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## Legislation

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<sup>(1)</sup> 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.

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## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) 2017/781

of 5 May 2017

**withdrawing the approval of the active substance methyl nonyl ketone, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011**

(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC <sup>(1)</sup>, and in particular the second alternative of Article 21(3) and Article 78(2) thereof

Whereas:

- (1) Commission Directive 2008/127/EC <sup>(2)</sup> included methyl nonyl ketone as an active substance in Annex I to Council Directive 91/414/EEC <sup>(3)</sup>. Commission Implementing Regulation (EU) No 608/2012 <sup>(4)</sup> required that the notifier at whose request methyl nonyl ketone has been included provide further confirmatory information on (a) the specification of the material tested in mammalian toxicology and ecotoxicology studies, (b) the specification with supporting batch data and validated methods of analysis, (c) an appropriate assessment of the fate and behaviour of that substance and its potential transformation products in the environment and (d) the risk to aquatic and to soil living organisms. This information was due by 30 April 2013 for points (a) and (b) and by 31 December 2015 for points (c) and (d).
- (2) Active substances included in Annex I to Directive 91/414/EEC are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 <sup>(5)</sup>.
- (3) The notifier failed to submit the confirmatory information on points (c) and (d) of recital (1) by 31 December 2015. The notifier also failed to reply to the letter from the Commission giving him the opportunity to explain his position before any decision to withdraw the substance would be taken.
- (4) Consequently, it is appropriate to withdraw the approval of methyl nonyl ketone.

<sup>(1)</sup> OJ L 309, 24.11.2009, p. 1.

<sup>(2)</sup> Commission Directive 2008/127/EC of 18 December 2008 amending Council Directive 91/414/EEC to include several active substances (OJ L 344, 20.12.2008, p. 89).

<sup>(3)</sup> Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

<sup>(4)</sup> Commission Implementing Regulation (EU) No 608/2012 of 6 July 2012 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substances denathonium benzoate, methyl nonyl ketone and plant oils/spearmint oil (OJ L 177, 7.7.2012, p. 19).

<sup>(5)</sup> Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

- (5) The Annex to Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (6) Member States should be given time to withdraw authorisations for plant protection products containing that active substance. It is appropriate to limit the maximum duration of the grace period that may be granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 for plant protection products containing the active substance.
- (7) 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*

**Withdrawal of approval**

The approval of the active substance methyl nonyl ketone is withdrawn.

*Article 2*

**Amendment to Implementing Regulation (EU) No 540/2011**

In Part A of the Annex to Implementing Regulation (EU) No 540/2011, row 238, methyl nonyl ketone, is deleted.

*Article 3*

**Transitional measures**

Member States shall withdraw authorisations for plant protection products containing methyl nonyl ketone as an active substance by 26 August 2017 at the latest.

*Article 4*

**Grace period**

A grace period granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 shall be as short as possible and shall expire on 26 August 2018.

*Article 5*

**Entry into force**

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

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

Done at Brussels, 5 May 2017.

*For the Commission*

*The President*

Jean-Claude JUNCKER

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**COMMISSION IMPLEMENTING REGULATION (EU) 2017/782****of 5 May 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 <sup>(1)</sup>,

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 <sup>(2)</sup>, 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, 5 May 2017.

For the Commission,  
On behalf of the President,

Jerzy PLEWA

Director-General

*Directorate-General for Agriculture and Rural Development*

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<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(2)</sup> 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 <sup>(1)</sup>	Standard import value
0702 00 00	EG	176,8
	MA	94,9
	TR	97,0
	ZZ	122,9
0707 00 05	MA	79,4
	TR	116,3
	ZZ	97,9
0709 93 10	TR	139,1
	ZZ	139,1
0805 10 22, 0805 10 24, 0805 10 28	EG	49,8
	IL	80,7
	MA	56,0
	TR	65,5
	ZZ	63,0
0805 50 10	TR	61,0
	ZZ	61,0
0808 10 80	AR	313,7
	BR	116,8
	CL	119,2
	CN	145,5
	NZ	127,6
	US	112,5
	ZA	101,8
	ZZ	148,2

<sup>(1)</sup> 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) 2017/783

of 25 April 2017

**on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex IV (Energy) to the EEA Agreement**

**(Third Energy Package)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 53(1), 62 and 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area <sup>(1)</sup>, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area <sup>(2)</sup> ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex IV (Energy) to the EEA Agreement.
- (3) Regulation (EC) No 713/2009 of the European Parliament and of the Council <sup>(3)</sup> is to be incorporated into the EEA Agreement.
- (4) Regulation (EC) No 714/2009 of the European Parliament and of the Council <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (5) Regulation (EC) No 715/2009 of the European Parliament and of the Council <sup>(5)</sup> is to be incorporated into the EEA Agreement.
- (6) Commission Regulation (EU) No 543/2013 <sup>(6)</sup> is to be incorporated into the EEA Agreement.
- (7) Directive 2009/72/EC of the European Parliament and of the Council <sup>(7)</sup> is to be incorporated into the EEA Agreement.
- (8) Directive 2009/73/EC of the European Parliament and of the Council <sup>(8)</sup> is to be incorporated into the EEA Agreement.
- (9) Commission Decision 2010/685/EU <sup>(9)</sup> is to be incorporated into the EEA Agreement.

<sup>(1)</sup> OJ L 305, 30.11.1994, p. 6.

<sup>(2)</sup> OJ L 1, 3.1.1994, p. 3.

<sup>(3)</sup> Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators (OJ L 211, 14.8.2009, p. 1).

<sup>(4)</sup> Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003 (OJ L 211, 14.8.2009, p. 15).

<sup>(5)</sup> Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36).

<sup>(6)</sup> Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council (OJ L 163, 15.6.2013, p. 1).

<sup>(7)</sup> Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (OJ L 211, 14.8.2009, p. 55).

<sup>(8)</sup> Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).

<sup>(9)</sup> Commission Decision 2010/685/EU of 10 November 2010 amending Chapter 3 of Annex I to Regulation (EC) No 715/2009 of the European Parliament and of the Council on conditions for access to the natural gas transmission networks (OJ L 293, 11.11.2010, p. 67).



- (10) Commission Decision 2012/490/EU <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (11) Regulation (EC) No 714/2009 repeals Regulation (EC) No 1228/2003 of the European Parliament and of the Council <sup>(2)</sup> which is incorporated into the Agreement and which is consequently to be repealed under the EEA Agreement.
- (12) Regulation (EC) No 715/2009 repeals Regulation (EC) No 1775/2005 of the European Parliament and of the Council <sup>(3)</sup> which is incorporated into the Agreement and which is consequently to be repealed under the EEA Agreement.
- (13) Directive 2009/72/EC repeals Directive 2003/54/EC of the European Parliament and of the Council <sup>(4)</sup> which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (14) Directive 2009/73/EC repeals Directive 2003/55/EC of the European Parliament and of the Council <sup>(5)</sup> which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (15) Commission Decision 2011/280/EU <sup>(6)</sup> repeals Commission Decision 2003/796/EC <sup>(7)</sup> which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (16) Annex IV (Energy) to the EEA Agreement should therefore be amended accordingly.
- (17) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment to Annex IV (Energy) to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

#### *Article 2*

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

Done at Luxembourg, 25 April 2017.

*For the Council*

*The President*

I. BORG

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<sup>(1)</sup> Commission Decision 2012/490/EU of 24 August 2012 on amending Annex I to Regulation (EC) No 715/2009 of the European Parliament and of the Council on conditions for access to the natural gas transmission networks (OJ L 231, 28.8.2012, p. 16).

<sup>(2)</sup> Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity (OJ L 176, 15.7.2003, p. 1).

<sup>(3)</sup> Regulation (EC) No 1775/2005 of the European Parliament and of the Council of 28 September 2005 on conditions for access to the natural gas transmission networks (OJ L 289, 3.11.2005, p. 1).

<sup>(4)</sup> Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC (OJ L 176, 15.7.2003, p. 37).

<sup>(5)</sup> Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC (OJ L 176, 15.7.2003, p. 57).

<sup>(6)</sup> Commission Decision 2011/280/EU of 16 May 2011 on repealing Decision 2003/796/EC on establishing the European Regulators Group for Electricity and Gas (OJ L 129, 17.5.2011, p. 14).

