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

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) 2016/1313

of 1 August 2016

**amending Implementation Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance glyphosate****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC <sup>(1)</sup>, and in particular the first alternative of Article 21(3) thereof,

Whereas:

- (1) The active substance was included in Annex I to Council Directive 91/414/EEC <sup>(2)</sup> by Commission Directive 2001/99/EC <sup>(3)</sup>.
- (2) Active substances included in Annex I of Directive 91/414/EEC are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 <sup>(4)</sup>.
- (3) The approval of the active substance glyphosate, as set out in the Annex to Implementing Regulation (EU) No 540/2011 expires 6 months from the date of receipt of the opinion of the Committee for Risk Assessment of the European Chemicals Agency by the Commission or 31 December 2017, whichever is the earlier.
- (4) On 30 October 2015 <sup>(5)</sup> the European Food Safety Authority (hereinafter 'the Authority') communicated to the Commission its statement on the toxicological assessment of POE-tallowamine (CAS No 61791-26-2), a substance frequently used as a co-formulant in plant protection products containing glyphosate. It concluded that compared to glyphosate, a significant toxicity of POE-tallowamine was observed on all endpoints investigated. Additional concerns were highlighted as regards the potential of POE-tallowamine to negatively affect human health when used in plant protection products containing glyphosate. The Authority also considered that a likely explanation for the medical data in humans for plant protection products containing glyphosate is that the toxicity is mostly driven by the POE-tallowamine component of the formulation.

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

<sup>(2)</sup> Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

<sup>(3)</sup> Commission Directive 2001/99/EC of 20 November 2001 amending Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market to include glyphosate and thifensulfuron-methyl as active substances (OJ L 304, 21.11.2001, p. 14).

<sup>(4)</sup> Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

<sup>(5)</sup> EFSA Journal 2015; 13(11): 4303. Available online: [www.efsa.europa.eu](http://www.efsa.europa.eu)

- (5) In accordance with Directive 2009/128/EC of the European Parliament and of the Council <sup>(1)</sup> in conjunction with Article 55 of Regulation (EC) No 1107/2009, Member States should encourage the development and implementation of integrated pest management and of alternative approaches or techniques in order to reduce their dependency on the use of pesticides. As plant protection products containing glyphosate are widely used for non-agricultural applications, Member States should ensure that the use of plant protection products containing glyphosate is minimised or prohibited in areas such as public parks and gardens, sports and recreation grounds, school grounds and children's playgrounds and in the close vicinity of healthcare facilities.
- (6) Plant protection products containing glyphosate are also used for pre-harvest applications. In certain situations pre-harvest uses to check or prevent undesired growth of weeds are in line with good agricultural practices. Nevertheless it appears that plant protection products containing glyphosate are also used with the intention to control the time point of harvest or to optimise the threshing, although these uses may not be considered within good agricultural practices. Such uses may therefore not be compliant with the provisions of Article 55 of Regulation (EC) No 1107/2009. Member States should therefore pay particular attention to compliance of pre-harvest uses with good agricultural practices when authorising plant protection products.
- (7) The Commission invited the notifiers to submit their comments.
- (8) In the light of current scientific and technical knowledge it is appropriate to amend the conditions of use of the active substance in particular by excluding the co-formulant POE-tallowamine (CAS No 61791-26-2) from the use in plant protection products containing glyphosate.
- (9) Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (10) In accordance with Article 27(2) of Regulation (EC) No 1107/2009, a list of co-formulants not accepted for inclusion in plant protection products shall be established. The Commission, the Authority and Member States have started work in view of establishing that list. In carrying out that work, the Commission will pay particular attention to potentially harmful co-formulants used in plant protection products containing glyphosate. The list of unacceptable co-formulants will be established in future in a separate act, in accordance with the procedural requirements set out in Article 27(2) of Regulation (EC) No 1107/2009.
- (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

In the seventh column, 'specific provisions', of entry 25 on glyphosate in Part A of the Annex to Implementing Regulation (EU) No 540/2011, the text is replaced by the following:

'Only uses as herbicide may be authorised.

For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on glyphosate, and in particular Appendices I and II thereof, as amended in the Standing Committee on Plants, Animals, Food and Feed on 27 June 2016 shall be taken into account. In this overall assessment Member States:

- must pay particular attention to the protection of the groundwater in vulnerable areas, in particular with respect to non-crop uses,

<sup>(1)</sup> Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides (OJ L 309, 24.11.2009, p. 71).

