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⁽¹⁾ Text with EEA relevance.

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2023/1697

of 19 June 2023

on the implementation of the Union's international obligations, as referred to in Article 15(2) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council, under the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, as regards piked dogfish

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC⁽¹⁾, and in particular Article 15(2) thereof,

Whereas:

- (1) On 29 April 2021, the Council adopted Decision (EU) 2021/689 on the conclusion of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (hereinafter 'Trade and Cooperation Agreement')⁽²⁾. The Trade and Cooperation Agreement entered into force on 1 May 2021.
- (2) Article 498(2) of the Trade and Cooperation Agreement provides that the Parties shall hold consultations annually to agree, by 10 December of each year, the total allowable catches (TACs) for the following year for the stocks listed in Annex 35 of the Agreement. These consultations may also cover the additional matters referred to in Article 498(4) of the Agreement including list of stocks for which fishing is prohibited, the determination of the TAC for any stock which is not listed in Annex 35 or Annex 36 and the Parties' respective shares of those stocks, measures for fisheries management.
- (3) The Union conducts the annual consultations in line with the objectives and principles set out in Articles 2, 3, 28 and 33 of Regulation (EU) No 1380/2013, Articles 4 and 5 of the Western Waters⁽³⁾ and North Sea⁽⁴⁾ multiannual plans, and Council Decision (EU) 2021/1875⁽⁵⁾.

⁽¹⁾ OJ L 354, 28.12.2013, p. 22.

⁽²⁾ OJ L 149, 30.4.2021, p. 10.

⁽³⁾ Regulation (EU) 2019/472 of the European Parliament and of the Council of 19 March 2019 establishing a multiannual plan for stocks fished in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amending Regulations (EU) 2016/1139 and (EU) No 2018/973, and repealing Council Regulations (EC) No 811/2004, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007 and (EC) No 1300/2008 (OJ L 83, 25.3.2019, p. 1).

⁽⁴⁾ Regulation (EU) 2018/973 of the European Parliament and of the Council of 4 July 2018 establishing a multiannual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks, specifying details of the implementation of the landing obligation in the North Sea and repealing Council Regulations (EC) No 676/2007 and (EC) No 1342/2008 (OJ L 179, 16.7.2018, p. 1).

⁽⁵⁾ Council Decision (EU) 2021/1875 of 22 October 2021 concerning the position to be adopted on behalf of the Union in the annual consultations with the United Kingdom to agree on total allowable catches (OJ L 378, 26.10.2021, p. 6).

- (4) The Union position during the annual consultations is based on the best available scientific advice, principally that provided by the International Council for the Exploration of the Sea (ICES) in accordance with Article 494(3)(c) of the Trade and Cooperation Agreement.
- (5) The Written Record documenting the arrangements made between the Parties as a result of those consultations shall be produced and signed by the heads of delegation of the Parties in accordance with the obligation set out in Article 498(6) of that Agreement.
- (6) On 16 December 2022, the Union agreed with the United Kingdom on the setting of a substantial number of TACs for 2022 for stocks listed in Annex 35 to the Trade and Cooperation Agreement. The outcome of the consultations was documented in the Written Record ⁽⁶⁾, which was endorsed by the Council on 20 December 2022 and signed by the Head of Delegation of the United Kingdom and by the Commission representative on behalf of the Union, in accordance with Article 498(6) of the Trade and Cooperation Agreement and Decision (EU) 2021/1875.
- (7) Piked dogfish (*Squalus acanthias*) is a stock jointly managed by the Union and the United Kingdom. During the annual consultations, the Union and the United Kingdom agreed that, given the assessed improvement of the status of the piked dogfish stock, piked dogfish should no longer be a prohibited species. The relevant TAC levels fixed in that Written Record were subsequently implemented in Council Regulation (EU) 2023/194 ⁽⁷⁾.
- (8) The Union and the United Kingdom also agreed that, in order to protect a component of this stock that is particularly vulnerable to fishing mortality, it is appropriate to deter directed fisheries targeting aggregations of mature females. To this end, the Union and the United Kingdom agreed that a maximum catch size of 100 cm should be respected.
- (9) Pending the adoption of such a maximum catch size in Union law in accordance with Article 15(2) of Regulation (EU) No 1380/2013, the measure agreed with the United Kingdom was established in Annex IA of Regulation (EU) 2023/194. The measure was functionally linked to the TAC for piked dogfish, as, without such measure, the TAC level alone would not ensure sufficient protection of spawning females, which constitute a particularly vulnerable part of the population.
- (10) The current Regulation aims at excluding piked dogfish above 100 cm from the landing obligation, thereby ensuring that when caught accidentally, such specimen shall not be harmed and be promptly released back into the sea.
- (11) The Regulation provides a more stable legal framework, given the temporary nature of the measures adopted by the Council which, in accordance with Article 59(k) of Regulation (EU) 2023/194, will cease to apply on the date on which a delegated act introducing corresponding measures and regulating the treatment of catches of those stocks over 100 cm becomes applicable.
- (12) The current Regulation ensures compliance by the Union with its international obligations and create legal certainty and a level playing field for Union fishermen.
- (13) As the measures provided for in this Regulation have a direct impact on the conservation of the stock, this Regulation should enter into force immediately after its publication.

