that provides at least a pH of less than 5 to the core for a minimum of 1 hour.]

([1]) *or* [have undergone an alkali treatment which ensures a pH > 12 to the core for at least 8 hours.]]

([1]) *or* [they are bones, hides or skins of farmed ruminant animals, pig skins, poultry skins, fish skins and wild game hides and skins from third countries, parts of third countries and territories referred to in Part IV of Annex I to Commission Implementing Regulation (EU) 2016/759 of 28 April 2016 drawing up lists of third countries, parts of third countries and territories from which Member States are to authorise the introduction into the Union of certain products of animal origin intended for human consumption, laying down certificate requirements, amending Regulation (EC) No 2074/2005 and repealing Decision 2003/812/EC (OJ L 126, 14.5.2016, p. 13) that have undergone any other treatment than those listed above, and that come from establishments registered or approved in accordance with to Regulation (EC) No 852/2004 or in accordance with Regulation (EC) No 853/2004

([1]) and, if of bovine, ovine and caprine animal origin,

— they are derived from animals which passed *ante mortem* and *post mortem* inspections,

([1]) and, except for hides and skins of ruminants,

([1]) *either* — [they come from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a negligible BSE risk,

— they do not contain and are not derived from specified risk material as defined in point 1 of Annex V to 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 (OJ L 147, 31.5.2001, p. 1) ([4]),

— they do not contain and are not derived from mechanically separated meat obtained from bones of bovine, ovine or caprine animals, except for treated raw materials derived from animals that were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk in which there have been no BSE indigenous cases,

— the animals, from which the treated raw materials are derived, were not slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, except if the animals were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk,

— [1] [the animals, from which the treated raw materials are derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk, and the animals have not been fed with meat-and-bone meal or greaves, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health],

— [1] [the animals, from which the treated raw materials are derived, originate from a country or region classified in accordance with Decision 2007/453/EC as a country or region posing an undetermined BSE risk, the products were produced and handled in a manner which ensures that they did not contain and were not contaminated with nervous and lymphatic tissues exposed during the deboning process.]]

[1] *or* — [they come from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region posing a controlled BSE risk,

— the animals, from which the treated raw materials of bovine, ovine and caprine animal origin destined for export are derived, were not killed, after stunning, by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the treated raw materials of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals;]

[1] *or* — [they come from a country or a region classified in accordance with Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84) as a country or region with an undetermined BSE risk,

— the animals from which the treated raw materials were derived have not been fed meat-and-bone meal or greaves derived from ruminants, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health,

— the animals, from which the treated raw materials of bovine, ovine and caprine animal origin are derived, were not killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity,

— the treated raw materials are not derived from:

(i) specified risk material as defined in point 1 of Annex V of Regulation (EC) No 999/2001;

(ii) nervous and lymphatic tissues exposed during the de-boning process;

(iii) mechanically separated meat obtained from bones of bovine, ovine or caprine animals.]]'

(b) In Part II of the Notes, the following footnote (4) is added:

'(4) The removal of specified risk material is not required if the treated raw materials derive from animals born, continuously reared and slaughtered in a third country or region of a third country classified in accordance with Decision 2007/453/EC as posing a negligible BSE risk.'

ANNEX III

In Annex I to Regulation (EU) No 28/2012, the model health certificate for import into the European Union of composite products intended for human consumption is amended as follows:

(1) In Point II.2.A of Part II, Health Information, point (E) is replaced by the following:

'(E) If containing material from bovine, ovine or caprine animals, the fresh meat and/or intestines used in the preparation of the meat products and/or treated intestines shall be subject to the following conditions depending on the BSE risk category of the country of origin:

([1]) [(E.1) for imports from a country or a region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk:

1. the animals, from which the products of bovine, ovine and caprine animal origin are derived, have passed *ante mortem* and *post mortem* inspection;

2. the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001 of the European Parliament and of the Council ([11]);