- must pay particular attention to risks from the use in specific areas referred to in Article 12(a) of Directive 2009/128/EC,
- must pay particular attention to compliance of pre-harvest uses with good agricultural practices.

Member States shall ensure that plant protection products containing glyphosate do not contain the co-formulant POE-tallowamine (CAS No 61791-26-2).

#### *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, 1 August 2016.

*For the Commission*

*The President*

Jean-Claude JUNKER

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**COMMISSION IMPLEMENTING REGULATION (EU) 2016/1314****of 1 August 2016****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

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

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors <sup>(2)</sup>, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 1 August 2016.

*For the Commission,  
On behalf of the President,  
Jerzy PLEWA  
Director-General for Agriculture and Rural Development*

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

<sup>(2)</sup> OJ L 157, 15.6.2011, p. 1.

## ANNEX

## Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	MA	166,9
	ZZ	166,9
0707 00 05	TR	116,3
	ZZ	116,3
0709 93 10	TR	144,6
	ZZ	144,6
0805 50 10	AR	187,3
	CL	157,0
	MA	157,0
	TR	153,3
	UY	171,3
	ZA	165,3
	ZZ	165,2
	BR	163,2
	EG	214,9
	MA	183,3
0806 10 10	MX	378,3
	US	233,8
	ZZ	234,7
	AR	182,2
	BR	108,4
	CL	127,5
	NZ	140,5
	PE	106,8
	US	177,7
	UY	99,9
0808 10 80	ZA	108,5
	ZZ	131,4
	AR	207,1
	CL	143,6
	TR	164,7
	ZA	127,9
	ZZ	160,8
	TR	239,6
	US	485,5
	ZZ	362,6
0809 29 00	TR	239,6
	US	485,5
0809 30 10, 0809 30 90	ZZ	362,6
	TR	166,5
	ZZ	166,5

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

# DECISIONS

## COUNCIL DECISION (EU) 2016/1315

of 18 July 2016

**on the position to be adopted, on behalf of the European Union, within the Association Committee established by the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, as regards a temporary amendment to Protocol 3 to that Agreement concerning the definition of the concept of 'originating products' and methods of administrative cooperation as a response in favour of the refugees fleeing the conflict in Syria**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part <sup>(1)</sup> ('the Agreement') entered into force on 1 May 2002. Pursuant to Article 89 of the Agreement, an Association Council was established to examine any major issues arising within the framework of the Agreement and any other bilateral or international issues of mutual interest.
- (2) Pursuant to Article 92 of the Agreement, an Association Committee was established with responsibility for the implementation of the Agreement and to which the Association Council may delegate, in full or in part, any of its powers.
- (3) Pursuant to Article 94(1) of the Agreement, the Association Committee is to have the power to take decisions for the management of the Agreement as well as in areas where the Association Council has delegated its powers to it.
- (4) Pursuant to Article 2 of Council and Commission Decision 2002/357/EC,ECSC <sup>(2)</sup>, the position to be taken by the Union within the Association Committee is to be laid down by the Council on a proposal by the Commission.
- (5) Pursuant to Article 39 of Protocol 3 to the Agreement, as amended by Decision No 1/2006 of the EU Jordan Association Council <sup>(3)</sup>, the Association Committee may decide to amend the provisions of that Protocol.
- (6) The Hashemite Kingdom of Jordan ('Jordan') submitted proposals to the international community for a holistic approach for an economic response to the Syrian refugee crisis.

<sup>(1)</sup> OJ L 129, 15.5.2002, p. 3.

<sup>(2)</sup> Council and Commission Decision 2002/357/EC,ECSC of 26 March 2002 on the conclusion of the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part (OJ L 129, 15.5.2002, p. 1).

<sup>(3)</sup> Decision No 1/2006 of the EU-Jordan Association Council of 15 June 2006 amending Protocol 3 to the Euro-Mediterranean Agreement, concerning the definition of the concept of originating products and methods of administrative cooperation (OJ L 209, 31.7.2006, p. 30).