<sup>(7)</sup> Commission Decision 2003/796/EC of 11 November 2003 on establishing the European Regulators Group for Electricity and Gas (OJ L 296, 14.11.2003, p. 34).

DRAFT

**DECISION OF THE EEA JOINT COMMITTEE No ...**  
**of ...**  
**amending Annex IV (Energy) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003 <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (3) Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 <sup>(3)</sup>, as corrected by OJ L 229, 1.9.2009, p. 29 and OJ L 309, 24.11.2009, p. 87, is to be incorporated into the EEA Agreement.
- (4) Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (5) Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC <sup>(5)</sup> is to be incorporated into the EEA Agreement.
- (6) Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC <sup>(6)</sup> is to be incorporated into the EEA Agreement.
- (7) Commission Decision 2010/685/EU of 10 November 2010 amending Chapter 3 of Annex I to Regulation (EC) No 715/2009 of the European Parliament and of the Council on conditions for access to the natural gas transmission networks <sup>(7)</sup> is to be incorporated into the EEA Agreement.
- (8) Commission Decision 2012/490/EU of 24 August 2012 on amending Annex I to Regulation (EC) No 715/2009 of the European Parliament and of the Council on conditions for access to the natural gas transmission networks <sup>(8)</sup> is to be incorporated into the EEA Agreement.
- (9) Regulation (EC) No 714/2009 repeals Regulation (EC) No 1228/2003 of the European Parliament and of the Council <sup>(9)</sup> which is incorporated into the Agreement and which is consequently to be repealed under the EEA Agreement.

<sup>(1)</sup> OJ L 211, 14.8.2009, p. 1.

<sup>(2)</sup> OJ L 211, 14.8.2009, p. 15.

<sup>(3)</sup> OJ L 211, 14.8.2009, p. 36.

<sup>(4)</sup> OJ L 163, 15.6.2013, p. 1.

<sup>(5)</sup> OJ L 211, 14.8.2009, p. 55.

<sup>(6)</sup> OJ L 211, 14.8.2009, p. 94.

<sup>(7)</sup> OJ L 293, 11.11.2010, p. 67.

<sup>(8)</sup> OJ L 231, 28.8.2012, p. 16.

<sup>(9)</sup> OJ L 176, 15.7.2003, p. 1.

- (10) Regulation (EC) No 715/2009 repeals Regulation (EC) No 1775/2005 of the European Parliament and of the Council <sup>(1)</sup> which is incorporated into the Agreement and which is consequently to be repealed under the EEA Agreement.
- (11) Directive 2009/72/EC repeals Directive 2003/54/EC of the European Parliament and of the Council <sup>(2)</sup> which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (12) Directive 2009/73/EC repeals Directive 2003/55/EC of the European Parliament and of the Council <sup>(3)</sup> which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (13) Commission Decision 2011/280/EU <sup>(4)</sup> repeals Commission Decision 2003/796/EC <sup>(5)</sup> which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (14) The transmission system operators of the EFTA States should not be considered as third country operators for the purpose of ENTSO for Electricity and ENTSO for Gas.
- (15) Annex IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

#### Article 1

Annex IV to the EEA Agreement shall be amended as follows:

1. The text of point 20 (Regulation (EC) No 1228/2003 of the European Parliament and of the Council) is replaced by the following:

**'32009 R 0714:** Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003 (OJ L 211, 14.8.2009, p. 15), as amended by:

— **32013 R 0543:** Commission Regulation (EU) No 543/2013 of 14 June 2013 (OJ L 163, 15.6.2013, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) In Article 3(3) and 15(6), the word 'Commission' shall, for the EFTA States, be read as 'EFTA Surveillance Authority'.
- (b) The provisions concerning binding decisions of the Agency, as referred to in Article 17(5), shall be replaced by the following provisions in cases involving an EFTA State:
  - (i) In cases involving one or more EFTA States the EFTA Surveillance Authority shall adopt a decision addressed to the national regulatory authorities of the concerned EFTA State(s).
  - (ii) The Agency shall have the right to participate fully in the work of the EFTA Surveillance Authority and its preparatory bodies, when the EFTA Surveillance Authority carries out, as regards the EFTA States, the functions of the Agency as provided for in this Agreement, but shall not have the right to vote.
  - (iii) The EFTA Surveillance Authority shall have the right to participate fully in the work of the Agency and its preparatory bodies, but shall not have the right to vote.
  - (iv) The Agency and the EFTA Surveillance Authority shall cooperate closely when adopting decisions, opinions and recommendations.

Decisions by the EFTA Surveillance Authority shall, without undue delay, be adopted on the basis of drafts prepared by the Agency at its own initiative or at the request of the EFTA Surveillance Authority.

<sup>(1)</sup> OJ L 289, 3.11.2005, p. 1.

<sup>(2)</sup> OJ L 176, 15.7.2003, p. 37.

<sup>(3)</sup> OJ L 176, 15.7.2003, p. 57.

<sup>(4)</sup> OJ L 129, 17.5.2011, p. 14.

<sup>(5)</sup> OJ L 296, 14.11.2003, p. 34.

When preparing a draft for the EFTA Surveillance Authority in accordance with this Regulation, the Agency shall inform the EFTA Surveillance Authority. The latter shall set a time limit within which the national regulatory authorities of the EFTA States shall be allowed to express their views on the matter, taking full account of the urgency, complexity and potential consequences of the matter.

National regulatory authorities of the EFTA States may request the EFTA Surveillance Authority to reconsider its decision. The EFTA Surveillance Authority shall forward this request to the Agency. In that case the Agency shall consider preparing a new draft for the EFTA Surveillance Authority and reply without undue delay.

Where the Agency amends, suspends or withdraws any decision parallel to the decision adopted by the EFTA Surveillance Authority, the Agency shall, without undue delay, prepare a draft to the same effect for the EFTA Surveillance Authority.

(v) In case of disagreement between the Agency and the EFTA Surveillance Authority with regard to the administration of these provisions, the Director of the Agency and the College of the EFTA Surveillance Authority shall, taking into account the urgency of the matter, without undue delay convene a meeting to find consensus. Where such consensus is not found, the Director of the Agency or the College of the EFTA Surveillance Authority may request the Contracting Parties to refer the matter to the EEA Joint Committee which shall deal with it in accordance with Article 111 of this Agreement which shall apply *mutatis mutandis*. In accordance with Article 2 of Decision of the EEA Joint Committee No 1/94 of 8 February 1994 adopting the Rules of Procedure of the EEA Joint Committee <sup>(1)</sup>, a Contracting Party may request immediate organisation of meetings in urgent circumstances. Notwithstanding this paragraph, a Contracting Party may at any time refer the matter to the EEA Joint Committee at its own initiative in accordance with Articles 5 or 111 of this Agreement.

(vi) Proceedings may be brought before the EFTA Court by the EFTA States or any natural or legal person in accordance with Articles 36 and 37 of the Surveillance and Court Agreement against the EFTA Surveillance Authority.’.

(c) The following shall be added to Article 20:

‘A request from the Commission regarding the information mentioned in Article 20(2) and 20(5) shall, for the EFTA States, be made by the EFTA Surveillance Authority to the undertaking concerned.’.

(d) The following shall be added to Article 22(2):

‘The tasks in Article 22(2) shall for undertakings concerned in the EFTA States be carried out by the EFTA Surveillance Authority.’.

(e) The following shall be added to article 23:

‘The representatives of the EFTA States shall participate fully in the work of the Committee referred to in Article 23, but shall not have the right to vote.’.

2. The text of point 22 (Directive 2003/54/EC of the European Parliament and of the Council) is replaced by the following:

‘**32009 L 0072**: Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (OJ L 211, 14.8.2009, p. 55).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptations:

(a) References to provisions of the Treaty shall be construed as references to the corresponding provisions of the Agreement.

(b) The Directive shall not apply to electricity cables and related facilities from an onshore connection point to facilities for petroleum production.

(c) Article 7(2)(j) shall not apply to the EFTA States.

<sup>(1)</sup> OJ L 85, 30.3.1994, p. 60.

