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⁽¹⁾ Text with EEA relevance.

EN

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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2019/921

of 3 June 2019

concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

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

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

Done at Brussels, 3 June 2019.

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

ANNEX

| Description of the goods | Classification (CN code) | Reasons |
|---|--------------------------|--|
| (1) | (2) | (3) |
| <p>A product in the form of a tablet, containing 400 mg of S-Adenosyl-L-Methionine disulfate p-toluenesulfonate, of which S-Adenosyl-L-Methionine ('SAmE') is the active ingredient.</p> <p>The product contains also minor quantities of microcrystalline cellulose, magnesium hydroxide, stearic acid, magnesium stearate, colloidal silica anhydrous, calcium oxide and coating components.</p> <p>The product is presented to be used as a food supplement that facilitates normal function of the liver, helps body detox processes and generally supports good emotional health.</p> <p>The recommended daily dosage is one tablet. The product is presented in bulk.</p> | 2106 90 92 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, additional note 5 to Chapter 21 and the wording of CN codes 2106, 2106 90 and 2106 90 92.</p> <p>The content of the active ingredient, 'SAmE', per tablet is not suitable for the prevention and treatment of diseases or ailments. Classification under heading 3004 is therefore excluded.</p> <p>Consequently, the product is a food preparation not elsewhere specified or included (see also the Harmonized System Explanatory Notes to heading 2106, second paragraph, point (16)).</p> <p>The product is therefore to be classified under CN code 2106 90 92 as a food preparation not elsewhere specified or included.</p> |

COMMISSION IMPLEMENTING REGULATION (EU) 2019/922
of 3 June 2019
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

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

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

Done at Brussels, 3 June 2019.

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

ANNEX

| Description of the goods | Classification (CN code) | Reasons |
|--|-----------------------------|--|
| (1) | (2) | (3) |
| <p>A product, composed of fine beige granules, containing white particles, presented in bulk.</p> <p>The product contains:</p> <ul style="list-style-type: none"> — methionine, — cystine, — calcium pantothenate, — thiamine-chlorhydrate, — pyridoxine-chlorhydrate, — para-aminobenzoic acid, — millet extract (<i>Panicum miliaceum</i>), — wheat-germ extract, — medicinal yeast, — iron, — zinc, — copper (in complex bond), <p>and excipients.</p> <p>In a further production process, the product is homogenised in order to be put into capsules.</p> <p>The product is presented to be used as a food supplement that stops hair loss, forcing hair growth. It is also presented to be beneficial in cases of dry and flaky skin, itchiness and seborrhoea, and to strengthen nails.</p> | 2106 90 92 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 2106, 2106 90 and 2106 90 92.</p> <p>The product is a preparation in bulk form essentially containing nutrients (proteins, essential vitamins and minerals) needed to stimulate healthy hair and nails growth. Classification under heading 3003 is therefore excluded (see also the Harmonized System Explanatory Notes (HSEN) to heading 3003, third and sixth paragraph).</p> <p>Consequently, the product is a food preparation not elsewhere specified or included (see also the HSEN to heading 2106, second paragraph, point (16)).</p> <p>The product is therefore to be classified under CN code 2106 90 92 as a food preparation not elsewhere specified or included.</p> |

COMMISSION IMPLEMENTING REGULATION (EU) 2019/923
of 3 June 2019
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

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

Done at Brussels, 3 June 2019.