3. the products of bovine, ovine and caprine animal origin do not contain and are not derived from mechanically separated meat obtained from the bones of bovine, ovine or caprine animals, except for products of bovine, ovine and caprine animal origin derived from animals that were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk in which there have been no BSE indigenous cases;

4. the animals, from which the products of bovine, ovine and caprine animal origin are derived, were not slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, except if the animals were born, continuously reared and slaughtered in a country or region classified in accordance with Decision 2007/453/EC as a country or region posing a negligible BSE risk;

5. if the animals, from which the products of bovine, ovine and caprine animal origin are derived, originate from a country or region classified in accordance with Decision 2007/453/EC as posing an undetermined BSE risk, those animals were not fed with meat-and-bone meal or greaves, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health, and the products were produced and handled in a manner which ensures that it did not contain and was not contaminated with nervous and lymphatic tissues exposed during the deboning process.]

([1]) *or* [(E2) for imports from a country or a region classified in accordance with Decision 2007/453/EC as a country or region posing a controlled BSE risk;

1. the animals, from which the products of bovine, ovine and caprine animal origin are derived, have passed *ante mortem* and *post mortem* inspection and were not killed after stunning by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity;

2. the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from the bones of bovine, ovine or caprine animals.

([1]) ([4]) 3. In the case of intestines originally sourced from a country or a region with a negligible BSE risk, imports of treated intestines have been subject to the following conditions:

(a) the country or region was classified in accordance with Decision 2007/453/EC as a country or region posing a controlled BSE risk;

(b) the animals, from which the products of bovine, ovine and caprine animal origin are derived, were born, continuously reared and slaughtered in the country or region with a negligible BSE risk and have passed *ante mortem* and *post mortem* inspections;

([1]) (c) if the intestines are sourced from a country or region where there have been BSE indigenous cases:

(i) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants was enforced; or

(ii) the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001.]

([1]) *or* [(E.3) for imports from a country or a region classified in accordance with Decision 2007/453/EC as a country or region with an undetermined BSE risk:

1. the animals, from which the products of bovine, ovine and caprine animal origin are derived, were not fed meat-and-bone meal or greaves derived from ruminants, as defined in the Terrestrial Animal health Code of the World Organisation for Animal Health, and have passed *ante mortem* and *post mortem* inspections;

2. the animals, from which the products of bovine, ovine and caprine animal origin are derived, were not killed, after stunning, by laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity;

3. the products of bovine, ovine and caprine animal origin are not derived from:

(a) specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001;

(b) nervous and lymphatic tissues exposed during the deboning process;

(c) mechanically separated meat obtained from bones of bovine, ovine or caprine animals.

([1]) ([4]) 4. In the case of intestines originally sourced from a country or a region with a negligible BSE risk, imports of treated intestines have been subject to the following conditions:

(a) the country or region was classified in accordance with Decision 2007/453/EC as a country or region posing a undetermined BSE risk;

(b) the animals, from which the products of bovine, ovine and caprine animal origin are derived, were born, continuously reared and slaughtered in the country or region with a negligible BSE risk and have passed *ante mortem* and *post mortem* inspections;

([1]) (c) if the intestines are sourced from a country or region where there have been BSE indigenous cases:

(i) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants was enforced; or

(ii) the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001.]'

(2) In Part II of the Notes, the following footnote (11) is added:

'(11) The removal of specified risk material is not required if the products of bovine, ovine and caprine animal origin derive from animals born, continuously reared and slaughtered in a third country or region of a third country classified in accordance with Decision 2007/453/EC as posing a negligible BSE risk.'