⁽⁶⁾ Written Record of fisheries consultations between the United Kingdom and the European Union for 2023: EU-UK for 2023 (europa.eu).

⁽⁷⁾ Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1).

- (14) As the measures agreed in the Written Record between the Union and the United Kingdom expire on 31 December 2023, this Regulation should also cease to apply on that date,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation establishes a derogation from the landing obligation set out in Article 15 of Regulation (EU) No 1380/2013 for the purpose of implementing the Union's international obligations as regards shared stocks subject to the fisheries consultations held between the United Kingdom and the European Union under the Trade and Cooperation Agreement.

This Regulation applies to fishing activities in Union waters or by Union fishing vessels outside Union waters in waters not subject to third countries' sovereignty or jurisdiction.

Article 2

Piked dogfish (*Squalus acanthias*)

By way of derogation from Article 15(1) of Regulation (EU) No 1380/2013, it shall be prohibited to target, retain on board or tranship, land, transport, store, display or offer for sale, sell or market piked dogfish above 100 cm.

Any piked dogfish above that size when caught accidentally, shall not be harmed and specimens shall be promptly released back into the sea.

Article 3

Entry into force

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

This Regulation shall apply until 31 December 2023.

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

Done at Brussels, 19 June 2023.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2023/1698**of 6 September 2023****concerning the renewal of the authorisation of a preparation of potassium diformate as a feed additive for sows (holder of the authorisation: ADDCON Europe GmbH) and repealing Regulation (EU) No 104/2010****(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 and renewing such authorisation.
- (2) A preparation of potassium diformate was authorised for 10 years as a feed additive for sows by Commission Regulation (EU) No 104/2010 ⁽²⁾.
- (3) In accordance with Article 14 of Regulation (EC) No 1831/2003, an application was submitted for the renewal of the authorisation of the preparation of potassium diformate as a feed additive for sows in the additive category 'zootechnical additives' and in the functional group 'other zootechnical additives (improvement of zootechnical parameters)'. The application was accompanied by the particulars and documents required under Article 14(2) of that Regulation.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinions of 29 January 2020 ⁽³⁾ and 18 November 2020 ⁽⁴⁾ that the preparation of potassium diformate remains safe for sows, the consumers and the environment under the conditions of use currently authorised. It also reiterated that except for ocular irritation potential, no effects requiring specific user protection measures were found.
- (5) In accordance with Article 5(4), point (c), of Commission Regulation (EC) No 378/2005 ⁽⁵⁾, the Reference Laboratory set up by Regulation (EC) No 1831/2003 considered that the conclusions and recommendations reached in the previous assessment are valid and applicable for the current application. In addition, on 28 April 2023, the Reference Laboratory published an addendum to its evaluation report, updating its recommendations for the analytical methods for the determination of potassium diformate (as total formic acid) in the feed additive, premixtures and compound feed, and for the determination of total potassium in the feed additive.
- (6) The Annex to Regulation (EU) No 104/2010 provides for the description of the functional group 'other zootechnical additives (improvement of zootechnical parameters)'. However, in order to ensure consistency with the current approach concerning the authorisation of additives belonging to the functional group of other zootechnical additives, it is appropriate to further specify the function performed by the additive, which is to improve the performance parameters of sows.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Commission Regulation (EU) No 104/2010 of 5 February 2010 concerning the authorisation of potassium diformate as a feed additive for sows (holder of authorisation BASF SE) and amending Regulation (EC) No 1200/2005 (OJ L 35, 6.2.2010, p. 4.).