- (7) In the framework of the International Conference on Supporting Syria and the Region, held in London on 4 February 2016, Jordan declared its intention to permit Syrian refugees to participate in the formal labour market in Jordan and set out a number of steps it would take towards that end, in particular with a view to creating approximately 200 000 job opportunities for Syrian refugees.
- (8) In relation to that initiative, Jordan made a specific request on 12 December 2015 for a temporary relaxation of the rules of origin to be made available under the Agreement so as to enhance Jordan's exports to the Union and create additional employment opportunities, especially for Syrian refugees.
- (9) As a result of the examination of Jordan's request, the Council, on behalf of the Union, considers it justified to agree to additional rules of origin that, under the conditions specified in the Annex to the draft Decision of the Association Committee attached to this Decision ('the draft Decision of the Association Committee'), in particular as regards relevant products, production zones and the creation of additional employment for Syrian refugees, should be made available as an alternative to those laid down in Annex II to Protocol 3 of the Agreement for exports from Jordan and should be those applied by the Union to imports from least-developed countries under the Generalised Scheme of Preferences/Everything But Arms initiative.
- (10) The Annex to the draft Decision of the Association Committee should apply until 31 December 2026 and a mid-term review should be undertaken allowing the parties to make adjustments through a decision of the Association Committee, if necessary.
- (11) The achievement by Jordan of its objective of creating around 200 000 job opportunities for Syrian refugees would represent a significant milestone also in respect of the implementation of the draft Decision of the Association Committee. Accordingly, once that objective is achieved, the Union and Jordan will consider further simplifying the conditions for producers in Jordan to benefit from the Decision of the Association Committee.
- (12) The application of the Annex to the Decision of the Association Committee should be accompanied by appropriate monitoring and reporting obligations and it should be possible to suspend the application of the Annex to the Decision of the Association Committee if the conditions for its application are no longer fulfilled or if the conditions for safeguard measures are met,

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. The position to be adopted on behalf of the European Union in the EU-Jordan Association Committee established in accordance with Article 92 of the Agreement, as regards a temporary amendment to Protocol 3 to that Agreement concerning the definition of the concept of 'originating products' and methods of administrative cooperation, shall be based on the draft Decision of that Association Committee, attached to this Decision.
2. Minor technical corrections to the draft Decision of the Association Committee may be agreed to by the representatives of the Union in the Association Committee without further decision of the Council.

#### *Article 2*

After its adoption, the Decision of the Association Committee shall be published in the *Official Journal of the European Union*.

*Article 3*

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

Done at Brussels, 18 July 2016.

*For the Council*  
*The President*  
F. MOGHERINI

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DRAFT

**DECISION No [1]/2016 OF THE EU-JORDAN ASSOCIATION COMMITTEE**  
**of [x/x]/2016**

**amending the provisions of Protocol 3 to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, concerning the definition of the concept of 'originating products' and the list of working or processing required to be carried out on non-originating materials in order for certain categories of products, manufactured in dedicated development zones and industrial areas, and connected with generating employment for Syrian refugees and Jordanians, to obtain originating status**

THE EU-JORDAN ASSOCIATION COMMITTEE,

Having regard to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, ('the Agreement'), and in particular Article 94 of the Agreement and Article 39 of Protocol 3 to the Agreement,

Whereas:

- (1) The Hashemite Kingdom of Jordan ('Jordan') submitted proposals to the international community for a holistic approach for an economic response to the Syrian refugee crisis and, as part of this initiative, made a specific request on 12 December 2015 for a relaxation of the rules of origin applied under the Agreement so as to enhance Jordan's exports to the Union and create additional employment opportunities, especially for Syrian refugees as well as Jordanians.
- (2) In the framework of the International Conference on Supporting Syria and the Region, held in London on 4 February 2016, Jordan declared its intention to promote the participation of Syrian refugees in the formal labour market in Jordan and, in that context, to provide 50,000 job opportunities for Syrian refugees within one year of the Conference and the overall objective to increase this level to approximately 200 000 job opportunities over the next years.
- (3) A temporary relaxation of applicable rules of origin would allow for certain goods produced in Jordan to be subject to less stringent rules of origin for the purpose of determining preferential treatment on import into the Union than would otherwise apply. This temporary relaxation of applicable rules of origin would be part of the Union's support to Jordan in the context of the Syrian crisis and with the aim of mitigating the costs imposed by hosting a large number of Syrian refugees.
- (4) The Union considers that the requested relaxation of the rules of origin would contribute to the overall objective of creating approximately 200 000 job opportunities for Syrian refugees.
- (5) The relaxation of the rules of origin would be subject to certain conditions with a view to ensuring that the benefit goes to exporters that contribute to the Jordanian effort of employing Syrian refugees.
- (6) The Annex to this Decision applies to goods produced in production facilities located in dedicated development zones and industrial areas within Jordan and contributing to the generation of employment for Syrian refugees and for the Jordanian population.
- (7) The objective of this initiative is to stimulate trade and investment in those development zones and industrial areas and thereby contribute to improved economic and employment opportunities for Syrian refugees and for the Jordanian population.