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

ANNEX

| Description of the goods | Classification (CN code) | Reasons |
|---|--------------------------|--|
| (1) | (2) | (3) |
| <p>1. A product consisting of an alcoholic liquid with an alcoholic strength by volume of 4 % to 6 %.</p> <p>It is produced by mixing a fermented apple juice with distilled ethyl alcohol, carbonated water, sugar, citric acid, flavourings, a preservative agent (E 202), caffeine and colouring agents (E 102, E 124).</p> <p>The addition of distilled ethyl alcohol to the fermented apple juice increases its alcoholic strength: 62,05 litres of fermented apple juice at 18 % vol. (11,17 litres of alcohol) are mixed with 37,95 litres of distilled ethyl alcohol at 28,28 % vol. (10,73 litres of alcohol). The fermented alcohol component in the product accounts for 51 % and the distilled alcohol accounts for 49 % of the total alcohol content.</p> <p>The resulting mixture is diluted to a drinking strength of 4 % to 6 % vol. by adding carbonated water. Sugar, citric acid, a preservative agent (E 202), caffeine, colouring agents (E 102, E 124) and flavourings (for instance mango, rum, passion fruit or port) are added as well.</p> <p>The product is presented to be used for the production of cocktails. The smell and taste are alcoholic, acidic and sweet.</p> <p>The product is for human consumption and is put up for retail sale in containers holding two litres or less.</p> | 2208 90 69 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 2208, 2208 90 and 2208 90 69.</p> <p>The product is an alcoholic beverage that has not retained the character of a product falling under heading 2206 (see also the Harmonized System Explanatory Notes to heading 2206, third paragraph) as the added substances have led to a loss of the properties and characteristics of a fermented apple juice.</p> <p>The fact that the distilled alcohol does not exceed, either in volume or percentage, 49 % of the alcohol present in the product, with the remaining 51 % resulting from a process of fermentation, is not a classification criterion as there is no majority rule by percentages that determines the character of products of heading 2206.</p> <p>Consequently, classification under heading 2206 is excluded as the product shows objective characteristics similar to those of a spirituous beverage and not anymore those obtained by fermentation of a specific fruit or plant.</p> <p>The product is therefore to be classified under CN code 2208 90 69 as other spirituous beverage in containers holding two litres or less.</p> |
| <p>2. A product consisting of an alcoholic liquid with an alcoholic strength by volume of 15 %.</p> <p>It is produced by fermenting a sugar beet extract, consisting by weight of 93,4 % sucrose (96,7 % sucrose in dry matter), protein, trace minerals, fibre and water.</p> <p>The fermentation process is achieved by the addition of water and yeast, and it proceeds until an alcohol content of 15 % has been reached. The yeast is then removed by sedimentation and microfiltration. The product has no specific smell and taste except that of alcohol.</p> <p>The product is intended to be used as a base in the formulation of alcoholic beverages.</p> <p>It is presented in bulk.</p> | 2208 90 99 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 2208, 2208 90 and 2208 90 99.</p> <p>Sugar beet extract is neutral raw sugar and therefore the product cannot have the taste, smell and/or appearance of a beverage produced from a particular fruit or natural product. Consequently, it has not obtained the characteristics of a product falling under heading 2206 but acquired those of ethyl alcohol of heading 2208.</p> <p>The product, which is obtained through processing a fermented sugar beet extract and is intended to be used as a base in the formulation of alcoholic beverages, being neutral in terms of colour, smell and taste as a result of purification (including microfiltration), falls therefore under heading 2208.</p> <p>The product is therefore to be classified under CN code 2208 90 99 as other undenaturated ethyl alcohol in containers holding more than two litres.</p> |

COMMISSION IMPLEMENTING REGULATION (EU) 2019/924
of 3 June 2019
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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Article 2

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

Article 3

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⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

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

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

Done at Brussels, 3 June 2019.

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

ANNEX

| Description of the goods | Classification (CN-code) | Reasons |
|--|--------------------------|--|
| (1) | (2) | (3) |
| <p>An article (so-called 'optical fibre box with connectors') of cylindrical shape measuring approximately 140 mm in diameter and 400 mm in height. The weight of the article is approximately 2,5 kg. The article is made mainly of plastics with some small elements (brackets and screws) made of metal.</p> <p>The base of the article is provided with four cable entry points. When the article is fully assembled, the base is fixed to the cylindrical plastic covering of the article by a detachable round clasp.</p> <p>Inside, there is a splice tray made of plastics, attached to the base of the article. This tray contains specific grooves to align optical fibres/optical cables and it is equipped with connectors.</p> <p>The article as a whole is intended for the preservation of optical fibres/optical cables and may be used in different kinds of networks.</p> <p>(*) See images.</p> | 8536 70 00 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 7 to Chapter 85 and by the wording of CN codes 8536 and 8536 70 00.</p> <p>Classification under CN code 8536 90 10 is excluded since that code covers 'connections and contact elements for wire and cables', i.e. electrical apparatus for making electrical connections. The article in question is a box with connectors for optical fibres, optical fibre bundles or optical cables and does not possess any electrical connections.</p> <p>The article has the characteristics of connectors for optical fibres, optical fibre bundles or optical cables which simply mechanically align optical fibres end to end in a digital line system (see also the Harmonized System Explanatory Notes to heading 8536, part IV).</p> <p>Given its characteristics, the article is therefore to be classified under CN code 8536 70 00 as connectors for optical fibres, optical fibre bundles or cables.</p> |

(*) Images are purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2019/925
of 3 June 2019
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

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Article 1

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

Article 2

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

Article 3

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

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

Done at Brussels, 3 June 2019.