⁽³⁾ EFSA Journal 2020;18(2):6024.

⁽⁴⁾ EFSA Journal 2020;18(12):6339.

⁽⁵⁾ Commission Regulation (EC) No 378/2005 of 4 March 2005 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the duties and tasks of the Community Reference Laboratory concerning applications for authorisations of feed additives (OJ L 59, 5.3.2005, p. 8).

- (7) The assessment of the preparation of potassium diformate shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the authorisation of this additive should be renewed.
- (8) 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. Those protective measures should be without prejudice to other worker safety requirements under Union law.
- (9) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation of the preparation concerned, it is appropriate to provide for a transitional period for the interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (10) As a consequence of the renewal of the authorisation of the preparation of potassium diformate as a feed additive, Regulation (EU) No 104/2010 should be repealed.
- (11) 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

Renewal of the authorisation

The authorisation of the preparation of potassium diformate, belonging to the additive category 'zootechnical additives' and to the functional group 'other zootechnical additives (improvement of performance parameters)', is renewed subject to the conditions laid down in the Annex.

Article 2

Repeal of Regulation (EU) No 104/2010

Regulation (EU) No 104/2010 is repealed.

Article 3

Transitional measures

1. The preparation specified in the Annex and premixtures containing this substance, which are produced and labelled before 27 March 2024 in accordance with the rules applicable before 27 September 2023 may continue to be placed on the market and used until the existing stocks are exhausted.
2. Compound feed and feed materials containing the preparation specified in the Annex, which are produced and labelled before 27 September 2024 in accordance with the rules applicable before 27 September 2023 may continue to be placed on the market and used until the existing stocks are exhausted.

Article 4

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*.

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

Done at Brussels, 6 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

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
						mg of active substance/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: other zootechnical additives (improvement of performance parameters)									
4d800	ADDCON Europe GmbH	Potassium diformate	<p><i>Additive composition</i> Preparation of potassium diformate, min. 98 % Silicate max. 1,5 % Water max. 0,5 % Solid form</p> <p><i>Characterisation of active substance</i> Potassium diformate, solid $\text{KH}(\text{COOH})_2$ CAS No 20642-05-1</p> <p><i>Analytical method (*)</i> For the determination of potassium diformate (as total formic acid) in the feed additive, premixtures and compound feeds: ion chromatography with conductivity detection (IC-CD) – EN 17294.</p> <p>For the determination of total potassium in the feed additive: — atomic absorption spectrometry (AAS) – EN ISO 6869; or</p>	Sows	—	10 000 (*)	12 000 (*)	<ol style="list-style-type: none"> 1. In the directions for use of the additive and premixtures, the storage conditions and stability to heat treatment shall be indicated 2. The maximum content of potassium diformate shall be 12 000 mg/kg of complete feedingstuff with a moisture content of 12 % for sows, whether used alone as a zootechnical additive or used in combination with other sources of potassium diformate. 3. The mixture of different sources of formic acid shall not exceed the permitted maximum level of 10 000 mg formic acid/kg of complete feedingstuff with a moisture content of 12 %. 4. The additive shall be incorporated in feed in form of a premixture. 	27 September 2033

			<p>— inductively coupled plasma-atomic emission spectrometry (ICP-AES) – EN 15510.</p>					<p>5. In the directions for use of the additive, premixture and feedingstuff the following shall be indicated: 'The simultaneous use of different organic acids or their salts is contraindicated where one or more of them is used at or near the maximum permitted content'.</p> <p>6. 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 by such procedures and measures, the additive and premixtures shall be used with personal eye protective equipment.</p>
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(¹) Details of the analytical methods are available at the following address of the Reference Laboratory: https://joint-research-centre.ec.europa.eu/eurl-fa-eurl-feed-additives/eurl-fa-authorisation/eurl-fa-evaluation-reports_en.