- (d) Article 9(1) shall apply to the EFTA States from one year after the entry into force of the Decision of the EEA Joint Committee No [this Decision] of [date].
- (e) In Article 10(7) the word 'Commission' shall, for the EFTA States, be read as 'EFTA Surveillance Authority'.
- (f) Article 11(3)(b), 11(5)(b) and 11(7) shall not apply to the EFTA States.
- (g) In Article 37(1)(d) the words 'the Agency' shall be replaced with the words 'the EFTA Surveillance Authority'.
- (h) Article 37(1)(s) shall not apply to EFTA States.
- (i) In Article 40(1) the word 'Commission' shall, for the EFTA States, be read as 'EFTA Surveillance Authority'.
- (j) Article 44(2) shall be replaced by the following:

'Article 9 shall not apply to Cyprus, Luxembourg, Malta, Liechtenstein and/or Iceland. In addition, Articles 26, 32 and 33 shall not apply to Malta.

If Iceland can demonstrate, after this Decision has entered into force, that there are substantial problems for the operation of its systems, Iceland may apply for derogations from Articles 26, 32 and 33, which may be granted to it by the EFTA Surveillance Authority. The EFTA Surveillance Authority shall inform the EFTA States and the Commission of those applications before taking a decision, taking into account respect for confidentiality. That decision shall be published in the EEA Supplement to the *Official Journal of the European Union*.

- (k) The representatives of the EFTA States shall participate fully in the work of the Committee established by Article 46, but shall not have the right to vote.
3. The text of point 23 (Directive 2003/55/EC of the European Parliament and of the Council) is replaced by the following:

'**32009 L 0073**: Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) References to provisions of the Treaty shall be construed as references to the corresponding provisions of the Agreement.
- (b) The Directive shall not apply to Iceland.
- (c) The following shall be added to Article 2(11):

"LNG facility' shall not comprise facilities for the liquefaction of natural gas which takes place as part of an offshore oil or gas production project, such as the Melkøya facility.'
- (d) The following shall be added to Article 2(12):

"LNG system operator' shall not comprise operators of facilities for the liquefaction of natural gas which takes place as part of an offshore oil or gas production project, such as the Melkøya facility.'
- (e) Article 6 shall not apply to the EFTA States.
- (f) In Article 10(7) the word 'Commission' shall, for the EFTA States, be read as 'EFTA Surveillance Authority'.
- (g) Article 11(3)(b), 11(5)(b) and 11(7) shall not apply to the EFTA States.
- (h) The provisions concerning binding decisions of the Agency, as referred to in Article 36(4) third subparagraph, shall be replaced by the following provisions in cases involving an EFTA State:
  - (i) In cases involving one or more EFTA States the EFTA Surveillance Authority shall adopt a decision addressed to the national regulatory authorities of the concerned EFTA State(s).

- (ii) The Agency shall have the right to participate fully in the work of the EFTA Surveillance Authority and its preparatory bodies, when the EFTA Surveillance Authority carries out, as regards the EFTA States, the functions of the Agency as provided for in this Agreement, but shall not have the right to vote.
- (iii) The EFTA Surveillance Authority shall have the right to participate fully in the work of the Agency and its preparatory bodies, but shall not have the right to vote.
- (iv) The Agency and the EFTA Surveillance Authority shall cooperate closely when adopting decisions, opinions and recommendations.

Decisions by the EFTA Surveillance Authority shall, without undue delay, be adopted on the basis of drafts prepared by the Agency at its own initiative or at the request of the EFTA Surveillance Authority.

When preparing a draft for the EFTA Surveillance Authority in accordance with this Directive, the Agency shall inform the EFTA Surveillance Authority. The latter shall set a time limit within which the national regulatory authorities of the EFTA States shall be allowed to express their views on the matter, taking full account of the urgency, complexity and potential consequences of the matter.

National regulatory authorities of the EFTA States may request the EFTA Surveillance Authority to reconsider its decision. The EFTA Surveillance Authority shall forward this request to the Agency. In that case the Agency shall consider preparing a new draft for the EFTA Surveillance Authority and reply without undue delay.

Where the Agency amends, suspends or withdraws any decision parallel to the decision adopted by the EFTA Surveillance Authority, the Agency shall, without undue delay, prepare a draft to the same effect for the EFTA Surveillance Authority.

- (v) In case of disagreement between the Agency and the EFTA Surveillance Authority with regard to the administration of these provisions, the Director of the Agency and the College of the EFTA Surveillance Authority shall, taking into account the urgency of the matter, without undue delay convene a meeting to find consensus. Where such consensus is not found, the Director of the Agency or the College of the EFTA Surveillance Authority may request the Contracting Parties to refer the matter to the EEA Joint Committee which shall deal with it in accordance with Article 111 of this Agreement which shall apply *mutatis mutandis*. In accordance with Article 2 of Decision of the EEA Joint Committee No 1/94 of 8 February 1994 adopting the Rules of Procedure of the EEA Joint Committee <sup>(1)</sup>, a Contracting Party may request immediate organisation of meetings in urgent circumstances. Notwithstanding this paragraph, a Contracting Party may at any time refer the matter to the EEA Joint Committee at its own initiative in accordance with Articles 5 or 111 of this Agreement.
- (vi) Proceedings may be brought before the EFTA Court by the EFTA States or any natural or legal person in accordance with Articles 36 and 37 of the Surveillance and Court Agreement against the EFTA Surveillance Authority.
- (i) In Article 36(8) and (9) the word 'Commission' shall, for the EFTA States, be read as 'EFTA Surveillance Authority'.
- (j) In Article 41(1)(d) the words 'the Agency' shall be replaced with the words 'the EFTA Surveillance Authority'.
- (k) In Article 44(1) and Article 49(4) and (5) the word 'Commission' shall, for the EFTA States, be read as 'EFTA Surveillance Authority'.
- (l) The following shall be added to Article 49(5):

'The following geographically limited areas in Norway shall be exempt from Articles 24, 31 and 32 for a maximum of 20 years after the entry into force of the Decision of the EEA Joint Committee No [this Decision] of [date]:

- (i) Jæren and Ryfylke,
- (ii) Hordaland.

<sup>(1)</sup> OJ L 85, 30.3.1994, p. 60.

The need for continued derogation shall be decided by the Norwegian Regulatory Authority every five years after the entry into force of the Decision of the EEA Joint Committee No [this Decision] of [date] taking into account the criteria of this Article. The Norwegian Regulatory Authority shall notify the EEA Joint Committee and the EFTA Surveillance Authority of its decision and the assessment it is based upon. Within a period of two months from the day following the receipt of the decision, the EFTA Surveillance Authority may adopt a decision requiring the Norwegian Regulatory Authority to amend or withdraw its decision. This period may be extended with the consent of both the EFTA Surveillance Authority and the Norwegian Regulatory Authority. The Norwegian Regulatory Authority shall comply with the EFTA Surveillance Authority's decision within a period of one month and shall inform the EEA Joint Committee and the EFTA Surveillance Authority accordingly.'

(m) Article 49(6) shall be replaced by the following:

'Article 9 shall not apply to Cyprus, Luxembourg, Malta and/or Liechtenstein.'

(n) The representatives of the EFTA States shall participate fully in the work of the Committee established by Article 51, but shall not have the right to vote.'

4. The text of point 27 (Regulation (EC) No 1775/2005 of the European Parliament and of the Council) is replaced by the following:

'**32009 R 0715**: Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36), as corrected by OJ L 229, 1.9.2009, p. 29 and OJ L 309, 24.11.2009, p. 87, as amended by:

— **32010 D 0685**: Commission Decision 2010/685/EU of 10 November 2010 (OJ L 293, 11.11.2010, p. 67),

— **32012 D 0490**: Commission Decision 2012/490/EU of 24 August 2012 (OJ L 231, 28.8.2012, p. 16).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) The Regulation shall not apply to Iceland.

(b) In Article 3(3) and Article 20 the word 'Commission' shall, for the EFTA States, be read as 'EFTA Surveillance Authority'.

(c) The representatives of the EFTA States shall participate fully in the work of the Committee referred to in Article 28, but shall not have the right to vote.

(d) In Article 30 the word 'Commission' shall, for the EFTA States, be read as 'EFTA Surveillance Authority'.