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

ANNEX

| Description of the goods | Classification (CN-code) | Reasons |
|--|--------------------------|---|
| (1) | (2) | (3) |
| <p>A tubular article (so-called 'activity belt') made of knitted fabric, consisting of 88 % polyester and 12 % elastane with a circumference of 66 cm. The article is made of two rectangular, equal-sized knitted pieces of textile fabric, which are superimposed and sewn together on three sides to form a reversible elastic 'activity belt'.</p> <p>The article is fitted with reflectors, a flat pocket with a zipper and two small openings, one of which has a ribbon with an elastic band. It does not have any clasps.</p> <p>The article is designed to be worn around the waist during, for example, sports activities. The pockets/openings store small items such as keys, credit cards and the like.</p> <p>(See images) (*)</p> | 6307 90 10 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 7(f) to Section XI and by the wording of CN codes 6307, 6307 90 and 6307 90 10.</p> <p>The activity belt has the objective characteristics of a made-up textile article within the meaning of heading 6307 and by virtue of Note 7(f) to Section XI.</p> <p>The article is not designed to contain any specific item. It is neither specially shaped nor internally fitted. It is not similar to the containers classified in heading 4202 (see also the first and fourth paragraph and exclusion (c) of the Harmonised System Explanatory Notes to heading 4202). Consequently classification under heading 4202 is excluded.</p> <p>The article is therefore to be classified under CN code 6307 90 10 as other 'other made-up knitted article'.</p> |

(*) The images are purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2019/926
of 3 June 2019
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Done at Brussels, 3 June 2019.

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

ANNEX

| Description of the goods | Classification (CN-code) | Reasons |
|---|--------------------------|---|
| (1) | (2) | (3) |
| <p>An article measuring approximately 160 × 54 × 38 cm and weighing approximately 1,5 kg, consisting of two layers of textile fabric assembled together and a padding of cellular plastic inside. The inner side of the textile fabric is coated with plastics.</p> <p>The article has a back support consisting of a collapsible frame of metal rods which is partially integrated in the article. A storage bag is sewn to the edge of the back support. The back support can be adjusted in height by means of a strap with a buckle of plastics.</p> <p>The article can be folded to be transported or stored. It has a carrying strap sewn to the upper corners of the back support, and there are various 'Velcro'-type straps to fasten the back support to the lying surface during transportation or storage.</p> <p>It is presented as a camping mat or as a beach mat.</p> <p>See image (*).</p> | 6306 90 00 | <p>Classification is determined by general rules (GIR) 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 6306 and 6306 90 00.</p> <p>Due to the textile material constituting the main part of the surface, the textile material gives the article its essential character within the meaning of GIR 3(b).</p> <p>According to its objective characteristics (light-weight, plastic-coated for protection, quick to set up and to pack away and easy to transport), the article is designed for outdoor use to be taken to, for example, camping grounds, the beach, etc. and to be used there temporarily (see also the Combined Nomenclature Explanatory Notes to subheading 6306 90 00).</p> <p>Classification of the article under heading 9404 as an article of bedding or similar furnishing, such as a mattress, is excluded as the article is not designed for furnishing a bed and is not similar to a mattress or the like.</p> <p>The article is therefore to be classified under CN code 6306 90 00 as other camping articles.</p> |

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2019/927
of 3 June 2019
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

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

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

Done at Brussels, 3 June 2019.

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

ANNEX

| Description of the goods | Classification (CN-code) | Reasons |
|--|--------------------------|---|
| (1) | (2) | (3) |
| <p>A basket measuring approximately 32 × 27 × 20 cm in the shape of a cuboid.</p> <p>The article consists of wire of steel (diameter of the wire is approximately 4 mm) and paper. The wire is placed solely along the edges of the cuboid forming a frame. The frame sustains a fabric of warp and weft strands of paper.</p> <p>Each strand consists of two folded and twisted lengthwise strips of paper that are twisted together. Each twisted strip of paper measures approximately 5,5 mm in width. The wire is totally covered by the paper.</p> <p>See images (*)</p> | 6307 90 98 | <p>Classification is determined by general rules (GIR) 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, Note 1 to Chapter 63 and by the wording of CN codes 6307, 6307 90 and 6307 90 98.</p> <p>The basket is not a household article of iron or steel of heading 7323 because it is not the wire of base metal but the paper fabric that gives the article its essential character within the meaning of GIR 3(b), as the article has the appearance of a paper basket. It does not have the appearance of a basket of metal as the wire is completely covered by the paper and thus, not visible. Moreover, the article is mainly made of paper. Classification in heading 7323 is therefore excluded.</p> <p>As the paper strips are twisted, they are considered paper yarn (textile yarn) within the meaning of heading 5308 (see also the Harmonised System Explanatory Notes (HSEN) to heading 5308, (B) paper yarn, third paragraph). Classification of the article in Chapter 46 is excluded by virtue of Note 1 to Chapter 46 because textile yarns are not considered 'plaiting materials'.</p> <p>Moreover, the yarns are woven together creating a fabric (warp and weft strands). The basket is therefore not an article of paper yarn but an article made of fabric and its classification in heading 5609 is excluded (see also the HSEN to heading 5609, first and third paragraph, (c)).</p> <p>Made-up textile articles of any textile fabric which are not more specifically described elsewhere in the Nomenclature are classified under Sub-Chapter I of Chapter 63 (see also the HSEN to Chapter 63, General, (1), first paragraph).</p> <p>The article is therefore to be classified under CN code 6307 90 98 as other made-up textile articles.</p> |

(*) The images are purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2019/928
of 3 June 2019
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

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

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

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

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

Done at Brussels, 3 June 2019.