(²) 10 000 mg/kg potassium diformate equals 6993 mg/kg as formic acid.

(³) 12 000 mg/kg potassium diformate equals 8391 mg/kg as formic acid.

COMMISSION IMPLEMENTING REGULATION (EU) 2023/1699**of 6 September 2023****on the status of attapulgit as a feed additive within the scope of Regulation (EC) No 1831/2003 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 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 2(3) thereof,

Whereas:

- (1) For the substance attapulgit, there is uncertainty whether it is a feed additive within the scope of Regulation (EC) No 1831/2003. This uncertainty results from various questions or doubts expressed by national competent authorities responsible for official controls or by economic operators concerning the classification of that substance, which is currently included in the Catalogue of feed materials established by Commission Regulation (EU) No 68/2013 ⁽²⁾.
- (2) Such uncertainty about the status of a product with regard to feed additives may jeopardise the marketing of feed products throughout the Union, since the distinction between feed additives and other feed products has a major role as regards the conditions of their placing on the market, under the respective applicable legislation.
- (3) In order to allay the uncertainty regarding the status of attapulgit as a feed additive, it is appropriate to adopt a relevant measure under Regulation (EC) No 1831/2003, determining that status. Such measure would bring consistency in the treatment of the substance concerned and would facilitate the work of the national competent authorities responsible for official controls, while helping the interested economic operators to act in a framework providing for an appropriate level of legal certainty.
- (4) To determine whether a product is a feed additive within the scope of Regulation (EC) No 1831/2003, it is appropriate to refer to the guidelines for the distinction between feed additives, feed materials and other products, established by Commission Recommendation 2011/25/EU ⁽³⁾. In particular, those guidelines provide for several criteria to be simultaneously considered in a case-by-case evaluation, in order to create a profile of each specific product, taking into account all its characteristics. Among the criteria for the differentiation between feed additives and feed materials are the production and processing method, the chemical definition and the level of standardisation or purification, the safety and mode of use and the functionality of the product concerned. In addition, for the sake of consistency, products with similar properties should be classified by analogy.
- (5) Based on an examination of the criteria in Recommendation 2011/25/EU, it has been concluded that attapulgit should be considered as a feed additive within the scope of Regulation (EC) No 1831/2003. Attapulgit is essentially used in order to perform technological functions in feed, such as binding, anti-caking or reducing mycotoxins contamination of feed, or even zootechnical functions by affecting animals' gastro-intestinal flora or digestibility of feed, which are typical of feed additives' functionality. In addition, the characteristics and properties of attapulgit are very similar to those of other clay minerals which are considered as feed additives. Therefore, the classification by analogy of attapulgit as a feed additive would bring consistency in the treatment of those similar products.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Commission Regulation (EU) No 68/2013 of 16 January 2013 on the Catalogue of feed materials (OJ L 29, 30.1.2013, p. 1).

⁽³⁾ Commission Recommendation 2011/25/EU of 14 January 2011 establishing guidelines for the distinction between feed materials, feed additives, biocidal products and veterinary medicinal products (OJ L 11, 15.1.2011, p. 75).

- (6) As a consequence of the classification of attapulgitite as a feed additive within the scope of Regulation (EC) No 1831/2003, it is appropriate to provide for a transitional period which would allow interested parties to adapt to the status of that substance, including for the purposes of submission of an application for authorisation as a feed additive, and the further processing of such application in accordance with Regulation (EC) No 1831/2003.
- (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

Attapulgitite is a feed additive within the scope of Regulation (EC) No 1831/2003.

Article 2

The substance referred to in Article 1 may continue to be placed on the market and used in accordance with the rules applicable to feed materials until 27 September 2030.

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*.

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

Done at Brussels, 6 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2023/1700**of 6 September 2023****amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada, Chile, the United Kingdom and the United States in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry and fresh meat of poultry and game birds****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Articles 230(1) and 232(1) and (3) thereof.

