

# Official Journal of the European Union

# L 64



English edition

## Legislation

Volume 64

24 February 2021

Contents

### II *Non-legislative acts*

#### DECISIONS

- ★ **Council Decision (EU) 2021/322 of 18 February 2021 appointing an alternate member of the Committee of the Regions** ..... 1
- ★ **Decision (EU) 2021/323 of the Representatives of the Governments of the Member States of 19 February 2021 appointing four Judges and an Advocate-General to the Court of Justice** ..... 4
- ★ **Decision (EU) 2021/324 of the Representatives of the Governments of the Member States of 19 February 2021 appointing a Judge to the General Court** ..... 5
- ★ **Council Implementing Decision (EU) 2021/325 of 22 February 2021 on the appointment of the Vice-Chair of the Supervisory Board of the European Central Bank** ..... 6
- ★ **Council Decision (EU) 2021/326 of 22 February 2021 on the position to be adopted, on behalf of the Union, within the Trade Committee established by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part, as regards the amendment of Appendix 1 of Annex XII (Government Procurement) ...** 8
- ★ **Commission Implementing Decision (EU) 2021/327 of 23 February 2021 postponing the expiry date of approval of metofluthrin for use in biocidal products of product-type 18 <sup>(1)</sup>** ..... 10

<sup>(1)</sup> Text with EEA relevance.

# EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.



## II

(Non-legislative acts)

## DECISIONS

## COUNCIL DECISION (EU) 2021/322

of 18 February 2021

**appointing an alternate member of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 300(3) and Article 305 thereof,

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions <sup>(1)</sup>,

Having regard to the proposal made by the Polish Government,

Whereas:

- (1) Article 300(3) of the Treaty provides that the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) Article 305 of the Treaty provides for the members of the Committee of the Regions and an equal number of alternate members to be appointed by the Council for a term of five years in accordance with the proposals made by each Member State.
- (3) As the term of office of the members and alternate members of the Committee of the Regions expired on 25 January 2020, new members and alternate members should be appointed.
- (4) On 10 December 2019, the Council adopted Decision (EU) 2019/2157 <sup>(2)</sup>, in accordance with the proposals made by the Member States. That Decision appointed, for the period from 26 January 2020 to 25 January 2025, the members and alternate members proposed by the Czech, Danish, Estonian, Cypriot, Latvian, Luxembourg, Dutch, Austrian, Romanian, Slovenian, Slovak and Swedish Governments. Decision (EU) 2019/2157 also appointed for the same period three members proposed by the Belgian Government, 21 members and 20 alternate members proposed by the German Government, eight members and eight alternate members proposed by the Irish Government, 16 members and 16 alternate members proposed by the Spanish Government, 10 members and 14 alternate members proposed by the Italian Government, four members and four alternate members proposed by the Maltese Government and eight members and eight alternate members proposed by the Finnish Government.
- (5) On 20 January 2020, the Council adopted Decision (EU) 2020/102 <sup>(3)</sup>, in accordance with the proposals made by the Member States. That Decision appointed, for the period from 26 January 2020 to 25 January 2025, the members and alternate members proposed by the Greek, French, Croatian, Lithuanian, Hungarian and Portuguese Governments, as well as four members and four alternate members proposed by the Belgian Government, one member proposed by the Bulgarian Government, one member and one alternate member proposed by the Irish

<sup>(1)</sup> OJ L 139, 27.5.2019, p. 13.

<sup>(2)</sup> Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

<sup>(3)</sup> Council Decision (EU) 2020/102 of 20 January 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 20, 24.1.2020, p. 2).

Government, one member and one alternate member proposed by the Spanish Government, 14 members and 10 alternate members proposed by the Italian Government and 21 members and 20 alternate members proposed by the Polish Government.

