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⁽¹⁾ Text with EEA relevance.

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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

Information relating to the entry into force of the Agreement between the European Union and Solomon Islands on the short-stay visa waiver

The Agreement between the European Union and Solomon Islands on the short-stay visa waiver will enter into force on 1 May 2017, the procedure provided for in Article 8(1) of the Agreement having been completed on 30 March 2017.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/736

of 26 April 2017

amending Annex VIII to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the approval of Slovenia's national control programme for classical scrapie

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 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 ⁽¹⁾, and in particular point 3.1(b) of Section A of Chapter A of Annex VIII thereof,

Whereas:

- (1) Regulation (EC) No 999/2001 lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in bovine, ovine and caprine animals. It applies to the production and placing on the market of live animals and products of animal origin and in certain specific cases to exports thereof.
- (2) Article 15 of Regulation (EC) No 999/2001 provides that the placing on the market or, if need be, the export of bovine, ovine or caprine animals and their semen, embryos and ova are subject to the conditions laid down in Annex VIII thereto. Point 3.1(a) of Section A of Chapter A of that Annex provides that a Member State which has a national control programme for classical scrapie ('national programme') covering all of its territory may submit its national programme to the Commission for approval. Point 3.1(b) of that Section provides that the Commission may approve that national programme if it complies with the criteria laid down in point 3.1(a) of that Section. Point 3.2 of that Section lists the Member States whose national programmes have been approved.
- (3) On 13 September 2016, Slovenia submitted to the Commission a request for approval of its national programme. On 8 January 2017, following requests for further information, Slovenia submitted an amended national programme, providing clarification and further information on certain aspects thereof. That amended national programme should be approved, as it complies with the criteria laid down in point 3.1(a) of Section A of Chapter A of Annex VIII to Regulation (EC) No 999/2001.
- (4) Point 3.2 of Section A of Chapter A of Annex VIII to Regulation (EC) No 999/2001 should therefore be amended in order to add Slovenia to the list of Member States with approved national programmes.
- (5) 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

In Annex VIII to Regulation (EC) No 999/2001, point 3.2 of Section A of Chapter A is replaced by the following:

'3.2. The national scrapie control programmes of the following Member States are hereby approved:

- Denmark,
- Slovenia.'

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

Article 2

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

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

Done at Brussels, 26 April 2017.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2017/737**of 26 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, 26 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 | 102,7 | |
| | TR | 122,6 | |
| | ZZ | 171,2 | |
| 0707 00 05 | TR | 145,1 | |
| | ZZ | 145,1 | |
| 0709 93 10 | MA | 78,6 | |
| | TR | 144,4 | |
| | ZZ | 111,5 | |
| 0805 10 22, 0805 10 24, 0805 10 28 | EG | 48,3 | |
| | IL | 80,6 | |
| | MA | 50,7 | |
| | TR | 41,8 | |
| | ZZ | 55,4 | |
| 0805 50 10 | EG | 56,5 | |
| | TR | 67,0 | |
| | ZZ | 61,8 | |
| 0808 10 80 | AR | 89,5 | |
| | BR | 113,5 | |
| | CL | 129,3 | |
| | CN | 147,6 | |
| | NZ | 149,9 | |
| | US | 116,7 | |
| | ZA | 83,1 | |
| | ZZ | 118,5 | |
| | 0808 30 90 | AR | 132,1 |
| | | CL | 135,1 |
| CN | | 98,4 | |
| ZA | | 113,1 | |
| ZZ | | 119,7 | |

⁽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'.

DIRECTIVES

COUNCIL DIRECTIVE (EU) 2017/738

of 27 March 2017

amending, for the purpose of adapting to technical progress, Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards lead

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys ⁽¹⁾, and in particular Article 46(1)(b) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Directive 2009/48/EC lays down migration limits for toys or components of toys, for a range of elements, including lead, in dry, liquid and scraped-off toy material. The limits for lead are 13,5 mg/kg, 3,4 mg/kg and 160 mg/kg in each toy material, respectively.
- (2) Those limits were based on the recommendations of the Dutch National Institute for Public Health and the Environment (RIVM) in a 2008 report entitled 'Chemicals in Toys. A general methodology for assessment of chemical safety of toys with a focus on elements'. The RIVM recommendations were based on the conclusion that exposure of children to lead may not exceed a certain level, called 'tolerable daily intake'. In that report, a tolerable daily intake of 3,6 microgram per kilogram body weight per day was determined as the toxicological reference value for lead.
- (3) Since children are also exposed to lead from sources other than toys, only a certain percentage of the toxicological reference value should be allocated to toys. In its opinion on the 'Assessment of the bioavailability of certain elements in toys', adopted on 22 June 2004, the Scientific Committee on Toxicity, Ecotoxicity and Environment recommended that 10 % of the maximum tolerable intake of lead should be allowed as the maximum contribution from toys. In its opinion on the 'Evaluation of the Migration Limits for Chemical Elements in Toys', adopted on 1 July 2010, the Scientific Committee for Health and Environmental Risks (SCHER) concurred with the approach that the uptake of lead from toys should not exceed 10 % of a toxicology-based reference value. Furthermore, since lead is considered particularly toxic, its limits in Directive 2009/48/EC were set at half the level considered safe according to the criteria of the relevant Scientific Committee, in order to ensure that only traces of lead that are compatible with good manufacturing practice should be present. Accordingly, the limits for lead were set in that Directive at 5 % of the tolerable daily intake, determined as the migration of lead from toys.
- (4) The European Food Safety Authority (EFSA) concluded that for lead, as a toxic metal, there is no threshold below which the exposure to lead has no critical health effects. Even low-level exposure to lead may cause neurotoxicity, namely damage to the nervous system and brain, in particular learning deficits. Therefore, according to that new scientific knowledge published by EFSA, the tolerable daily intake should no longer be used as the toxicological reference value.