5. The following point is inserted after point 45 (Commission Decision 2011/13/EU):

'46. **32009 R 0713**: Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators (OJ L 211, 14.8.2009, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) The national regulatory authorities of the EFTA States shall participate fully in the work of the Agency for the Cooperation of Energy Regulators, hereinafter referred to as 'the Agency', and all preparatory bodies, including working groups, committees and task forces of the Agency, the Administrative Board and the Board of Regulators, without the right to vote.

(b) Notwithstanding the provisions of Protocol 1 to the Agreement, the term 'Member State(s)' contained in the Regulation shall be understood to include, in addition to its meaning in the Regulation, the EFTA States.

(c) As regards the EFTA States, the Agency shall, as and when appropriate, assist the EFTA Surveillance Authority or the Standing Committee, as the case may be, in the performance of their respective tasks.

(d) The provisions concerning binding decisions of the Agency, as referred to in Articles 7, 8 and 9, shall be replaced by the following provisions in cases involving an EFTA State:

'(i) In cases involving one or more EFTA States the EFTA Surveillance Authority shall adopt a decision addressed to the national regulatory authorities of the concerned EFTA State(s).

- (ii) The Agency shall have the right to participate fully in the work of the EFTA Surveillance Authority and its preparatory bodies, when the EFTA Surveillance Authority carries out, as regards the EFTA States, the functions of the Agency as provided for in this Agreement, but shall not have the right to vote.
- (iii) The EFTA Surveillance Authority shall have the right to participate fully in the work of the Agency and its preparatory bodies, but shall not have the right to vote.
- (iv) The Agency and the EFTA Surveillance Authority shall cooperate closely when adopting decisions, opinions and recommendations.

Decisions by the EFTA Surveillance Authority shall, without undue delay, be adopted on the basis of drafts prepared by the Agency at its own initiative or at the request of the EFTA Surveillance Authority.

When preparing a draft for the EFTA Surveillance Authority in accordance with this Regulation, the Agency shall inform the EFTA Surveillance Authority. The latter shall set a time limit within which the national regulatory authorities of the EFTA States shall be allowed to express their views on the matter, taking full account of the urgency, complexity and potential consequences of the matter.

National regulatory authorities of the EFTA States may request the EFTA Surveillance Authority to reconsider its decision. The EFTA Surveillance Authority shall forward this request to the Agency. In that case the Agency shall consider preparing a new draft for the EFTA Surveillance Authority and reply without undue delay.

Where the Agency amends, suspends or withdraws any decision parallel to the decision adopted by the EFTA Surveillance Authority, the Agency shall, without undue delay, prepare a draft to the same effect for the EFTA Surveillance Authority.

- (v) In case of disagreement between the Agency and the EFTA Surveillance Authority with regard to the administration of these provisions, the Director of the Agency and the College of the EFTA Surveillance Authority shall, taking into account the urgency of the matter, without undue delay convene a meeting to find consensus. Where such consensus is not found, the Director of the Agency or the College of the EFTA Surveillance Authority may request the Contracting Parties to refer the matter to the EEA Joint Committee which shall deal with it in accordance with Article 111 of this Agreement which shall apply *mutatis mutandis*. In accordance with Article 2 of Decision of the EEA Joint Committee No 1/94 of 8 February 1994 adopting the Rules of Procedure of the EEA Joint Committee <sup>(1)</sup>, a Contracting Party may request immediate organisation of meetings in urgent circumstances. Notwithstanding this paragraph, a Contracting Party may at any time refer the matter to the EEA Joint Committee at its own initiative in accordance with Articles 5 or 111 of this Agreement.
  - (vi) Proceedings may be brought before the EFTA Court by the EFTA States or any natural or legal person in accordance with Articles 36 and 37 of the Surveillance and Court Agreement against the EFTA Surveillance Authority.
- (e) The following shall be added to Article 12:

‘The national regulatory authorities of the EFTA States shall participate fully in the Administrative Board, but shall not have the right to vote. The internal rules of procedure of the Administrative Board shall give full effect to the participation of the national regulatory authorities of the EFTA States.’.

- (f) The following shall be added to Article 14:

‘The national regulatory authorities of the EFTA States shall participate fully in the Board of Regulators and all preparatory bodies of the Agency. They shall not have the right to vote in the Board of Regulators. The internal rules of procedure of the Board of Regulators shall give full effect to the participation of the national regulatory authorities of the EFTA States.’.

<sup>(1)</sup> OJ L 85, 30.3.1994, p. 60.



- (g) The provisions of Article 19 shall be replaced by the following:

'If the appeal concerns a decision of the Agency in a case where the disagreement also involves the national regulatory authorities of one or more EFTA States, the Board of Appeal shall invite the national regulatory authorities of the EFTA State(s) involved to file observations on communications from parties affected by the appeal proceedings, within specified time limits. The national regulatory authorities of the EFTA State(s) involved shall be entitled to make oral presentations. Where the Board of Appeal amends, suspends or withdraws any decision parallel to the decision adopted by the EFTA Surveillance Authority, the Agency shall without undue delay prepare a draft decision to the same effect for the EFTA Surveillance Authority.'

- (h) The provisions of Article 20 shall not apply in cases involving one or more EFTA States.

- (i) The following shall be added to Article 21:

'The EFTA States shall participate in the financing of the Agency. For this purpose the procedures laid down in Article 82(1)(a) and Protocol 32 of the Agreement shall apply.'

- (j) The following shall be added to Article 27:

'The EFTA States shall grant privileges and immunities to the Agency equivalent to those contained in the Protocol on Privileges and Immunities of the European Union.'

- (k) The following shall be added to Article 28:

'By way of derogation from Article 12(2)(a) and 82(3)(a) of the Conditions of employment of other servants of the European Union, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Director of the Agency.

By way of derogation from Articles 12(2)(e), 82(3)(e) and 85(3) of the Conditions of Employment of Other Servants, the languages referred to in Article 129(1) of the EEA Agreement shall be considered by the Agency, in respect of its staff, as languages of the Union referred to in Article 55(1) of the Treaty on European Union.'

- (l) The following shall be added to Article 30(1):

'Regulation (EC) No 1049/2001 of the European Parliament and the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of this Regulation, apply to any documents of the Agency regarding the EFTA States as well.'

- (m) The following shall be added to Article 32:

'The representatives of the EFTA States shall participate fully in the work of the Committee established by Article 32, but shall not have the right to vote.'

6. The following point is inserted after point 46 (Regulation (EC) No 713/2009 of the European Parliament and of the Council):

'47. **32013 R 0543**: Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council (OJ L 163, 15.6.2013, p. 1).'

7. The text of point 21 (Commission Decision 2003/796/EC) is deleted.

## Article 2

The texts of Regulations (EC) No 713/2009, (EC) No 714/2009, (EC) No 715/2009 as corrected by OJ L 229, 1.9.2009, p. 29 and OJ L 309, 24.11.2009, p. 87 and (EU) No 543/2013, Directives 2009/72/EC and 2009/73/EC and Decisions 2010/685/EU and 2012/490/EU in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

*Article 3*

This Decision shall enter into force on [...], or on the day following the last notification to the EEA Joint Committee under Article 103(1) of the EEA Agreement, whichever is the later <sup>(1)</sup>.

*Article 4*

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

*For the EEA Joint Committee*

*The President*

*The Secretaries to the EEA Joint Committee*

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<sup>(1)</sup> [No constitutional requirements indicated.] [Constitutional requirements indicated.]