- (8) Annex II to Protocol 3 of the Agreement should therefore be complemented in order to specify the list of working or processing required to be carried out on non-originating materials in order for such products to obtain originating status. This complementary list of working or processing should be based on the origin rules applied by the Union for imports from least-developed countries under the Generalised Scheme of Preferences / Everything But Arms initiative.
- (9) There should be a possibility to suspend temporarily the application of the Annex to this Decision, establishing a complementary list of working and processing in relation to a specific production facility if the conditions laid out in Article 1.1 of the Annex to this Decision are not met by that facility.
- (10) There should also be a possibility to suspend temporarily the application of the Annex to this Decision with respect to any of the products listed in Article 2 of the Annex to this Decision imported in such increased quantities and under such conditions as to cause, or threaten to cause, serious injuries to Union producers of like or directly competing products in all or part of the territory of the Union or serious disturbances in any sector of the economy of the Union, in accordance with Articles 24 and 26 of the Agreement.
- (11) This Decision should be valid for a limited period sufficient to provide an incentive for additional investment and employment generation and should therefore expire on 31 December 2026. The Union and Jordan will carry out a mid-term review pursuant to Article 1.7 of the Annex to this Decision, and may amend the Annex to this Decision through a decision of the Association Committee in the light of experience gained through the implementation of this Decision.
- (12) The achievement by Jordan of its objective set in the framework of the International Conference of 4 February 2016 of creating approximately 200 000 job opportunities for Syrian refugees would represent a significant milestone also in respect of the implementation of this Decision, whereupon the Union and Jordan will consider further simplifying this support measure. This would require an amendment of the Annex to this Decision through a decision of the Association Committee,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Annex II to Protocol 3 of the Agreement, containing the list of working or processing required to be carried out on non-originating materials in order for the product manufactured to obtain originating status, is amended and complemented by Annex II(a) to Protocol 3 of the Agreement, contained in the Annex of this Decision.

#### *Article 2*

Annex II(a) to Protocol 3 of the Agreement, contained in the Annex to this Decision, specifies the conditions for application and the list of working or processing required to be carried out on non-originating materials in order for the product manufactured in specific geographic areas connected with the additional employment of Syrian refugees to obtain originating status.

#### *Article 3*

The Annex shall form an integral part of this Decision.

*Article 4*

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

It shall apply until 31 December 2026.

Done in [Amman][Brussels], [x/x/]2016

*For the EU-Jordan Association Committee*

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## ANNEX

## ANNEX II(a)

ADDENDUM TO THE LIST OF WORKING OR PROCESSING REQUIRED TO BE CARRIED OUT ON NON-ORIGINATING MATERIALS IN ORDER FOR THE PRODUCT MANUFACTURED TO OBTAIN ORIGINATING STATUS

## Article 1

**Common provisions**

## A. Definition of origin

1. For the products listed in Article 2, the following rules may also apply instead of the rules set out in Annex II of Protocol 3 provided that such products respect the following conditions:

- (a) the required working or processing to be carried out on non-originating materials in order for such products to obtain originating status takes place in production facilities located in one of the following Development Zones and Industrial Areas: Alhussein Bin Abdullah II Industrial City- Alkarak, Aljeeza Industrial Area- Amman, Alqastal Industrial Area- Amman, Al Quwayrah Industrial Area- Aqaba, Al Tajamuat Industrial City- Sahab, Dulail Industrial City- Zarqa, El-Hashmieh Industrial Area- Zarqa, El-Ressaiefteh Industrial Areas- Zarqa, El-Sukhneh Industrial Area- Zarqa, Irbid Development Zone and Irbid Alhassan Industrial City, King Abdullah II Bin Alhussein City- Sahab, King Hussein Bin Talal Development Zone- Mafraq (including Mafraq Industrial City), Ma'an Development Zone- Ma'an, Marka Industrial Area- Amman, Muwaqqar Industrial City- Amman, Wadi El-Eisheh Industrial Area- Zarqa; and
  - (b) the total work force of each production facility located in these Development Zones and Industrial Areas in which such products are worked or processed contains a proportion of Syrian refugees equivalent to at least 15 % during the first and second years after the entry into force of this Annex and to at least 25 % from the beginning of the third year after the entry into force of this Annex. The relevant proportion shall be calculated at any point after the entry into force of this Annex and on an annual basis thereafter taking into account the number of Syrian refugees that are employed in formal and decent jobs and on a Full-Time Equivalent basis, and that have received a work permit valid for a minimum period of twelve months under the applicable legislation of Jordan.
2. The competent authorities of Jordan shall monitor the respect of the conditions laid out in paragraph 1, shall grant to an exporter of products fulfilling such conditions an authorisation number and shall promptly withdraw such authorisation number when such conditions are no longer fulfilled.