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

ANNEX

| Description of the goods | Classification (CN-code) | Reasons |
|--|--------------------------|--|
| (1) | (2) | (3) |
| <p>An article (so-called 'optical fibre box without connectors') of cylindrical shape measuring approximately 140 mm in diameter and 400 mm in height. The weight of the article is approximately 2,5 kg. The article is made mainly of plastics with some small elements (brackets and screws) made of metal.</p> <p>The base of the article is provided with four cable entry points. When the article is fully assembled, the base is fixed to the cylindrical plastic covering of the article by a detachable round clasp.</p> <p>Inside, there is a splice tray made of plastics, attached to the base of the article. This tray contains specific grooves. At the time of presentation the article is not equipped with any connectors.</p> <p>The article as a whole is intended for the preservation of cables.</p> <p>(* See images</p> | 3926 90 97 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 3926, 3926 90 and 3926 90 97.</p> <p>Classification under subheading 8536 70 00 as 'connectors for optical fibres, optical fibre bundles or cables' or under subheading 8536 90 10 as 'connections and contact elements for wire and cables' (which are electrical apparatus for making connections) is excluded, as the article in question is just a box. It is neither equipped with connectors for optical fibres, optical-fibre bundles or optical cables nor does it possess any 'connections and contact elements for wire and cables'.</p> <p>Classification under heading 8538 as 'parts suitable for use solely or principally with the apparatus of heading 8535, 8536 or 8537' is also excluded as due to the absence of connectors, contacts or provisions therefor, the article can be considered neither electrical apparatus of heading 8536 nor an identifiable part thereof.</p> <p>Consequently, the article is to be classified according to its constituent material (plastics) under CN code 3926 90 97 as other articles of plastics.</p> |

(* Images are purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2019/929**of 5 June 2019****concerning the authorisation of a preparation of endo-1,4-beta-xylanase (EC 3.2.1.8) produced by *Trichoderma reesei* (BCCM/MUCL 49755) as a feed additive for chickens for fattening and weaned piglets (holder of authorisation Berg and Schmidt GmbH Co. KG)****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003 an application was submitted for the authorisation of a preparation of endo-1,4-beta-xylanase (EC 3.2.1.8) produced by *Trichoderma reesei* (BCCM/MUCL 49755). That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of a preparation of endo-1,4-beta-xylanase (EC 3.2.1.8) produced by *Trichoderma reesei* (BCCM/MUCL 49755) as a feed additive for chickens for fattening and weaned piglets to be classified in the additive category 'zootechnical additives'.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinions of 25 January 2017 ⁽²⁾ and 2 October 2018 ⁽³⁾ that, under the proposed conditions of use, the preparation of endo-1,4-beta-xylanase (EC 3.2.1.8) produced by *Trichoderma reesei* (BCCM/MUCL 49755) does not have an adverse effect on animal health, consumer safety or the environment. It was also concluded that the additive may have a skin and respiratory sensitisation potential. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards the users of the additive. The Authority concluded that the additive is considered efficacious in improving final body weight and feed to gain ratio in chickens for fattening and weaned piglets. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of the preparation of endo-1,4-beta-xylanase (EC 3.2.1.8) produced by *Trichoderma reesei* (BCCM/MUCL 49755) shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.
- (6) 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

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'digestibility enhancers', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ EFSA Journal 2017;15(2):4707

⁽³⁾ EFSA Journal 2018;16(10):5457.