- (6) On 3 February 2020, the Council adopted Decision (EU) 2020/144 <sup>(4)</sup>, in accordance with the proposals made by the Member States. That Decision appointed, for the period from 26 January 2020 to 25 January 2025, four members and four alternate members proposed by the Spanish Government, as well as one member and one alternate member proposed by the Finnish Government.
- (7) On 26 March 2020, the Council adopted Decision (EU) 2020/511 <sup>(5)</sup>, in accordance with the proposals made by the Member States. That Decision appointed, for the period from 26 January 2020 to 25 January 2025, five members and eight alternate members proposed by the Belgian Government, one alternate member proposed by the German Government and one member proposed by the Maltese Government.
- (8) On 8 June 2020, following the withdrawal of the United Kingdom from the Union which became legally effective on 1 February 2020, the Council adopted Decision (EU) 2020/766 <sup>(6)</sup>, in accordance with Decision (EU) 2019/852 and with the proposals made by the Member States. That Decision appointed, for the period from 1 February 2020 to 25 January 2025, one additional member and one additional alternate member proposed by the Estonian Government, one additional member and one additional alternate member proposed by the Cypriot Government, as well as one additional member and one additional alternate member proposed by the Luxembourg Government.
- (9) On 30 July 2020, the Council adopted Decision (EU) 2020/1153 <sup>(7)</sup>, in accordance with the proposals made by the Member States. That Decision appointed, for the period from 26 January 2020 to 25 January 2025, 11 members and 12 alternate members proposed by the Bulgarian Government, three members and three alternate members proposed by the German Government and one alternate member proposed by the Maltese Government. That Decision also appointed, for the period from 1 February 2020 to 25 January 2025, one alternate member proposed by the Cypriot Government and one alternate member proposed by the Luxembourg Government.
- (10) On 17 December 2020, the Polish Government proposed its candidate for its remaining alternate member's seat. That alternate member should be appointed for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

#### Article 1

The following person is hereby appointed as alternate member to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025:

POLSKA

Mr Adam BANASZAK

Member of a Regional Assembly: *Sejmik Województwa Kujawsko – Pomorskiego*.

#### Article 2

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

<sup>(4)</sup> Council Decision (EU) 2020/144 of 3 February 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 32, 4.2.2020, p. 16).

<sup>(5)</sup> Council Decision (EU) 2020/511 of 26 March 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 113, 8.4.2020, p. 18).

<sup>(6)</sup> Council Decision (EU) 2020/766 of 8 June 2020 appointing the members and alternate members of the Committee of the Regions for the period from 1 February 2020 to 25 January 2025 (OJ L 187, 12.6.2020, p. 3).

<sup>(7)</sup> Council Decision (EU) 2020/1153 of 30 July 2020 appointing members and alternate members of the Committee of the Regions (OJ L 256, 5.8.2020, p. 12).

Done at Brussels, 18 February 2021.

*For the Council*  
*The President*  
A. P. ZACARIAS

---

**DECISION (EU) 2021/323 OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES****of 19 February 2021****appointing four Judges and an Advocate-General to the Court of Justice**

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 19 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 253 and 255 thereof,

Whereas:

- (1) The terms of office of 14 Judges and six Advocates-General of the Court of Justice will expire on 6 October 2021.
- (2) Appointments to these posts should therefore be made for the term of office starting on 7 October 2021 and expiring on 6 October 2027.
- (3) Mr Miroslav GAVALEC and Ms Octavia SPINEANU-MATEI have been nominated for a first term of office as Judge of the Court of Justice.
- (4) It has been proposed that the terms of office of Mr Niilo JÄÄSKINEN and Mr Lars BAY LARSEN as Judges of the Court of Justice be renewed.
- (5) It has been proposed that the term of office of Ms Juliane KOKOTT as Advocate-General of the Court of Justice be renewed.
- (6) The panel set up under Article 255 of the Treaty on the Functioning of the European Union has given a favourable opinion on the suitability of those candidates to perform the duties of Judge or Advocate-General of the Court of Justice,

HAVE ADOPTED THIS DECISION:

*Article 1*

The following are hereby appointed Judges to the Court of Justice for the period from 7 October 2021 to 6 October 2027:

- Mr Miroslav GAVALEC,
- Ms Octavia SPINEANU-MATEI,
- Mr Niilo JÄÄSKINEN,
- Mr Lars BAY LARSEN.

*Article 2*

Ms Juliane KOKOTT is hereby appointed Advocate-General to the Court of Justice for the period from 7 October 2021 to 6 October 2027.

*Article 3*

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

Done at Brussels, 19 February 2021.

*The President*  
N. BRITO

---

**DECISION (EU) 2021/324 OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES**

**of 19 February 2021**

**appointing a Judge to the General Court**

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 19 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 254 and 255 thereof,

Whereas:

- (1) In accordance with Article 7 of Protocol No 3 on the Statute of the Court of Justice of the European Union and following the appointment of Mr Jan PASSER as Judge to the Court of Justice, a judge should be appointed to the General Court for the remainder of the term of office of Mr Jan PASSER, which runs until 31 August 2025.
- (2) Mr David PETRLÍK has been nominated for the vacant post.
- (3) The panel set up under Article 255 of the Treaty on the Functioning of the European Union has given a favourable opinion on the suitability of that candidate to perform the duties of Judge of the General Court,

HAVE ADOPTED THIS DECISION:

*Article 1*

Mr David PETRLÍK is hereby appointed Judge to the General Court for the period from the date of entry into force of this Decision to 31 August 2025.