**COUNCIL IMPLEMENTING DECISION (EU) 2017/784****of 25 April 2017****authorising the Italian Republic to apply a special measure derogating from Articles 206 and 226 of Directive 2006/112/EC on the common system of value added tax and repealing Implementing Decision (EU) 2015/1401**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax <sup>(1)</sup>, and in particular Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By Council Implementing Decision (EU) 2015/1401 <sup>(2)</sup>, Italy is authorised to require that value added tax (VAT) due on supplies to public authorities is to be paid by those authorities to a separate and blocked bank account of the tax authorities. The measure constitutes a derogation from Articles 206 and 226 of Directive 2006/112/EC in relation to VAT payment and invoicing rules.
- (2) By letter registered with the Commission on 16 February 2017, Italy requested that this authorisation be prolonged. At the same time, Italy requested that the scope of the derogation for supplies of goods and services be broadened to apply both to companies controlled by central and local public authorities and to listed companies included in the Financial Times Stock Exchange Milano Indice di Borsa ('FTSE MIB') index.
- (3) By letter dated 15 March 2017, the Commission informed the other Member States of the request made by Italy. By letter dated 16 March 2017, the Commission notified Italy that it had all the information it needed to appraise the request.
- (4) Italy has introduced additional control measures to allow tax authorities to cross-check the different operations declared by the operators and to monitor the payments of VAT into the blocked State accounts. However, these control measures are still in a start-up phase, and more time is required to assess their effectiveness in inducing taxpayers to comply with their tax obligations. Thus, Italy is not in the position to finalise the arrangements for and implementation of adequate control policy measures before Implementing Decision (EU) 2015/1401 expires on 31 December 2017. Therefore, Italy requested the prolongation of that derogation.
- (5) Italy detected evasion with regard to supplies of goods and services to other entities controlled by central and local public authorities as well as to a number of listed companies included in the FTSE MIB index. To tackle tax evasion in the form of non-payment of VAT by the suppliers to those entities, Italy requests that it be allowed to derogate from Article 206 of Directive 2006/112/EC and to require that VAT due on supplies of goods and services to these companies controlled by central and local public authorities and to the listed companies included in the FTSE MIB index is paid by those entities into the separate and blocked account of the tax authorities. In addition, it is also necessary to derogate from Article 226 of Directive 2006/112/EC to allow for a special remark on the invoice that VAT has to be paid into that special account.
- (6) One of the effects of the measure is that suppliers, being taxable persons, are not able to offset the input VAT against the output VAT. They may be consistently in a credit position, and may need to ask the tax administration for VAT refunds. In the report presented in June 2016, which was required by Article 3(2) of Implementing Decision (EU) 2015/1401, Italy demonstrated that its system of VAT refunds works properly, and that the average period for VAT refunds does not exceed three months. Moreover, Italy provided information that suppliers to public authorities were covered by a priority procedure in which the refund period was even shorter. Italy expects the new rules that have been in force to properly manage any possible increase in requests for VAT refunds.

<sup>(1)</sup> OJ L 347, 11.12.2006, p. 1.

<sup>(2)</sup> Council Implementing Decision (EU) 2015/1401 of 14 July 2015 authorising Italy to introduce a special measure derogating from Articles 206 and 226 of Directive 2006/112/EC on the common system of value added tax (OJ L 217, 18.8.2015, p. 7).

- (7) In 2014, Italy has introduced an obligation that supplies of goods and services to public authorities be invoiced electronically. That should allow for a proper control of the sector concerned in the future, when an adequate control policy will have been developed and deployed on the basis of electronically available data. As from 1 January 2017, additional control measures apply in Italy: the optional accounting system (known as 'electronic invoicing'); and mandatory reporting to tax authorities of invoices issued and received, which applies both to the companies for which the derogation is requested and to their suppliers. These measures are intended to allow the Italian tax authorities to cross-check the different operations declared by the operators and to monitor the VAT payments. Once this system is fully implemented, there should be no more need to derogate from Directive 2006/112/EC. Therefore, Italy has offered assurance that it will not seek to renew the derogation.
- (8) The requested derogation should be limited in time to allow an assessment whether the special measure is appropriate and effective.
- (9) To guarantee the necessary follow-up within the framework of this derogation and, in particular, the impact on VAT refunds to taxable persons covered by the derogation, Italy should be required to submit a report to the Commission, within 15 months after the entry into force of the derogating measure, on the overall situation of, and, in particular, the average time needed for, VAT refunds to taxable persons, and on the effectiveness of the measures in reducing tax evasion in the sectors concerned. Italy should continue the reforms aimed at ensuring a smooth and timely VAT refund procedure.
- (10) The derogating measure is proportionate to the objectives pursued since it is limited in time and restricted to sectors which pose considerable problems of tax evasion. In addition, the derogating measure does not give rise to the risk that evasion would shift to other sectors or other Member States.
- (11) The derogation will not negatively affect the overall amount of tax revenue collected at the stage of final consumption and will have no adverse impact on the Union's own resources accruing from VAT.
- (12) Implementing Decision (EU) 2015/1401 should be repealed,

HAS ADOPTED THIS DECISION:

#### *Article 1*

By way of derogation from Article 206 of Directive 2006/112/EC, Italy is authorised to provide that the VAT due on supplies of goods and services to the following entities has to be paid by the recipient to a separate and blocked bank account of the tax administration:

- public authorities,
- companies controlled by public authorities within the meaning of Article 2359 of the Italian Civil Code (*Codice Civile*),
- companies listed on the stock exchange that are included in the FTSE MIB index, the list of which will be published by Italy in the Italian Official Journal (*Gazzetta Ufficiale*) after 28 April 2017 and revised annually if necessary.

#### *Article 2*

By way of derogation from Article 226 of Directive 2006/112/EC, Italy is authorised to require that invoices, issued in relation to supplies of goods and services to the entities listed under Article 1 include a special remark that VAT has to be paid to that separate and blocked bank account of the tax administration.

#### *Article 3*

Italy shall notify the national measures referred to in Articles 1 and 2 to the Commission.

Within 15 months after the entry into force in Italy of the measures referred to in Articles 1 and 2, Italy shall submit a report to the Commission on the overall situation of VAT refunds to taxable persons affected by these measures and, in particular, on the average duration of the refund procedure and on the overall effectiveness of this measure in reducing VAT evasion in the sectors concerned.

*Article 4*

Implementing Decision (EU) 2015/1401 is repealed as of 1 July 2017.

*Article 5*

This Decision shall apply from 1 July 2017 to 30 June 2020.

*Article 6*

This Decision is addressed to the Italian Republic.

Done at Luxembourg, 25 April 2017.

*For the Council*  
*The President*  
I. BORG

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**COMMISSION IMPLEMENTING DECISION (EU) 2017/785****of 5 May 2017****on the approval of efficient 12 V motor-generators for use in conventional combustion engine powered passenger cars as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emissions performance standards for new passenger cars as part of the Community's integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles <sup>(1)</sup>, and in particular Article 12(4) thereof,Having regard to Commission Implementing Regulation (EU) No 725/2011 of 25 July 2011 establishing a procedure for the approval and certification of innovative technologies for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council <sup>(2)</sup>, and in particular Article 10(2) thereof,

Whereas:

- (1) The application submitted by the supplier Valeo Electrical Systems on 21 July 2016 for the approval of the efficient generator function of the 12 V i-StARS belt-driven starter-alternator as an eco-innovation has been assessed in accordance with Article 12 of Regulation (EC) No 443/2009, Implementing Regulation (EU) No 725/2011 and the Technical Guidelines for the preparation of applications for the approval of innovative technologies pursuant to Regulation (EC) No 443/2009 and Regulation (EU) No 510/2011 <sup>(3)</sup>.
- (2) The information provided in the application demonstrates that the conditions and the criteria referred to in Article 12 of Regulation (EC) No 443/2009 and in Articles 2 and 4 of Implementing Regulation (EU) No 725/2011 have been met. Moreover, the application is supported by a verification report established by an independent and certified body in accordance with Article 7 of that Regulation. As a consequence, the efficient generator function of the 12 V i-StARS belt-driven starter-alternator proposed by the applicant should be approved as an eco-innovation.
- (3) Based on the information provided with the current application and with Commission Implementing Decision (EU) 2016/265 <sup>(4)</sup>, taking into account the experience gained from the assessment of applications concerning technologies that contribute to improving the efficiency of alternators in the framework of Commission Implementing Decisions 2013/341/EU <sup>(5)</sup>, 2014/465/EU <sup>(6)</sup>, (EU) 2015/158 <sup>(7)</sup>, (EU) 2015/295 <sup>(8)</sup>, (EU) 2015/2280 <sup>(9)</sup>, and (EU) 2016/588 <sup>(10)</sup>, it has been satisfactorily and conclusively demonstrated that a 12 V motor-generator that has a maximum mass of 7 kg and a minimum efficiency of the generator function meets the criteria referred to in Article 12(2) of Regulation (EC) No 443/2009 and provides a reduction in CO<sub>2</sub> emissions of at least 1 g CO<sub>2</sub>/km in accordance with Article 9 of Implementing Regulation (EU) No 725/2011. For a 12 V motor generator that has a mass exceeding 7 kg, it is necessary to apply a mass correction coefficient when calculating if the 1 g CO<sub>2</sub>/km reduction threshold is met.
- (4) It is therefore appropriate to generally acknowledge and, in accordance with Article 12(4) of Regulation (EC) No 443/2009, attest the capacity of this innovative technology to reduce CO<sub>2</sub> emissions and provide a generic testing methodology for the certification of the CO<sub>2</sub> savings from the use of the generator function of efficient 12 V motor-generators.