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, 5 June 2019.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

| Identification number of the additive | Name of the holder of authorisation | Additive | Composition, chemical formula, description, analytical method | Species or category of animal | Maximum age | Minimum content | Maximum content | Other provisions | End of period of authorisation |
|---------------------------------------|-------------------------------------|----------|---|-------------------------------|-------------|---|-----------------|------------------|--------------------------------|
| | | | | | | Units of activity/kg of complete feedingstuff with a moisture content of 12 % | | | |

Category of zootechnical additives. Functional group: digestibility enhancers.

| | | | | | | | | | |
|------|------------------------------|-------------------------------------|--|--|---|-----------|--|---|-----------|
| 4a26 | Berg and Schmidt GmbH Co. KG | Endo-1,4-beta-xylanase (EC 3.2.1.8) | <p><i>Additive composition</i></p> <p>Preparation of endo-1,4-beta-xylanase (EC 3.2.1.8) produced by <i>Trichoderma reesei</i> (BCCM/MUCL 49755) with a minimum activity of 15 000 EPU ⁽¹⁾/g</p> <p>Solid form</p> <p><i>Characterisation of active substance</i></p> <p>endo-1,4-beta-xylanase (EC 3.2.1.8) produced by <i>Trichoderma reesei</i> (BCCM/MUCL 49755)</p> <p><i>Analytical method</i> ⁽²⁾</p> <p>For quantification of endo-1,4-beta-xylanase activity in the feed additive, premixtures and feedingstuffs:</p> <p>— colorimetric method measuring water soluble dye released by action of endo-1,4-β-xylanase from azurine cross-linked wheat arabinoxylan substrates.</p> | Chickens for fattening Weaned piglets | — | 1 500 EPU | | <ol style="list-style-type: none"> 1. In the directions for use of the additive and premixture, the storage conditions and stability to heat treatment shall be indicated. 2. For use in weaned piglets up to approximately 35 kg body weight. 3. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from their use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including skin, eyes and breathing protection. | 26.6.2029 |
|------|------------------------------|-------------------------------------|--|--|---|-----------|--|---|-----------|

⁽¹⁾ One Endopentosanase Unit (EPU) corresponds to the amount of enzyme which liberates 0,0083 μmol of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 4,7 and 50 °C.

⁽²⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2019/930

of 4 June 2019

approving the plan for the eradication of African swine fever in feral pigs in certain areas of Belgium

(notified under document C(2019) 3967)

(Only the Dutch and French texts are authentic)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever ⁽¹⁾, and in particular the second subparagraph of Article 16(1) thereof,

Whereas:

- (1) Directive 2002/60/EC lays down the minimum Union measures to be taken for the control of African swine fever, including those to be applied in the event of confirmation of a case of African swine fever in feral pigs.
- (2) In addition, Commission Implementing Decision 2014/709/EU ⁽²⁾ lays down animal health control measures in relation to African swine fever in the Member States or areas thereof as listed in the Annex thereto (the Member States concerned), and in all Member States as regards movements of feral pigs and information obligations. The Annex to Implementing Decision 2014/709/EU demarcates and lists certain areas of the Member States concerned, differentiated by the level of risk based on the epidemiological situation as regards that disease, including a list of high-risk areas. That Annex has been amended several times to take account of changes in the epidemiological situation in the Union as regards African swine fever that needed to be reflected in that Annex.
- (3) In 2018 Belgium notified the Commission of cases of African swine fever in feral pigs and has duly taken the disease control measures required by Directive 2002/60/EC.
- (4) In light of the current epidemiological situation and in accordance with Article 16 of Directive 2002/60/EC, Belgium has submitted to the Commission a plan for the eradication of African swine fever (the eradication plan).
- (5) The Annex to Implementing Decision 2014/709/EU was amended by Commission Implementing Decision (EU) 2018/1856 ⁽³⁾ to take account, inter alia, of the cases of African swine fever in feral pigs in Belgium and Parts I and II of that Annex now includes the infected areas in Belgium.
- (6) The eradication plan submitted by Belgium has been examined by the Commission and found to comply with the requirements set out in Article 16 of Directive 2002/60/EC. The plan should therefore be approved accordingly.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 192, 20.7.2002, p. 27.

⁽²⁾ Commission Implementing Decision 2014/709/EU of 9 October 2014 concerning animal health control measures relating to African swine fever in certain Member States and repealing Implementing Decision 2014/178/EU (OJ L 295, 11.10.2014, p. 63).

⁽³⁾ Commission Implementing Decision (EU) 2018/1856 of 27 November 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (OJ L 302, 28.11.2018, p. 78).

HAS ADOPTED THIS DECISION:

Article 1

The plan submitted by Belgium on 18 February 2019, in accordance with Article 16(1) of Directive 2002/60/EC, concerning the eradication of African swine fever from the feral pig population in the areas referred to in the Annex to Implementing Decision 2014/709/EU is approved.

Article 2

Belgium shall bring into force the laws, regulations and administrative provisions required for the implementation of the eradication plan within a period of 30 days from the date of adoption of this Decision.

Article 3

This Decision is addressed to Kingdom of Belgium.