*Article 2*

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

Done at Brussels, 19 February 2021.

*The President*  
N. BRITO

---

**COUNCIL IMPLEMENTING DECISION (EU) 2021/325**  
**of 22 February 2021**  
**on the appointment of the Vice-Chair of the Supervisory Board of the European Central Bank**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions <sup>(1)</sup>, and in particular Article 26(3) thereof,

Whereas:

- (1) On 15 October 2013 the Council adopted Regulation (EU) No 1024/2013, conferring specific tasks on the European Central Bank (ECB) concerning policies relating to the prudential supervision of credit institutions.
- (2) The planning and execution of the tasks conferred on the ECB should be fully undertaken by its Supervisory Board, which is composed of the Chair, the Vice-Chair and four representatives of the ECB, as well as one representative of the national competent authority in each participating Member State.
- (3) The Supervisory Board is an essential body in the exercise of supervisory tasks performed by the ECB within the Single Supervisory Mechanism. Regulation (EU) No 1024/2013 therefore conferred upon the Council the power to appoint the Chair and the Vice-Chair of the Supervisory Board.
- (4) On 4 October 2019 the Council appointed Mr Yves MERSCH as Vice-Chair of the Supervisory Board by means of Implementing Decision (EU) 2019/1671 <sup>(2)</sup>. The term of office of the Vice-Chair of the Supervisory Board ended on 14 December 2020.
- (5) In accordance with Article 26(3) of Regulation (EU) No 1024/2013, the ECB, after hearing the Supervisory Board, is to submit to the European Parliament a proposal for the appointment of the Vice-Chair of the Supervisory Board, who is to be chosen from among the members of the Executive Board of the ECB. The ECB submitted such a proposal on 18 December 2020, and the European Parliament approved it on 8 February 2021,

HAS ADOPTED THIS DECISION:

*Article 1*

Mr Frank ELDERSON is hereby appointed as Vice-Chair of the Supervisory Board of the European Central Bank for a period of five years from 24 February 2021.

*Article 2*

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

<sup>(1)</sup> OJ L 287, 29.10.2013, p. 63.

<sup>(2)</sup> Council Implementing Decision (EU) 2019/1671 of 4 October 2019 on the appointment of the Vice-Chair of the Supervisory Board of the European Central Bank (OJ L 256, 7.10.2019, p. 8).



Done at Brussels, 22 February 2021.

*For the Council*  
*The President*  
J. BORRELL FONTELLES

---

**COUNCIL DECISION (EU) 2021/326****of 22 February 2021****on the position to be adopted, on behalf of the Union, within the Trade Committee established by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part, as regards the amendment of Appendix 1 of Annex XII (Government Procurement)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 91 and 100(2), and the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part, and in particular Article 191 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part ('the Trade Agreement') was signed by the Union in accordance with Council Decision 2012/735/EU <sup>(1)</sup> and has been provisionally applied from 1 March 2013 between the Union and Peru, and from 1 August 2013 between the Union and Colombia. The Trade Agreement was amended by the Protocol of Accession of Ecuador <sup>(2)</sup>, which was signed on 11 November 2016 in accordance with Council Decision (EU) 2016/2369 <sup>(3)</sup> and has been provisionally applied from 1 January 2017.
- (2) Article 191 of the Trade Agreement lays down the procedures concerning the modification or rectification of a Party's coverage of procurement under Title VI of the Trade Agreement.
- (3) Appendix 1 of Annex XII to the Trade Agreement specifies the central government entities of Colombia whose procurement is covered under Title VI of the Trade Agreement ('the list of procuring entities').
- (4) At the meeting of the Sub-committee on Government Procurement held in Bogotá on 17 October 2019, Colombia informed the Union of its intention to update the list of procuring entities by adding six executive-level agencies created after 2011. At the time of the conclusion of the negotiations for the Trade Agreement in 2010, competences currently carried out by such agencies were exercised by procuring entities at ministerial level.
- (5) The Union and Colombia agree that the list of procuring entities should be updated accordingly.
- (6) It is therefore necessary to amend the list of procuring entities. The Union and Colombia agree that such update does not require compensatory adjustments, as it is a minor amendment under point (a) of Article 191(2) of the Trade Agreement.