Whereas:

- (1) Regulation (EU) 2016/429 provides that consignments of animals, germinal products and products of animal origin must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation in order to enter the Union.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ lays down the animal health requirements that consignments of certain species and categories of animals, germinal products and products of animal origin, from third countries or territories, or zones thereof, or compartments thereof in the case of aquaculture animals, must comply with in order to enter the Union.
- (3) Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ establishes the lists of third countries, or territories, or zones or compartments thereof, from which the entry into the Union of the species and categories of animals, germinal products and products of animal origin falling within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (4) More particularly, Annexes V and XIV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, or territories, or zones thereof authorised for the entry into the Union, respectively, of consignments of poultry, germinal products of poultry, fresh meat of and meat products from poultry and game birds.
- (5) The United Kingdom has notified the Commission of three outbreaks of highly pathogenic avian influenza (HPAI) in poultry in Scotland, in the council areas of Angus (1), Dumfries and Galloway (1), and the Isle of Lewis (1), which were confirmed on 18 August 2023, 17 August 2023 and 22 August 2023, respectively, by laboratory analysis (RT-PCR).
- (6) Following those recent outbreaks of HPAI, the veterinary authorities of the United Kingdom established restricted zones of at least 10 km around the affected establishments and implemented a stamping-out policy to control the presence of HPAI and limit the spread of that disease.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

⁽³⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 1).

- (7) The United Kingdom has submitted information to the Commission on the epidemiological situation on its territory and the measures taken to prevent the further spread of HPAI.
- (8) That information has been evaluated by the Commission. The Commission considers that, in view of the animal health situation in the areas under restrictions established by the veterinary authorities of the United Kingdom, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat of poultry and game birds from those areas should be suspended, in order to protect the animal health status of the Union.
- (9) Canada, Chile, the United Kingdom and the United States have provided updated information to the Commission in relation to epidemiological situations on their territories as regards HPAI that gave rise to the suspension of the entry of certain products into the Union, as set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404.
- (10) Canada has submitted updated information on the epidemiological situation on its territory in relation to an outbreak of HPAI in a poultry establishment in the province of British Alberta which was confirmed on 20 September 2022.
- (11) Chile has submitted updated information on the epidemiological situation on its territory in relation to five outbreaks of HPAI in poultry establishments in the regions of Biobío (3) and Maule (2), which were confirmed between 19 March 2023 and 20 April 2023.
- (12) The United Kingdom has submitted updated information on the epidemiological situation on its territory in relation to an outbreak of HPAI in a poultry establishment in the county of Kent, England, which was confirmed on 20 July 2023.
- (13) Finally, the United States has submitted updated information on the epidemiological situation on its territory in relation to 21 outbreaks of HPAI in poultry establishments in the states of Colorado (1) and Pennsylvania (20), which were confirmed between 1 February 2023 and 28 March 2023.
- (14) Canada, Chile, the United Kingdom and the United States have also submitted information on the measures that were taken to prevent the further spread of HPAI. In particular, following those outbreaks of that disease, Canada, Chile, the United Kingdom and the United States have implemented a stamping out policy in order to control and limit the spread of that disease, and they have also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on their territories.
- (15) The Commission has evaluated the information submitted by Canada, Chile, the United Kingdom and the United States. The Commission considers that Canada, Chile, the United Kingdom and the United States have provided appropriate guarantees that the animal health situation that gave rise to the suspensions, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of poultry commodities from the concerned zones of Canada, Chile, the United Kingdom and the United States from which entry into the Union had been suspended, should be reauthorised.
- (16) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should therefore be amended to take account of the current epidemiological situation as regards HPAI in Canada, Chile, the United Kingdom and the United States.
- (17) Taking into account the current epidemiological situation in the United Kingdom as regards HPAI, and in order to avoid unnecessary disruption of trade with Canada, Chile, the United Kingdom and the United States, the amendments to be made to Annexes V and XIV to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

Entry into force and applicability

This Regulation shall enter into force on the 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, 6 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) Annex V is amended as follows:

(a) in Part 1, Section B is amended as follows:

(i) in the entry for Canada, the row for the zone CA-2.94 is replaced by the following:

'CA Canada	CA-2.94	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.9.2022	24.8.2023';
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(ii) in the entry for Chile, the rows for the zones CL-2.2 and CL-2.3 are replaced by the following:

'CL Chile	CL-2.2	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		19.3.2023	28.8.2023
	CL-2.3		N, P1		24.3.2023	28.8.2023';

(iii) in the entry for Chile, the rows for the zones CL-2.5 and CL-2.6 are replaced by the following:

'CL Chile	CL-2.5	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		10.4.2023	28.8.2023
	CL-2.6		N, P1		12.4.2023	28.8.2023';

(iv) in the entry for Chile, the row for the zone CL-2.10 is replaced by the following:

'CL Chile	CL-2.10	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.4.2023	28.8.2023';
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(v) in the entry for the United Kingdom, the row for the zone GB-2.308 is replaced by the following:

'GB United Kingdom	GB-2.308	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.7.2023	23.8.2023';
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(vi) in the entry for the United Kingdom, the following rows for the zones GB-2.315, GB-2.316 and GB-2.317 are added after the row for the zone GB-2.314:

'GB United Kingdom	GB-2.315	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		17.8.2023	
	GB-2.316		N, P1		18.8.2023	
	GB-2.317		N, P1		22.8.2023';	

(vii) in the entry for the United States, the row for the zone US-2.408 is replaced by the following:

'US United States	US-2.408	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		1.2.2023	31.8.2023';
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(viii) in the entry for the United States, the row for the zone US-2.416 is replaced by the following:

'US United States	US-2.416	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		22.2.2023	31.8.2023';
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(ix) in the entry for the United States, the row for the zone US-2.418 is replaced by the following:

'US United States	US-2.418	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		23.2.2023	31.8.2023';
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(x) in the entry for the United States, the rows for the zones US-2.422 and US-2.423 are replaced by the following:

'US United States	US-2.422	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		24.2.2023	31.8.2023
	US-2.423		N, P1		27.2.2023	31.8.2023';

(xi) in the entry for the United States, the rows for the zones US-2.427, US-2.428 and US-2.429 are replaced by the following:

'US United States	US-2.427	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		3.3.2023	31.8.2023
	US-2.428		N, P1		3.3.2023	31.8.2023
	US-2.429		N, P1		3.3.2023	31.8.2023';

(xii) in the entry for the United States, the rows for the zones US-2.432 to US-2.441 are replaced by the following:

'US United States	US-2.432	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		6.3.2023	31.8.2023
	US-2.433		N, P1		6.3.2023	31.8.2023
	US-2.434		N, P1		6.3.2023	31.8.2023
	US-2.435		N, P1		13.3.2023	31.8.2023
	US-2.436		N, P1		14.3.2023	31.8.2023
	US-2.437		N, P1		14.3.2023	31.8.2023
	US-2.438		N, P1		14.3.2023	31.8.2023

	US-2.439		N, P1		14.3.2023	31.8.2023
	US-2.440		N, P1		14.3.2023	31.8.2023
	US-2.441		N, P1		15.3.2023	31.8.2023';

(xiii) in the entry for the United States, the rows for the zones US-2.443 and US-2.444 are replaced by the following:

'US United States	US-2.443	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		16.3.2023	31.8.2023
	US-2.444		N, P1		16.3.2023	31.8.2023';

(xiv) in the entry for the United States, the row for the zone US-2.447 is replaced by the following:

'US United States	US-2.447	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		28.3.2023	25.8.2023';
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(b) in Part 2, in the entry for the United Kingdom, the following descriptions of the zones GB-2.315, GB-2.316 and GB-2.317 are added after the description of the zone GB-2.314:

'United Kingdom	GB-2.315	near Kirkcudbright, Dumfries and Galloway, Scotland, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N54.80 and Long: W4.05
	GB-2.316	near Forfar, Angus, Scotland, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: Lat: N56.69 and Long: W2.87
	GB-2.317	near Barvas, Isle of Lewis, Scotland, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: Lat: N58.35 and Long:W6.51'

(2) in Annex XIV, in Part 1, Section B is amended as follows:

(a) in the entry for Canada, the rows for the zone CA-2.94 are replaced by the following:

'CA Canada	CA-2.94	POU, RAT	N, P1		20.9.2022	24.8.2023
		GBM	P1		20.9.2022	24.8.2023';