Done at Brussels, 4 June 2019.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

III

(Other acts)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY DELEGATED DECISION

No 8/19/COL

of 6 February 2019

amending the list contained in point 39 of Part 1.2 of Chapter I of Annex I to the Agreement on the European Economic Area listing border inspection posts in Iceland and Norway agreed for veterinary checks on live animals and animal products from third countries (the list of border inspection posts in Iceland and Norway) and repealing EFTA Surveillance Authority Decision No 90/18/COL [2019/931]

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to points 4(B)(1) and (3) and 5(b) of the Introductory Part of Chapter I of Annex I to the Agreement on the European Economic Area ('EEA Agreement'),

Having regard to the Act referred to at point 4 of Part 1.1 of Chapter I of Annex I to the EEA Agreement (Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾ ('Directive 97/78'), as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement, and in particular Article 6(2) thereof,

Having regard to the Act referred to at point 111 of Part 1.2 of Chapter I of Annex I to the EEA Agreement (Commission Decision 2001/812/EC of 21 November 2001 laying down the requirements for the approval of border inspection posts responsible for veterinary checks on products introduced into the Community from third countries ⁽²⁾), as amended, and in particular Article 3(5) thereof,

as adapted to the EEA Agreement by point 4(d) of Protocol 1 to the EEA Agreement and Articles 1(2) and 3 of Protocol 1 to the Surveillance and Court Agreement.

Whereas:

By letter dated 25 June 2018 (Doc No 919969), the Norwegian Ministry of Agriculture and Food ('the Norwegian Ministry') informed the EFTA Surveillance Authority ('the Authority') of the Norwegian Food Safety Authority's ('NFSA's') request of 4 May 2018 (Doc No 919967) for approval of new facilities at the *Inspection Centre Solstrand* under the *Tromsø Port* border inspection post (NO TOS 1), the addition of packed fishery products for human consumption with no temperature requirements (HC-NT(1)(2)(3)) to the product categories approved for that Inspection Centre and the amendment of the list of border inspection posts in Iceland and Norway accordingly.

In accordance with point 4(B)(3) of the Introductory part of Chapter I of Annex I to the EEA Agreement, the Authority carried out a joint inspection of the *Inspection Centre Solstrand* with Directorate F of DG SANTE from 10 to 12 December 2018 to assess the suitability and readiness of the facilities and equipment for product categories HC-T(FR)(1)(2)(3) and HC-NT(1)(2)(3). A common recommendation that the new facilities at the *Inspection Centre Solstrand* and the addition of packed fishery products for human consumption with no temperature requirements (HC-NT(1)(2)(3)) to the approved product categories (Doc No 1043557) be approved was subsequently signed by the Authority and Directorate F of DG SANTE on 12 December 2018. The *Inspection Centre Solstrand* should therefore be listed for product categories HC-T(FR)(1)(2)(3) and HC-NT(1)(2)(3).

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.

⁽²⁾ OJ L 306, 23.11.2001, p. 28.

By letter dated 7 December 2018 (Doc No 1042406), the Icelandic Food and Veterinary Authority ('MAST') informed the Authority of the closure of the *Akureyri* border inspection post (IS AKU 1) and requested its removal of that border inspection post from the list of border inspection posts in Iceland and Norway.

By letter dated 14 December 2018 (Doc No 1043701), the Norwegian Ministry informed the Authority of the NFSA's withdrawal of approval of the *Honningsvåg Port* border inspection post (NO HVG 1) on 10 December 2018 (Doc Nos 1043697 and 1043699) and its request for removal from the list of border inspection posts in Iceland and Norway.

According to Directive 97/78/EC, the Authority is to draw up and publish a list of approved border inspection posts which may subsequently be amended or supplemented to reflect changes in the national lists. The current list of approved border inspection posts in Iceland and Norway was adopted by the Authority on 11 October 2018 by Decision No 90/18/COL.

It is therefore the Authority's obligation to amend the list of border inspection posts in Iceland and Norway and to publish a new list, reflecting the above changes concerning the *Akureyri* and *Honningsvåg Port* border inspection posts and the *Inspection Centre Solstrand* under the *Tromsø Port* border inspection post.

The Authority, by its Decision No 3/19/COL (Doc No 1045585), referred the matter to the EFTA Veterinary and Phytosanitary Committee assisting the Authority. By emails dated 23, 25 and 30 January 2019 (Docs No 1049988, 1050000 and 1050009), the Committee delivered a positive opinion concerning the proposed modifications to the list according to the examination procedure pursuant to Article 3(2) of the Decision of the Standing Committee of the EFTA States No 3/2012/SC of 26 October 2012. Accordingly, the measures are in accordance with the opinion of the Committee.