<sup>(1)</sup> Council Decision 2012/735/EU of 31 May 2012 on the signing, on behalf of the Union, and provisional application of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part (OJ L 354, 21.12.2012, p. 1).

<sup>(2)</sup> Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador (OJ L 356, 24.12.2016, p. 3).

<sup>(3)</sup> Council Decision (EU) 2016/2369 of 11 November 2016 on the signing, on behalf of the Union, and provisional application of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador (OJ L 356, 24.12.2016, p. 1).

- (7) Pursuant to Article 14(3), in conjunction with Article 12(4), of the Trade Agreement, a decision is to be adopted within the Trade Committee established by the Trade Agreement ('the Trade Committee') by the Union and the signatory Andean Country concerned where it relates exclusively to the bilateral relationship between them.
- (8) It is appropriate to establish the position to be adopted on the Union's behalf within the Trade Committee, as the decision of the Trade Committee to amend the list of procuring entities will be binding on the Union pursuant to Article 14(2) of the Trade Agreement,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be adopted on the Union's behalf within the Trade Committee as regards the amendment of the list of procuring entities set out in Subsection 1 of Section A of Appendix 1 of Annex XII to the Trade Agreement shall be based on the corresponding draft decision of the Trade Committee (\*).

*Article 2*

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

Done at Brussels, 22 February 2021.

*For the Council*  
*The President*  
J. BORRELL FONTELLES

---

(\*) See document ST 5699/21 at <http://register.consilium.europa.eu>

**COMMISSION IMPLEMENTING DECISION (EU) 2021/327**  
**of 23 February 2021**  
**postponing the expiry date of approval of metofluthrin for use in biocidal products of product-type 18**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products <sup>(1)</sup>, and in particular Article 14(5) thereof,

After consulting the Standing Committee on Biocidal Products,

Whereas:

- (1) The active substance metofluthrin was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council <sup>(2)</sup> for use in biocidal products of product-type 18, and pursuant to Article 86 of Regulation (EU) No 528/2012 is therefore considered approved under that Regulation subject to the specifications and conditions set out in Annex I to that Directive.
- (2) The approval of metofluthrin for use in biocidal products of product-type 18 will expire on 30 April 2021. On 25 October 2019, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of metofluthrin.
- (3) On 15 October 2020, the evaluating competent authority of Ireland informed the Commission that it had decided, pursuant to Article 14(1) of Regulation (EU) No 528/2012, that a full evaluation of the application was necessary. Pursuant to Article 8(1) of Regulation (EU) No 528/2012, the evaluating competent authority is to perform a full evaluation of the application within 365 days of its validation.
- (4) The evaluating competent authority may, as appropriate, request the applicant to provide sufficient data to carry out the evaluation, in accordance with Article 8(2) of Regulation (EU) No 528/2012. In such case, the 365-day period is suspended for a period that may not exceed 180 days in total unless a longer suspension is justified by the nature of the data requested or by exceptional circumstances.
- (5) Within 270 days of receipt of a recommendation from the evaluating competent authority, the European Chemicals Agency ('the Agency') is to prepare and submit to the Commission an opinion on renewal of the approval of the active substance in accordance with Article 14(3) of Regulation (EU) No 528/2012.
- (6) Consequently, for reasons beyond the control of the applicant, the approval of metofluthrin for use in biocidal products of product-type 18 is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to postpone the expiry date of approval of metofluthrin for use in biocidal products of product-type 18 for a period of time sufficient to enable the examination of the application. Considering the time-limits for the evaluation by the evaluating competent authority and for the preparation and submission of the opinion by the Agency, it is appropriate to postpone the expiry date of approval to 31 October 2023.
- (7) Except for the expiry date of approval, metofluthrin remains approved for use in biocidal products of product-type 18 subject to the specifications and conditions set out in Annex I to Directive 98/8/EC.

<sup>(1)</sup> OJ L 167, 27.6.2012, p. 1.

<sup>(2)</sup> Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

HAS ADOPTED THIS DECISION:

*Article 1*

The expiry date of approval of metofluthrin for use in biocidal products of product-type 18 is postponed to 31 October 2023.

*Article 2*

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, 23 February 2021.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

---



ISSN 1977-0677 (electronic edition)  
ISSN 1725-2555 (paper edition)



Publications Office  
of the European Union  
L-2985 Luxembourg  
LUXEMBOURG

**EN**