(b) in the entry for Chile, the rows for the zones CL-2.2 and CL-2.3 are replaced by the following:

'CL Chile	CL-2.2	POU, RAT	N, P1		19.3.2023	28.8.2023
		GBM	P1		19.3.2023	28.8.2023

	CL-2.3	POU, RAT	N, P1		24.3.2023	28.8.2023
		GBM	P1		24.3.2023	28.8.2023';

(c) in the entry for Chile, the rows for the zones CL-2.5 and CL-2.6 are replaced by the following:

'CL Chile	CL-2.5	POU, RAT	N, P1		10.4.2023	28.8.2023
		GBM	P1		10.4.2023	28.8.2023
	CL-2.6	POU, RAT	N, P1		12.4.2023	28.8.2023
		GBM	P1		12.4.2023	28.8.2023';

(d) in the entry for Chile, the rows for the zone CL-2.10 are replaced by the following:

'CL Chile	CL-2.10	POU, RAT	N, P1		20.4.2023	28.8.2023
		GBM	P1		20.4.2023	28.8.2023';

(e) in the entry for the United Kingdom, the rows for the zone GB-2.308 are replaced by the following:

'GB United Kingdom	GB-2.308	POU, RAT	N, P1		20.7.2023	23.8.2023';
		GBM	P1		20.7.2023	23.8.2023';

(f) in the entry for the United Kingdom, the following rows for the zones GB-2.315, GB-2.316 and GB-2.317 are added after the rows for the zone GB-2.314:

'GB United Kingdom	GB-2.315	POU, RAT	N, P1		17.8.2023	
		GBM	P1		17.8.2023	
	GB-2.316	POU, RAT	N, P1		18.8.2023	
		GBM	P1		18.8.2023	
	GB-2.317	POU, RAT	N, P1		22.8.2023	
		GBM	P1		22.8.2023';	

(g) in the entry for the United States, the rows for the zone US-2.408 are replaced by the following:

'US United States	US-2.408	POU, RAT	N, P1		1.2.2023	31.8.2023
		GBM	P1		1.2.2023	31.8.2023';

(h) in the entry for the United States, the rows for the zone US-2.416 are replaced by the following:

'US United States	US-2.416	POU, RAT	N, P1		22.2.2023	31.8.2023';
		GBM	P1		22.2.2023	31.8.2023';

(i) in the entry for the United States, the rows for the zone US-2.418 are replaced by the following:

'US United States	US-2.418	POU, RAT	N, P1		23.2.2023	31.8.2023
		GBM	P1		23.2.2023	31.8.2023';

(j) in the entry for the United States, the rows for the zones US-2.422 and US-2.423 are replaced by the following:

'US United States	US-2.422	POU, RAT	N, P1		24.2.2023	31.8.2023
		GBM	P1		24.2.2023	31.8.2023
	US-2.423	POU, RAT	N, P1		27.2.2023	31.8.2023
		GBM	P1		27.2.2023	31.8.2023';

(k) in the entry for the United States, the rows for the zones US-2.427, US-2.428 and US-2.429 are replaced by the following:

'US United States	US-2.427	POU, RAT	N, P1		3.3.2023	31.8.2023
		GBM	P1		3.3.2023	31.8.2023
	US-2.428	POU, RAT	N, P1		3.3.2023	31.8.2023
		GBM	P1		3.3.2023	31.8.2023
	US-2.429	POU, RAT	N, P1		3.3.2023	31.8.2023
		GBM	P1		3.3.2023	31.8.2023';

(l) in the entry for the United States, the rows for the zones US-2.432 to US-2.441 are replaced by the following:

'US United States	US-2.432	POU, RAT	N, P1		6.3.2023	31.8.2023
		GBM	P1		6.3.2023	31.8.2023
	US-2.433	POU, RAT	N, P1		6.3.2023	31.8.2023
		GBM	P1		6.3.2023	31.8.2023
	US-2.434	POU, RAT	N, P1		6.3.2023	31.8.2023
		GBM	P1		6.3.2023	31.8.2023
	US-2.435	POU, RAT	N, P1		13.3.2023	31.8.2023
		GBM	P1		13.3.2023	31.8.2023