Under point 6 of EFTA Surveillance Authority Decision No 494/13/COL of 11 December 2013, the College Member with special responsibility for veterinary and phytosanitary matters is empowered to adopt draft measures amending the list of border inspection posts in Iceland and Norway if such measures are in accordance with the opinion of the EFTA Veterinary and Phytosanitary Committee assisting the Authority.

HAS ADOPTED THIS DECISION:

1. The categories of products for which the *Inspection Centre Solstrand* under the *Tromsø Port* border inspection post (NO TOS 1) is approved are modified in the list of border inspection posts in Iceland and Norway to include packed fishery products for human consumption with no temperature requirements (HC-NT(1)(2)(3)), in addition to packed frozen fishery products for human consumption (HC-T(FR)(1)(2)(3)).
2. The *Akureyri* and *Honningsvåg Port* border inspection posts (IS AKU 1 and NO HVG 1 respectively) are removed from the list of border inspection posts in Iceland and Norway.
3. Veterinary checks on live animals and animal products brought into Iceland and Norway from third countries shall be carried out by the competent national authorities at the agreed border inspection posts listed in the Annex to this Decision.
4. The EFTA Surveillance Authority Decision No 90/18/COL of 11 October 2018 is hereby repealed and replaced by the current decision.
5. This Decision shall enter into force on the day of its signature.
6. This Decision is addressed to Iceland and Norway.

7. This Decision shall be authentic in the English language.

For the EFTA Surveillance Authority, acting under Delegation Decision No 494/13/COL,

Högni S. KRISTJÁNSSON
Responsible College Member

Carsten ZATSCHLER
*Countersigning as Director,
Legal and Executive Affairs*

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ANNEX

LIST OF AGREED BORDER INSPECTION POSTS

Country: **Iceland**

| 1 | 2 | 3 | 4 | 5 | 6 |
|-------------------|-----------|---|---|--|-------|
| Hafnarfjörður | IS HAF 1 | P | | HC(1)(2)(3), NHC-NT(2)(6)(16) | |
| Keflavík Airport | IS KEF 4 | A | | HC(2), NHC(2) | O(15) |
| Reykjavík Eimskip | IS REY 1a | P | | HC(2), NHC(2) | |
| Reykjavík Samskip | IS REY 1b | P | | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3), NHC-NT(2)(6)(16) | |
| Þorlákshöfn | IS THH1 | P | | HC-T(FR)(1)(2)(3), HC-NT(6), NHC-NT(6) | |

Country: **Norway**

| 1 | 2 | 3 | 4 | 5 | 6 |
|--------------|----------|---|--------------|---|-------|
| Borg | NO BRG 1 | P | | HC (2), NHC(2) | E(7) |
| Båtsfjord | NO BJF 1 | P | | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) | |
| Egersund | NO EGE 1 | P | | HC-NT(6), NHC-NT(6)(16) | |
| Hammerfest | NO HFT 1 | P | Rypefjord | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) | |
| Kirkenes | NO KKN 1 | P | | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) | |
| Kristiansund | NO KSU 1 | P | Kristiansund | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3) HC-NT(6), NHC-NT(6) | |
| Larvik | NO LAR 1 | P | | HC(2) | |
| Måløy | NO MAY 1 | P | Gotteberg | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3) | |
| Oslo | NO OSL 1 | P | | HC(2), NHC(2) | |
| Oslo | NO OSL 4 | A | | HC(2), NHC(2) | U,E,O |
| Sortland | NO SLX 1 | P | Sortland | HC-T(FR)(1)(2)(3) | |
| Storskog | NO STS 3 | R | | HC, NHC | U,E,O |
| Tromsø | NO TOS 1 | P | Bukta | HC-T(FR)(1)(2)(3) | |
| | | | Solstrand | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) | |

| 1 | 2 | 3 | 4 | 5 | 6 |
|---------|----------|---|----------|--|---|
| Ålesund | NO AES 1 | P | Breivika | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3) | |
| | | | Skutvik | HC-T(1)(2)(3), HC-NT(6), NHC-T(FR) (2)(3), NHC-NT(6) | |

1 = Name

2 = TRACES Code

3 = Type

A = Airport

F = Rail

P = Port

R = Road

4 = Inspection centre

5 = Products

HC = All products for Human Consumption

NHC = Other Products

NT = No temperature requirements

T = Frozen/chilled products

T(FR) = Frozen products

T(CH) = Chilled products

6 = Live Animals

U = Ungulates: cattle, pigs, sheep, goats, wild and domestic solipeds

E = Registered equidae as defined in Council Directive 90/426/EEC

O = Other animals

5-6 = Special remarks

(1) = Checking in line with the requirements of Commission Decision 93/352/EEC taken in execution of Article 19(3) of Directive 97/78/EC