⁽¹⁾ OJ L 170, 30.6.2009, p. 1.

- (5) According to EFSA, the new toxicological reference to be used for establishing lead limits is the $BMDL_{01}$ (benchmark dose limit) relating to neurodevelopmental effects. The $BMDL_{01}$ is the lower confidence limit (95th percentile) of the benchmark dose of a 1 % extra risk of intellectual deficits in children measured by the Full Scale IQ score, that is a decrease in IQ by 1 point on that scale. The $BMDL_{01}$ is equivalent to a lead intake of 0,5 microgram per kilogram body weight per day.
- (6) The Committee for Risk Assessment established under the European Chemicals Agency agreed with EFSA that the $BMDL_{01}$ is the highest tolerable exposure for lead. Since the current average blood lead levels in European children are up to four times higher than the highest tolerable exposure level, and since no threshold for the neurodevelopmental effects can be established, any additional exposure must be avoided as far as possible.
- (7) Applying the latest scientific developments to the methodology in the 2008 RIVM report to calculate safe limits for elements in toys and applying the approach of Directive 2009/48/EC in managing the risks of particularly toxic elements such as lead, the limits for lead in toys laid down in Directive 2009/48/EC should be reviewed, and should be set at a 5 % allocation of the $BMDL_{01}$ for the protection of children's health.
- (8) An erratum to the 2008 RIVM report, published in 2015, considered that the amounts of dry and liquid toy material which children are assumed to ingest, amounts upon which the 2008 RIVM report's recommendations for limit values were based, should be expressed as weekly amounts instead of daily amounts. SCHER subsequently contended that the ingestion amounts originally recommended are appropriate and should continue to be expressed as daily amounts rather than weekly amounts, thereby confirming that the methodology used in the 2008 RIVM report to calculate safe limits for elements in toys is correct. Accordingly, the methodology used in the 2008 RIVM report should continue to be applied for the purposes of laying down revised limits for lead in toys.
- (9) Directive 2009/48/EC should therefore be amended accordingly.
- (10) The committee established under Article 47 of Directive 2009/48/EC delivered no opinion on the measures provided for in this Directive; the Commission therefore submitted to the Council a proposal relating to those measures and forwarded it to the European Parliament,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In the table under point 13 of part III of Annex II to Directive 2009/48/EC, the entry for lead is replaced by the following:

| | | | |
|-------|-----|-----|-----|
| 'Lead | 2,0 | 0,5 | 23' |
|-------|-----|-----|-----|

Article 2

1. Member States shall adopt and publish, by 28 October 2018 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 28 October 2018.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 27 March 2017.

For the Council
The President
C. ABELA

CORRIGENDA**Corrigendum to Commission Delegated Regulation (EU) 2016/958 of 9 March 2016 supplementing Regulation (EU) No 596/2014 of the European Parliament and of the Council with regard to regulatory technical standards for the technical arrangements for objective presentation of investment recommendations or other information recommending or suggesting an investment strategy and for disclosure of particular interests or indications of conflicts of interest**

(Official Journal of the European Union L 160 of 17 June 2016)

On page 19, in Article 6(1), in the introductory phrase of that paragraph and in points (a) and (b):

for: '1. In addition to the information required in Article 5, a person referred to in Article 3(1)(34)(i) of Regulation (EU) No 596/2014 and an expert shall include in the recommendation the following information on their interests and conflicts of interest concerning the issuer to which the recommendation, directly or indirectly, relates:

- (a) if it owns a net long or short position exceeding the threshold of 0,5 % of the total issued share capital of the issuer, calculated in accordance with Article 3 of Regulation (EU) No 236/2012 and with Chapters III and IV of Commission Delegated Regulation (EU) No 918/2012 ⁽¹⁾, a statement to that effect specifying whether the net position is long or short;
- (b) if holdings exceeding 5 % of its total issued share capital are held by the issuer, a statement to that effect;'

read: '1. In addition to the information required in Article 5, the persons referred to in Article 3(1)(34)(i) of Regulation (EU) No 596/2014 and experts shall include in the recommendation the following information on their interests and conflicts of interest concerning the issuer to which the recommendation, directly or indirectly, relates:

- (a) if the person or expert owns a net long or short position exceeding the threshold of 0,5 % of the total issued share capital of the issuer, calculated in accordance with Article 3 of Regulation (EU) No 236/2012 and with Chapters III and IV of Commission Delegated Regulation (EU) No 918/2012 ⁽¹⁾, a statement to that effect specifying whether the net position is long or short;
 - (b) if the holdings of the issuer in the total issued share capital of the person or expert exceed 5 %, a statement to that effect;'
-

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