US-2.436	POU, RAT	N, P1		14.3.2023	31.8.2023
	GBM	P1		14.3.2023	31.8.2023
US-2.437	POU, RAT	N, P1		14.3.2023	31.8.2023
	GBM	P1		14.3.2023	31.8.2023
US-2.438	POU, RAT	N, P1		14.3.2023	31.8.2023
	GBM	P1		14.3.2023	31.8.2023
US-2.439	POU, RAT	N, P1		14.3.2023	31.8.2023
	GBM	P1		14.3.2023	31.8.2023
US-2.440	POU, RAT	N, P1		14.3.2023	31.8.2023
	GBM	P1		14.3.2023	31.8.2023
US-2.441	POU, RAT	N, P1		15.3.2023	31.8.2023
	GBM	P1		15.3.2023	31.8.2023 ³ ;

(m) in the entry for the United States, the rows for the zones US-2.443 and US-2.444 are replaced by the following:

‘US United States	US-2.443	POU, RAT	N, P1		16.3.2023	31.8.2023
		GBM	P1		16.3.2023	31.8.2023
	US-2.444	POU, RAT	N, P1		16.3.2023	31.8.2023
		GBM	P1		16.3.2023	31.8.2023 ³ ;

(n) in the entry for the United States, the rows for the zone US-2.447 are replaced by the following:

‘US United States	US-2.447	POU, RAT	N, P1		28.3.2023	25.8.2023
		GBM	P1		28.3.2023	25.8.2023 ³ ;

COMMISSION IMPLEMENTING REGULATION (EU) 2023/1701
of 6 September 2023
fixing the import duties applicable to certain types of husked rice from 7 September 2023

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 183, first paragraph, point (a), thereof,

Whereas:

- (1) The Agreement in the form of an Exchange of Letters between the European Community and the United States of America relating to the method of calculation of applied duties for husked rice, approved by Council Decision 2005/476/EC ⁽²⁾, establishes a method for calculating duties applied to imports of husked rice.
- (2) On the basis of the information provided by the competent authorities, the Commission notes that import licences for husked rice falling within CN code 1006 20, other than import licences for basmati rice, were issued in respect of 476 971 tonnes for the period from 1 September 2022 to 31 August 2023. The import duty for husked rice falling within CN code 1006 20, other than basmati rice, fixed by Commission Implementing Regulation (EU) 2023/507 ⁽³⁾, should therefore be adjusted.
- (3) Implementing Regulation (EU) 2023/507 should therefore be repealed.
- (4) The applicable duty must be fixed within 10 days of the end of the period referred to above. This Regulation should therefore enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The import duty for husked rice falling within CN code 1006 20, other than husked basmati rice of the varieties referred to in Article 1 of Commission Regulation (EC) No 972/2006 ⁽⁴⁾, shall be EUR 42,50 per tonne.

Article 2

Implementing Regulation (EU) 2023/507 is hereby repealed.

Article 3

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Council Decision 2005/476/EC of 21 June 2005 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the United States of America relating to the method of calculation of applied duties for husked rice and amending Decisions 2004/617/EC, 2004/618/EC and 2004/619/EC (OJ L 170, 1.7.2005, p. 67).

⁽³⁾ Commission Implementing Regulation (EU) 2023/507 of 7 March 2023 fixing the import duties applicable to certain types of husked rice from 8 March 2023 (OJ L 70, 8.3.2023, p. 47).

⁽⁴⁾ Commission Regulation (EC) No 972/2006 of 29 June 2006 laying down special rules for imports of Basmati rice and a transitional control system for determining their origin (OJ L 176, 30.6.2006, p. 53).

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

Done at Brussels, 6 September 2023.

*For the Commission,
On behalf of the President,
Wolfgang BURTSCHER
Director-General
Directorate-General for Agriculture and Rural
Development*

CORRIGENDA**Corrigendum to Commission Decision (EU) 2023/1313 of 22 June 2023 approving, on behalf of the European Union, the amendments to Annex 14-B of the Agreement between the European Union and Japan for an Economic Partnership**

(Official Journal of the European Union L 162 of 28 June 2023)

On page 63, in Annex 2, first column:

for: 'Sanuki shiro miso',

read: 'sanuki shiro miso'.

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