COMMISSION IMPLEMENTING REGULATION (EU) 2017/732

of 25 April 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, 25 April 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	EG	288,4
	MA	98,4
	TR	122,6
	ZZ	169,8
0707 00 05	MA	79,4
	TR	152,9
	ZZ	116,2
0709 93 10	MA	78,6
	TR	141,3
	ZZ	110,0
0805 10 22, 0805 10 24, 0805 10 28	EG	51,7
	IL	80,7
	MA	50,0
	TR	71,4
	ZZ	63,5
0805 50 10	AR	68,9
	TR	67,0
	ZZ	68,0
0808 10 80	AR	89,5
	BR	108,0
	CL	131,3
	CN	147,6
	NZ	152,0
	US	116,7
	ZA	80,7
	ZZ	118,0
0808 30 90	AR	155,6
	CL	132,6
	CN	81,4
	ZA	123,6
	ZZ	123,3

(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'.

DECISIONS

COUNCIL DECISION (EU) 2017/733

of 25 April 2017

on the application of the provisions of the Schengen *acquis* relating to the Schengen Information System in the Republic of Croatia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Act of Accession of Croatia, and in particular Article 4(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Parliament ([1]),

Whereas:

(1) Article 4(2) of the Act of Accession of Croatia provides that the provisions of the Schengen *acquis* not referred to in Article 4(1) of that Act, shall only apply in Croatia pursuant to a Council decision to that effect, after verification, in accordance with the applicable Schengen evaluation procedures, that the necessary conditions for the application of all parts of the relevant *acquis* have been met in Croatia, including the effective application of all Schengen rules in accordance with the agreed common standards and with fundamental principles.

(2) The applicable Schengen evaluation procedures are set out in Council Regulation (EU) No 1053/2013 ([2]).

(3) The Schengen evaluation relating to data protection was carried out in Croatia in February 2016. The Commission adopted, by means of an implementing decision, an evaluation report confirming that the necessary conditions for the application of the Schengen *acquis* relating to data protection have been met in Croatia.

(4) In accordance with Article 1(1) of Commission Implementing Decision (EU) 2015/450 ([3]) it has been verified that, from a technical point of view, the Croatian national system (N.SIS) is ready to integrate into the Schengen Information System ('SIS').

(5) Croatia thus having made the necessary technical and legal arrangements to process SIS data and exchange supplementary information, it is now possible for the Council to set the date from which the Schengen *acquis* relating to the SIS shall apply in Croatia.

(6) The entry into force of this Decision should allow for SIS data to be transferred to Croatia. The concrete use of these data should allow the Commission to verify the correct application of the provisions of the Schengen *acquis* relating to of the SIS in Croatia. Once it has been verified that the necessary conditions for the application of all parts of the Schengen *acquis* have been met in Croatia, the Council should decide on the lifting of checks at the internal borders.

(7) A separate Council Decision should be adopted setting a date for the lifting of checks at internal borders with Croatia. Until the date set out in that Decision, certain restrictions on the use of the SIS in Croatia should be imposed.

([1]) Opinion of 5 April 2017 (not yet published in the Official Journal).

([2]) Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27).

([3]) Commission Implementing Decision (EU) 2015/450 of 16 March 2015 laying down test requirements for Member States integrating into the second generation Schengen Information System (SIS II) or changing substantially their directly related national systems (OJ L 74, 18.3.2015, p. 31).

(8) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latters' association with the implementation, application and development of the Schengen *acquis* ([1]) which fall within the area referred to in point G of Article 1 of Council Decision 1999/437/EC ([2]).

(9) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ([3]) which fall within the area referred to in point G of Article 1 of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC ([4]) and with Article 3 of Council Decision 2008/149/JHA ([5]).

(10) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ([6]) which fall within the area referred to in point G of Article 1 of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/349/EU ([7]) and Article 3 of Council Decision 2011/350/EU ([8]),

HAS ADOPTED THIS DECISION:

Article 1

1. Subject to the conditions specified in this Article, from 27 June 2017, the provisions of the Schengen *acquis* relating to the Schengen Information System ('SIS'), set out in the Annex to this Decision, shall apply in the Republic of Croatia in its relations with:

(a) the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, 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 and the Kingdom of Sweden;

(b) the United Kingdom of Great Britain and Northern Ireland with regard to the provisions referred to in Council Decision 2007/533/JHA ([9]); and

(c) the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation.