(2) = Packed products only

(3) = Fishery products only

(4) = Animal proteins only

(5) = Wool hides and skins only

(6) = Only liquid fats, oils, and fish oils

(7) = Icelandic ponies (from April to October only)

(8) = Equidae only

(9) = Tropical fish only

(10) = Only cats, dogs, rodents, lagomorphs, live fish, reptiles and other birds than ratites

(11) = Only feedstuffs in bulk

(12) = For (U) in the case of solipeds, only those consigned to a zoo; and for (O), only day old chicks, fish, dogs, cats, insects, or other animals consigned to a zoo

(13) = Nagylak HU: This is a border inspection post (for products) and crossing point (for Live animals) on the Hungarian Romanian border, subject to transitional measures as negotiated and laid down in the Treaty of Accession for both products and live animals. See Commission Decision 2003/630/EC

(14) = Designated for transit across the European Community for consignments of certain products of animal origin for human consumption, coming to or from Russia under the specific procedures foreseen in relevant Community legislation

(15) = Aquaculture animals only

(16) = Fish meal only

EFTA SURVEILLANCE AUTHORITY DECISION**No 15/19/COL****of 6 March 2019****on the compliance of Norway's unit rate for 2019 under Article 17 of the Act referred to at point 66wm of Annex XIII to the EEA Agreement (Commission Implementing Regulation (EU) No 391/2013 of 3 May 2013 laying down a common charging scheme for air navigation services) [2019/932]**

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Act referred to at point 66u of Annex XIII to the Agreement on the European Economic Area ('the EEA Agreement') (Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the Single European Sky), and in particular Article 16(1) thereof, and the Act referred to at point 66wm of Annex XIII to the EEA Agreement (Commission Implementing Regulation (EU) No 391/2013 of 3 May 2013 laying down a common charging scheme for air navigation services; 'Implementing Regulation (EU) No 391/2013'), and in particular Article 17(1)(d) thereof, both as adapted to the EEA Agreement by Protocol 1 thereto,

Whereas:

- (1) Implementing Regulation (EU) No 391/2013 lays down a common charging scheme for air navigation services. The common charging scheme is an integral element in reaching the objectives of the performance scheme as established under Article 11 of the Act referred to at point 66t of Annex XIII to the EEA Agreement (Regulation (EC) No 549/2004 of the European Parliament and of the Council laying down the framework for the creation of the single European sky) and the act mentioned at point 66xf of Annex XIII to the EEA Agreement (Commission Implementing Regulation (EU) No 390/2013 laying down a performance scheme for air navigation services and network functions) ('Implementing Regulation (EU) No 390/2013').
- (2) The Act referred to at point 66xe of Annex XIII to the EEA Agreement (Commission Implementing Decision 2014/132/EU setting the Union-wide performance targets for the air traffic management network and alert thresholds for the second reference period 2015-2019) sets the Union-wide performance targets, including a cost-efficiency target for en route air navigation services expressed in determined unit costs for the provision of those services, for the second reference period, which covers the years 2015 to 2019 inclusive.
- (3) Pursuant to Article 17(1)(b) and (c) of Implementing Regulation (EU) No 391/2013, the EFTA Surveillance Authority is to assess the unit rates for charging zones for 2019 submitted by Norway following the requirements of Article 9(1) and 9(2) of that Regulation. That assessment concerns the compliance of those unit rates with Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013.
- (4) The EFTA Surveillance Authority has carried out its assessment of the unit rates with the support of Eurocontrol's Performance Review Unit and Central Route Charges Office, using the data and additional information provided by Norway.
- (5) On the basis of that assessment, the Authority has found, in accordance with Article 17(1)(d) of Implementing Regulation (EU) No 391/2013, that the unit rate for charging zones for 2019 submitted by Norway is in compliance with Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013.
- (6) Pursuant to Article 17(1)(d) of Implementing Regulation (EU) No 391/2013, Norway should be notified of that finding,

HAS ADOPTED THIS DECISION:

Article 1

Norway's submitted en route unit rate for 2019 of 421,61 NOK is in compliance with the Act referred to at point 66xf of Annex XIII to the EEA Agreement (Implementing Regulation (EU) No 390/2013) and the Act referred to at point 66wm of Annex XIII to the EEA Agreement (Implementing Regulation (EU) No 391/2013).

Article 2

This Decision is addressed to Norway.

Done at Brussels, 6 March 2019.

For the EFTA Surveillance Authority

Bente ANGELL-HANSEN
President

Frank J. BÜCHEL
College Member

Högni S. KRISTJÁNSSON
Responsible College Member

Carsten ZATSCHLER
*Countersigning as Director,
Legal and Executive Affairs*

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