- (5) The manufacturer should, in order to have the CO<sub>2</sub> savings from efficient 12 V motor-generators certified, provide a verification report from an independent and certified body confirming the compliance of the motor-generator with the conditions specified in this Decision together with the application for certification to the type approval authority.
- (6) If the type approval authority finds that the motor-generator presented by the manufacturer does not satisfy the conditions for certification as specified in this Decision, the application for certification of the savings should be rejected.
- (7) It is appropriate to determine the reduction in CO<sub>2</sub> emissions from efficient 12 V motor-generators using the testing methodology set out in the Annex.
- (8) In order to determine the CO<sub>2</sub> savings it is necessary to define the baseline technology against which the efficiency of the efficient 12 V motor-generator should be compared as provided for in Articles 5 and 8 of Implementing Regulation (EU) No 725/2011. On the basis of the experience gained, it is appropriate to consider a 12 V alternator with 67 % efficiency as the baseline technology.
- (9) The savings from the efficient 12 V motor-generator may be partially demonstrated in the test referred to in Annex XII to Commission Regulation (EC) No 692/2008 <sup>(11)</sup>. The final total savings for the purpose of the certification of a vehicle fitted with the innovative technology in accordance with Article 11 of Implementing Regulation (EU) No 725/2011 should therefore be determined in accordance with the second subparagraph of Article 8(2) of that Implementing Regulation.
- (10) In order to facilitate a wider deployment of efficient 12 V motor-generators in new vehicles, a manufacturer should also have the possibility to apply for the certification of the CO<sub>2</sub> savings from several different 12 V motor-generators by a single certification application. It is however appropriate to ensure that where this possibility is used a mechanism is applied that incentivises the deployment of only those 12 V motor-generators that offer the highest efficiency.
- (11) For the purposes of determining the general eco-innovation code to be used in the relevant type approval documents in accordance with Annexes I, VIII and IX to Directive 2007/46/EC of the European Parliament and of the Council <sup>(12)</sup>, the individual code to be used for the innovative technology should be specified,

HAS ADOPTED THIS DECISION:

#### *Article 1*

#### **Approval**

The efficient generator function of the 12 V motor-generator, i.e. of the i-STARS belt-driven starter-alternator, as described in the application by Valeo Electrical Systems, is approved as an innovative technology within the meaning of Article 12 of Regulation (EC) No 443/2009.

#### *Article 2*

#### **Definitions**

For the purpose of this Decision efficient 12 V motor-generator means the efficient generator function of a 12 V motor-generator.

*Article 3***Application for certification of CO<sub>2</sub> savings**

1. The manufacturer may apply for certification of the CO<sub>2</sub> savings from one or several efficient 12 V motor-generators intended for use in conventional combustion-engine-powered M1 vehicles, provided that each motor-generator complies with the following conditions:

- (a) where the mass of the efficient 12 V motor-generator does not exceed the mass of the baseline alternator of 7 kg and the efficiency of the generator function, determined in accordance with the Annex, is at least:
  - (i) 73,8 % for petrol-fuelled vehicles;
  - (ii) 73,4 % for petrol turbo-fuelled vehicles;
  - (iii) 74,2 % for diesel-fuelled vehicles;

or,

- (b) where the mass of the 12 V motor generator exceeds the mass of the baseline alternator as specified in point (a), the extra mass is taken into account in accordance with Formula 10 set out in the Annex and meets the minimum reduction threshold of 1 g CO<sub>2</sub>/km, specified in Article 9(1) of Implementing Regulation (EU) No 725/2011.

The extra mass shall be verified and confirmed in the verification report to be submitted to the type approval authority together with the application for certifications.

2. An application for the certification of the savings from one or several efficient 12 V motor generators shall be accompanied by a verification report from an independent and certified body certifying that the efficient 12 V motor-generator(s) comply with the conditions set out in paragraph 1, and verifying and confirming the mass of the 12 V motor-generators.

3. The type approval authority shall reject the application for certification if it finds that the efficient 12 V motor-generator(s) do not comply with the conditions set out in paragraph 1.

*Article 4***Certification of CO<sub>2</sub> savings**

1. The reduction in CO<sub>2</sub> emissions from the use of the efficient 12 V motor-generators referred to in Article 2(1) shall be determined using the methodology set out in the Annex.

2. Where a manufacturer applies for the certification of the CO<sub>2</sub> savings from more than one efficient 12 V motor-generator in relation to one vehicle version, the type approval authority shall determine which of the motor-generators tested delivers the lowest CO<sub>2</sub> savings, and record the lowest value in the relevant type approval documentation. That value shall be indicated in the certificate of conformity in accordance with Article 11(2) of Implementing Regulation (EU) No 725/2011.

*Article 5***Eco-innovation code**

The eco-innovation code No 22 shall be entered into the type approval documentation where reference is made to this Decision in accordance with Article 11(1) of Implementing Regulation (EU) No 725/2011.



## Article 6

**Entry into force**

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

Done at Brussels, 5 May 2017.

For the Commission  
Miguel ARIAS CAÑETE  
Member of the Commission

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<sup>(1)</sup> OJ L 140, 5.6.2009, p. 1.

<sup>(2)</sup> OJ L 194, 26.7.2011, p. 19.

<sup>(3)</sup> <https://circabc.europa.eu/w/browse/f3927eae-29f8-4950-b3b3-d2e700598b52>

<sup>(4)</sup> Commission Implementing Decision (EU) 2016/265 of 25 February 2016 on the approval of the MELCO Motor Generator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 50, 26.2.2016, p. 30).

<sup>(5)</sup> Commission Implementing Decision 2013/341/EU of 27 June 2013 on the approval of the Valeo Efficient Generation Alternator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 179, 29.6.2013, p. 98).

<sup>(6)</sup> Commission Implementing Decision 2014/465/EU of 16 July 2014 on the approval of the DENSO efficient alternator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council and amending Commission Implementing Decision 2013/341/EU (OJ L 210, 17.7.2014, p. 17).

<sup>(7)</sup> Commission Implementing Decision (EU) 2015/158 of 30 January 2015 on the approval of two Robert Bosch GmbH high efficient alternators as the innovative technologies for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 26, 31.1.2015, p. 31) ((EU) 2015/158 covers two applications).

<sup>(8)</sup> Commission Implementing Decision (EU) 2015/295 of 24 February 2015 on the approval of the MELCO GXi efficient alternator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 53, 25.2.2015, p. 11).

<sup>(9)</sup> Save item Commission Implementing Decision (EU) 2015/2280 of 7 December 2015 on the approval of the DENSO efficient alternator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 322, 8.12.2015, p. 64).

<sup>(10)</sup> Save item Commission Implementing Decision (EU) 2016/588 of 14 April 2016 on the approval of the technology used in 12 Volt efficient alternators as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 101, 16.4.2016, p. 25).

<sup>(11)</sup> Commission Regulation (EC) No 692/2008 of 18 July 2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (OJ L 199, 28.7.2008, p. 1).

<sup>(12)</sup> Directive 2007/46/EC of the European Parliament and the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1).

## ANNEX

**METHODOLOGY TO DETERMINE THE CO<sub>2</sub> SAVINGS OF EFFICIENT 12 V MOTOR-GENERATORS FOR  
CONVENTIONAL COMBUSTION ENGINE POWERED M1 VEHICLES**

**1. Introduction**

In order to determine the CO<sub>2</sub> emission reductions that can be attributed to the generator function of a 12 V motor generator, hereinafter referred to as an efficient 12 V motor generator or motor generator, for use in an M1 vehicle powered by a combustion engine, it is necessary to establish the following:

- (1) the testing conditions;
- (2) the test equipment;
- (3) the determination of the peak power output;
- (4) the calculation of the CO<sub>2</sub> savings;
- (5) the calculation of the statistical margin of the CO<sub>2</sub> savings.