([1]) OJ L 176, 10.7.1999, p. 36.
([2]) Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).
([3]) OJ L 53, 27.2.2008, p. 52.
([4]) Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).
([5]) Council Decision 2008/149/JHA of 28 January 2008 on the conclusion on behalf of the European Union of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 50).
([6]) OJ L 160, 18.6.2011, p. 21.
([7]) Council Decision 2011/349/EU of 7 March 2011 on the conclusion on behalf of the European Union of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating in particular to judicial cooperation in criminal matters and police cooperation (OJ L 160, 18.6.2011, p. 1).
([8]) Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).
([9]) Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information Systems (SIS II) (OJ L 205, 7.8.2007, p. 63).

2. From 2 May 2017, alerts covered by Decision 2007/533/JHA and Regulation (EC) No 1987/2006 of the European Parliament and of the Council [1], as defined in point (a) of Article 3(1) of that Decision and in point (a) of Article 3 of that Regulation, as well as supplementary information and additional data, as defined in points (b) and (c) of Article 3(1) of that Decision and points (b) and (c) of Article 3 of that Regulation, that are connected with those alerts, may be made available to Croatia in accordance with the provisions of that Decision and that Regulation.

3. From 27 June 2017 Croatia shall be able to enter alerts and additional data into the SIS, to use SIS data and to exchange supplementary information, subject to the provisions of paragraph 4.

4. Until checks at internal borders with Croatia are lifted, Croatia:

(a) shall not be obliged to refuse entry into or stay on its territory to third-country nationals for whom an alert has been issued by another Member State for the purposes of refusing entry or stay in accordance with Regulation (EC) No 1987/2006;

(b) shall refrain from entering into the SIS alerts and additional data, as well as from exchanging supplementary information on third-country nationals, for the purposes of refusing entry or stay in accordance with Regulation (EC) No 1987/2006.

Article 2

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

Done at Luxembourg, 25 April 2017.

For the Council
The President
I. BORG

[1] Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (OJ L 381, 28.12.2006, p. 4).

ANNEX

List of the provisions of the Schengen *acquis* relating to the Schengen Information System in accordance with Article 4(2) of the Act of Accession of Croatia

1. Regulation (EC) No 1986/2006 of the European Parliament and of the Council of 20 December 2006 regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates ([1]);

2. Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) ([2]);

3. Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II) ([3]).

([1]) OJ L 381, 28.12.2006, p. 1.
([2]) OJ L 381, 28.12.2006, p. 4.
([3]) OJ L 205, 7.8.2007, p. 63.

COUNCIL DECISION (CFSP) 2017/734

of 25 April 2017

amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

(1) On 22 April 2013, the Council adopted Decision 2013/184/CFSP ([1]) concerning restrictive measures against Myanmar/Burma.

(2) On 21 April 2016, the Council adopted Decision (CFSP) 2016/627 ([2]) renewing the restrictive measures until 30 April 2017.

(3) On the basis of a review of Decision 2013/184/CFSP, the restrictive measures should be renewed until 30 April 2018.

(4) Decision 2013/184/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Decision 2013/184/CFSP is replaced by the following:

'Article 3

This Decision shall apply until 30 April 2018. It shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.'

Article 2

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

Done at Luxembourg, 25 April 2017.

For the Council
The President
I. BORG

([1]) Council Decision 2013/184/CFSP of 22 April 2013 concerning restrictive measures against Myanmar/Burma and repealing Decision 2010/232/CFSP (OJ L 111, 23.4.2013, p. 75).
([2]) Council Decision (CFSP) 2016/627 of 21 April 2016 amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma (OJ L 106, 22.4.2016, p. 23).

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