## B. Proof of origin

3. A proof of origin made out pursuant to this Annex shall contain the following statement in English: 'Derogation — Annex II(a) of Protocol 3 — name of the Development Zone or industrial area and authorisation number granted by the competent authorities of Jordan'.

## C. Administrative cooperation

4. When, in accordance with Article 33(5) of this Protocol, as amended by decision No 1/2006 of the EU-Jordan Association Council <sup>(1)</sup>, the customs authorities of Jordan inform the European Commission or the requesting customs authorities of the Member States of the European Union (the 'Member States') of the results of the verification, they shall specify that the products listed in Article 2 fulfil the conditions laid out in paragraph 1.

<sup>(1)</sup> Decision No 1/2006 of the EU-Jordan Association Council of 15 June 2006 amending Protocol 3 to the Euro-Mediterranean Agreement, concerning the definition of the concept of originating products and methods of administrative cooperation (OJ L 209, 31.7.2006, p. 30).

5. Where the verification procedure or any other available information appears to indicate that the conditions laid out in paragraph 1 are not fulfilled, Jordan shall, on its own initiative or at the request of the European Commission or the customs authorities of the Member States, carry out appropriate inquiries or arrange for such inquiries to be carried out with due urgency to identify and prevent such contraventions. For this purpose, the European Commission or the customs authorities of the Member States may participate in the inquiries.

#### D. Report, monitoring and review

6. Each year after the entry into force of this Annex, Jordan shall submit a report to the European Commission on the operation and effects of this Annex, including production and export statistics at 8 digit level or the highest level of detail available, and a list identifying the companies producing in the Development Zones and Industrial Areas and specifying the percentage of Syrian refugees they each employed on a year-by-year basis. The Parties shall jointly review such reports and any issues relating to the implementation and monitoring of this Annex in the framework of the existing bodies created under the Association Agreement and in particular in the Sub-Committee on Industry, Trade and Services. The Parties shall also consider the involvement of relevant international organisations such as the International Labour Organisation and the World Bank in the monitoring process.

7. Four years after the entry into force of this Annex, the Parties shall carry out a mid-term review to determine if any modifications should be made in light of experience of the implementation of this Annex and the evolution of the conflict in Syria. Based on this mid-term review, the Association Committee may consider possible amendments to this Annex.

8. Once Jordan achieves its target of facilitating a greater participation of Syrian refugees in the formal labour market by issuing a total number of around 200,000 work permits to Syrian refugees, the Parties will consider further simplifying the provisions of this Annex taking into consideration the developments in the Syrian refugee crisis. The Association Committee may amend this Annex to this effect.

#### E. Temporary suspension

9. (a) The Union may refer the matter to the Association Committee where the Union considers that there is insufficient evidence of Jordan or any specific production facility complying with the conditions laid out in paragraph 1. The referral shall identify whether the failure to comply with the conditions laid out in paragraph 1 is attributable to Jordan or any specific production facility.
- (b) If within 90 days of the matter being referred to it, the Association Committee fails to declare that the respect of the conditions laid out in paragraph 1 is ensured, or if it fails to amend this Annex, the application of this Annex shall be suspended. The extent of the suspension shall be that identified in the referral of the Union to the Association Committee.
- (c) The Association Committee may also decide to extend the 90-day period in which case the suspension shall take effect where the Association Council has failed to take any of the actions identified in point (b) within the extended period of time.
- (d) The application of this Annex may resume if the Association Committee so decides.
- (e) In the event of a suspension, this Annex shall continue to apply for a period of 4 months in relation to goods which are either in transit, or in temporary storage in customs warehouses or in free zones in the Union, on the date of temporary suspension of the Annex and for which a proof of origin was properly made out in accordance with the provisions of this Annex prior to the date of temporary suspension.