**2. Symbols, parameters and units**

*Latin symbols*

$C_{CO_2}$	— CO <sub>2</sub> savings [g CO <sub>2</sub> /km]
CO <sub>2</sub>	— Carbon dioxide
CF	— Conversion factor (l/100 km) — (g CO <sub>2</sub> /km) [g CO <sub>2</sub> /l] as defined in Table 3
h	— Frequency as defined in Table 1
I	— Current intensity at which the measurement shall be carried out [A]
m	— Number of measurements of the sample
M	— Torque [Nm]
n	— Rotational frequency [min <sup>-1</sup> ] as defined in Table 1
P	— Power [W]
$s_{\eta_{MG}}$	— Standard deviation of the motor generator efficiency [%]
$\overline{s_{\eta_{MG}}}$	— Standard deviation of the motor generator efficiency mean [%]
$s_{C_{CO_2}}$	— Standard deviation of the total CO <sub>2</sub> savings [g CO <sub>2</sub> /km]
U	— Test voltage at which the measurement shall be carried out [V]
v	— Mean driving speed of the New European Driving Cycle (NEDC) [km/h]
$V_{Pe}$	— Consumption of effective power [l/kWh] as defined in Table 2
$\frac{\partial C_{CO_2}}{\partial \eta_{MG}}$	— Sensitivity of calculated CO <sub>2</sub> savings related to the efficiency of the motor generator

*Greek symbols*

- $\Delta$  — Difference
- $\eta_B$  — Baseline alternator efficiency [%]
- $\eta_{MG}$  — Motor generator efficiency [%]
- $\overline{\eta_{MG_i}}$  — Mean of the motor generator efficiency at operating point i [%]

*Subscripts*

Index (i) refers to operating point

Index (j) refers to measurement of the sample

MG — Motor generator

m — Mechanical

RW — Real-world conditions

TA — Type approval conditions

B — Baseline

### 3. Measurements and determination of the efficiency

The efficiency of the 12 V motor generator shall be determined in accordance with ISO 8854:2012, with the exception of the elements specified in this point.

Evidence shall be provided to the type approval authority that the speed ranges of the efficient 12 V motor generator are consistent with those set out in Table 1. The measurements shall be conducted at different operating points, as set out in Table 1. The efficient 12 V motor generator current intensity shall be defined as half of the rated current for all operating points. For each speed the voltage and the output current of the alternator shall be kept constant at 14,3 V.

Table 1

#### Operating points

Operating point i	Holding time [s]	Rotational frequency $n_i$ [ $\text{min}^{-1}$ ]	Frequency $h_i$
1	1 200	1 800	0,25
2	1 200	3 000	0,40
3	600	6 000	0,25
4	300	10 000	0,10

The efficiency at each operating point shall be calculated in accordance with the following Formula 1:

Formula 1

$$\eta_{MG_i} = \frac{60 \cdot U_i \cdot I_i}{2\pi \cdot M_i \cdot n_i} \cdot 100$$

All efficiency measurements are to be performed consecutively at least five (5) times. The average of the measurements at each operating point ( $\overline{\eta_{MG_i}}$ ) shall be calculated.

The efficiency of the motor generator ( $\eta_{MG}$ ) shall be calculated in accordance with the following Formula 2:

Formula 2

$$\eta_{MG} = \sum_{i=1}^4 h_i \cdot \overline{\eta_{MG_i}}$$

The motor generator leads to saved mechanical power under real-world conditions ( $\Delta P_{mRW}$ ) and type approval conditions ( $\Delta P_{mTA}$ ) as set out in Formula 3.

Formula 3

$$\Delta P_m = \Delta P_{mRW} - \Delta P_{mTA}$$

Where the saved mechanical power under real-world conditions ( $\Delta P_{mRW}$ ) shall be calculated in accordance with Formula 4 and the saved mechanical power under type-approval conditions ( $\Delta P_{mTA}$ ) in accordance with the following Formula 5:

Formula 4

$$\Delta P_{mRW} = \frac{P_{RW}}{\eta_B} - \frac{P_{RW}}{\eta_{MG}}$$

Formula 5

$$\Delta P_{mTA} = \frac{P_{TA}}{\eta_B} - \frac{P_{TA}}{\eta_{MG}}$$

where

$P_{RW}$ : Power requirement under 'real-world' conditions [W], which is 750W

$P_{TA}$ : Power requirement under type-approval conditions [W], which is 350W

$\eta_B$ : Efficiency of the baseline alternator [%], which is 67 %

#### 4. Calculation of the CO<sub>2</sub> savings

The CO<sub>2</sub> savings of the efficient 12 V motor generator shall be calculated in accordance with the following Formula 6:

Formula 6

$$C_{CO_2} = \Delta P_m \cdot \frac{V_{pe} \cdot CF}{v}$$

where

v: Mean driving speed of the NEDC [km/h], which is 33,58 km/h

V<sub>pe</sub>: Consumption of effective power specified in Table 2

Table 2

##### Consumption of effective power

Type of engine	Consumption of effective power (V <sub>pe</sub> ) [l/kWh]
Petrol	0,264
Petrol Turbo	0,280
Diesel	0,220

CF: Conversion factor (l/100 km) — (g CO<sub>2</sub>/km) [g CO<sub>2</sub>/l] as defined in Table 3

Table 3

##### Fuel conversion factor

Type of fuel	Conversion factor (l/100 km) — (g CO <sub>2</sub> /km) (CF) [g CO <sub>2</sub> /l]
Petrol	2 330
Diesel	2 640

#### 5. Calculation of the statistical error

The statistical errors in the results of the testing methodology caused by the measurements shall be quantified. For each operating point the standard deviation shall be calculated in accordance with the following Formula 7:

Formula 7

$$s_{\overline{\eta_{MG_i}}} = \frac{s_{\eta_{MG_i}}}{\sqrt{m}} = \sqrt{\frac{\sum_{j=1}^m (\eta_{MG_j} - \overline{\eta_{MG_i}})^2}{m(m-1)}}$$

The standard deviation of the efficiency value of the efficient 12 V motor generator ( $s_{\eta_{MG}}$ ) shall be calculated in accordance with the following Formula 8:

Formula 8

$$s_{\eta_{MG}} = \sqrt{\sum_{i=1}^4 (h_i \cdot s_{\eta_{MG_i}})^2}$$

The standard deviation of the motor generator efficiency ( $s_{\eta_{MG}}$ ) leads to an error in the CO<sub>2</sub> savings ( $s_{C_{CO_2}}$ ). That error is calculated in accordance with the following Formula 9:

Formula 9

$$s_{C_{CO_2}} = \sqrt{\left(\frac{\partial C_{CO_2}}{\partial \eta_{MG}} \cdot s_{\eta_{MG}}\right)^2} = \frac{(P_{RW} - P_{TA})}{\eta_{MG}^2} \cdot \frac{V_{Pe} \cdot CF}{V} \cdot s_{\eta_{MG}}$$

## 6. Statistical significance

It has to be demonstrated for each type, variant and version of a vehicle fitted with the efficient 12 V motor generator that the error in the CO<sub>2</sub> savings calculated in accordance with Formula 9 is not greater than the difference between the total CO<sub>2</sub> savings and the minimum savings threshold specified in Article 9(1) of Implementing Regulation (EU) No 725/2011 (see Formula 10).

Formula 10

$$MT < C_{CO_2} - s_{C_{CO_2}} - \Delta CO_{2m}$$

Where:

MT: minimum threshold [g CO<sub>2</sub>/km]

$C_{CO_2}$ : total CO<sub>2</sub> saving [g CO<sub>2</sub>/km]

$s_{C_{CO_2}}$ : standard deviation of the total CO<sub>2</sub> saving [gCO<sub>2</sub>/km]

$\Delta CO_{2m}$ : CO<sub>2</sub> correction coefficient due to the positive mass difference between the efficient 12 V motor generator and the baseline alternator. For  $\Delta CO_{2m}$  the data in Table 4 is to be used.

Table 4

### CO<sub>2</sub> correction coefficient due to the extra mass

Type of fuel	CO <sub>2</sub> correction coefficient due to the positive mass difference ( $\Delta CO_{2m}$ ) [g CO <sub>2</sub> /km]
Petrol	0,0277 · $\Delta m$
Diesel	0,0383 · $\Delta m$

$\Delta m$  (in Table 4) is the extra mass due to the installation of the motor generator. It is the positive difference between the mass of the efficient 12 V motor generator and the mass of baseline alternator. The mass of the baseline alternator is 7 kg. The extra mass is to be verified and confirmed in the verification report to be submitted to the type approval authority together with the application for certifications.

#### **7. The efficient 12 V motor generator to be fitted in vehicles**

The type approval authority is to certify the CO<sub>2</sub> savings based on measurements of the 12 V motor generator and the baseline alternator using the test methodology set out in this Annex. Where the CO<sub>2</sub> emission savings are below the threshold specified in Article 9(1) of Implementing Regulation (EU) No 725/2011 the second subparagraph of Article 11(2) of that Regulation shall apply.

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## CORRIGENDA

**Corrigendum to Commission Implementing Regulation (EU) 2017/754 of 28 April 2017 opening and providing for the management of Union tariff quotas for certain agricultural and processed agricultural products originating in Ecuador**

*(Official Journal of the European Union L 113 of 29 April 2017)*

On page 30, the Annex should read as follows:

‘ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products in the fifth column of the table is to be considered as having no more than an indicative value.

The preferential scheme is determined, within the context of this Annex, by the scope of the CN codes set out in the third column of the table as applicable at the time of adoption of this Regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN codes and corresponding descriptions in the fifth column of the table taken together.

Order No	CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
09.7525	0703 20 00		Garlic, fresh or chilled	1.1-31.12	500	0
09.7526	0710 40 00		Sweetcorn, uncooked or cooked by steaming or by boiling in water, frozen	1.1-31.12	300	0
	2004 90 10		Sweetcorn ( <i>Zea Mays</i> var. <i>Saccharata</i> ), prepared or preserved otherwise than by vinegar or acetic acid			
	2005 80 00					
09.7527	0711 51 00		Mushrooms of the genus <i>Agaricus</i> , provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	1.1-31.12	100	0
	2003 10 20		Mushrooms of the genus <i>Agaricus</i> , prepared or preserved otherwise than by vinegar or acetic acid			
	2003 10 30					
09.7528	0711 90 30		Sweetcorn provisionally preserved, e.g. by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions, but unsuitable in that state for immediate consumption	1.1-31.12	400	0
	2001 90 30		Sweetcorn ( <i>Zea Mays</i> var. <i>Saccharata</i> ), prepared or preserved by vinegar or acetic acid			
	2008 99 85		Maize (corn), prepared or preserved, not containing added spirit or added sugar (excl. sweetcorn ( <i>Zea Mays</i> var. <i>Saccharata</i> ))			



Order No		CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
09.7529		1005 90 00 1102 20		Maize (excl. seed) Maize (corn) flour	1.1-31.12	37 000 <sup>(1)</sup>	0
09.7530		1006 10 30 1006 10 50 1006 10 71 1006 10 79 1006 20 1006 30 1006 40		Rice (at exclusion of rice in the husk, for sowing)	1.1-31.12	5 000	0
09.7531		1108 14 00		Manioc (cassava) starch	1.1-31.12	3 000	0
09.7532		1701 13 1701 14		Raw cane sugar not containing added flavouring or colouring	1.1-31.12	15 000 <sup>(2)</sup>	0
09.7533		1701 91 1701 99  1702 30  1702 40 90  1702 50  1702 90 30 1702 90 50 1702 90 71 1702 90 75 1702 90 79 1702 90 80 1702 90 95  ex 1704 90 99  1806 10 30 1806 10 90		Cane or beet sugar and chemically pure sucrose, in solid form, other than raw sugar not containing added flavouring or colouring matter  Glucose in solid form and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose  Glucose in solid form and glucose syrup, not containing added flavouring or colouring matter, and containing in the dry state at least 20 % but less than 50 % by weight of fructose (excl. isoglucose and invert sugar)  Chemically pure fructose in solid form  Other sugars (excluding lactose and lactose syrups, maple sugar and maple syrup, glucose and glucose syrup, fructose and fructose syrups and chemically pure maltose), including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 % by weight of fructose  Other sugar confectionery, not containing cocoa, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)  Cocoa powder, containing 65 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	1.1-31.12	10 000 tonnes expressed in raw sugar equivalent <sup>(3)</sup>	0
			91 99				

Order No		CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
	ex	1806 20 95	90	Chocolate and other food preparations containing cocoa, in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form, in containers or immediate packings of a content exceeding 2 kg, containing less than 18 % by weight of cocoa butter (excl. cocoa powder, chocolate flavour coating and chocolate milk crumb), containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	ex	1901 90 99	36	Other food preparations, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	ex	2006 00 31	90	Cherries, preserved by sugar (drained, glacé or crystallised), containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	ex	2006 00 38	19 89	Vegetables, fruit, nuts, fruit-peel and other parts of plants (excluding ginger, cherries, tropical fruit and tropical nuts), preserved by sugar (drained, glacé or crystallised), containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	ex	2007 91 10	90	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter (excluding homogenised preparations), containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)			
	ex	2007 99 20	90				
	ex	2007 99 31	95 99				
	ex	2007 99 33	95 99				
	ex	2007 99 35	95 99				
	ex	2007 99 39	02 04 06 17 19 24 27 30				

Order No		CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
			34				
			37				
			40				
			44				
			47				
			52				
			56				
			75				
			85				
	ex	2009 11 11	19	Fruit or vegetable juice, of a value not exceeding EUR 30 per 100 kg net weight, with an added sugar content exceeding 30 % by weight			
		2009 11 91	99				
	ex	2009 19 11	29				
			39				
			59				
			79				
		2009 19 91					
	ex	2009 29 11	19				
			99				
		2009 29 91					
	ex	2009 39 11	19				
			99				
		2009 39 51					
		2009 39 91					
	ex	2009 49 11	19				
			99				
		2009 49 91					
	ex	2009 81 11	90				
		2009 81 51					
	ex	2009 89 11	19				
			99				
	ex	2009 89 35	29				
			39				
			59				
			79				
		2009 89 61					
		2009 89 86					
	ex	2009 90 11	90	Mixtures of juices, of a value not exceeding EUR 30 per 100 kg net weight, with an added sugar content exceeding 30 % by weight			
	ex	2009 90 21	19				
			99				
		2009 90 31					
		2009 90 71					
		2009 90 94					

Order No		CN code	TARIC subdivision	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Tariff quota duty
	ex	2101 12 98	92	Preparations with a basis of coffee, tea or maté, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose			
	ex	2101 20 98	85				
	ex	2106 90 98	26 33 34 38 53 55	Food preparations not elsewhere specified or included, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose			
	ex	3302 10 29	10	Preparations based on odoriferous substances, containing all flavouring agents characterising a beverage, of a kind used in the drink industries, of an actual alcoholic strength by volume not exceeding 0,5 %, containing, by weight, 1,5 % or more of milkfat, 5 % or more of glucose or starch, containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose			
09.7534		2208 40 51		Rum with a content of volatile substances other than ethyl and methyl alcohol equal to or exceeding 225 grams per hectolitre of pure alcohol (with a 10 % tolerance), in containers holding more than 2 litres	1.1-31.12	250 hectolitres <sup>(4)</sup>	0
		2208 40 99		Rum, in containers holding more than 2 litres, of a value not exceeding EUR 2 per litre of pure alcohol			

<sup>(1)</sup> As from 1.1.2018, volume increased by 1 110 metric tonnes each year.

<sup>(2)</sup> As from 1.1.2018, volume increased by 450 metric tonnes each year.

<sup>(3)</sup> As from 1.1.2018, volume increased by 150 metric tonnes expressed in raw sugar equivalent each year.

<sup>(4)</sup> As from 1.1.2018, volume increased by 10 hectolitres each year.

**Corrigendum to Agreement between the European Union and the Republic of Moldova on security procedures for exchanging and protecting classified information**

*(Official Journal of the European Union L 106 of 22 April 2017)*

On page 7, signatory:

*for: 'For the Republic of Moldova',*

*read: 'For the European Union';*

*for: 'For the European Union',*

*read: 'For the Republic of Moldova'.*

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