#### F. Safeguard mechanism

10. Where a product listed in Article 2 benefiting from the application of this Annex is imported in such increased quantities and under such conditions as to cause, or threaten to cause, serious injury to Union producers of like or directly competitive products in all or part of the territory of the Union or serious disturbances in any sector of the

economy of the Union, in accordance with Articles 24 and 26 of the Agreement, the Union may refer the matter for examination to the Association Committee. If within 90 days of the matter being referred to it, the Association Committee fails to adopt a decision putting an end to such serious injury or threat thereof or serious disturbances or if no other satisfactory solution has been reached, the application of this Annex shall be suspended with respect to that product, until the Association Committee adopts a decision declaring that they have ended or until a satisfactory solution has been reached by the Parties and is notified to the Association Committee.

#### G. Entry into force and application

11. This Annex shall apply from the day of entry into force of the Association Committee decision to which it is attached and until 31 December 2026.

### Article 2

#### List of products and of required working and processing

The list of products to which this Annex applies and the rules of working and processing that may be applied as an alternative to those listed in Annex II are set out below.

Annex I to Protocol 3 of the Agreement containing the introductory notes to the list in Annex II to Protocol 3 of the Agreement applies *mutatis mutandis* to the list below, subject to the following amendments:

In Note 5.2, the following basic materials are added in the second paragraph:

- glass fibres;
- metal fibres.

In Note 7.3, the text is replaced by the following:

For the purposes of headings ex 2707 and 2713, simple operations, such as cleaning, decanting, desalting, water-separation, filtering, colouring, marking, obtaining a sulphur-content as a result of mixing products with different sulphur-contents, or any combination of these operations or like operations, do not confer origin.

ex Chapter 25	Salt; sulphur; earths and stone; plastering materials, lime and cement; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex 2519	Crushed natural magnesium carbonate (magnesite), in hermetically-sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead-burned (sintered) magnesia	Manufacture from materials of any heading, except that of the product. However, natural magnesium carbonate (magnesite) may be used
ex Chapter 27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes, except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product



ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65 % by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	Operations of refining and/or one or more specific process(es) <sup>(1)</sup> or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2710	Petroleum oils and oils obtained from bituminous materials, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous materials, these oils being the basic constituents of the preparations; waste oils	Operations of refining and/or one or more specific process(es) <sup>(2)</sup> or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2711	Petroleum gases and other gaseous hydrocarbons	Operations of refining and/or one or more specific process(es) or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2712	Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured	Operations of refining and/or one or more specific process(es) <sup>(2)</sup> or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous materials	Operations of refining and/or one or more specific process(es) <sup>(1)</sup> or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product

ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes; except for:	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 2811	Sulphur trioxide	<p>Manufacture from sulphur dioxide</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 2840	Sodium perborate	<p>Manufacture from disodium tetraborate pentahydrate</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
2843	Colloidal precious metals; inorganic or organic compounds of precious metals, whether or not chemically defined; amalgams of precious metals	Manufacture from materials of any heading, including other materials of heading 2843
ex 2852	– Mercury compounds of internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives	<p>Manufacture from materials of any heading. However, the value of all the materials of heading 2909 used shall not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
	– Mercury compounds of nucleic acids and their salts, whether or not chemically defined; other heterocyclic compounds	<p>Manufacture from materials of any heading. However, the value of all the materials of headings 2852, 2932, 2933 and 2934 used shall not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex Chapter 29	Organic chemicals; except for:	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>

ex 2905	Metal alcoholates of alcohols of this heading and of ethanol; except for:	<p>Manufacture from materials of any heading, including other materials of heading 2905. However, metal alcoholates of this heading may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
2905 43; 2905 44; 2905 45	Mannitol; D-glucitol (sorbitol); Glycerol	<p>Manufacture from materials of any sub-heading, except that of the product. However, materials of the same sub-heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives	<p>Manufacture from materials of any heading. However, the value of all the materials of headings 2915 and 2916 used shall not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 2932	– Internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives	<p>Manufacture from materials of any heading. However, the value of all the materials of heading 2909 used shall not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
	– Cyclic acetals and internal hemiacetals and their halogenated, sulphonated, nitrated or nitrosated derivatives	<p>Manufacture from materials of any heading</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
2933	Heterocyclic compounds with nitrogen heteroatom(s) only	<p>Manufacture from materials of any heading. However, the value of all the materials of headings 2932 and 2933 used shall not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>

2934	Nucleic acids and their salts, whether or not chemically defined; other heterocyclic compounds	<p>Manufacture from materials of any heading. However, the value of all the materials of headings 2932, 2933 and 2934 used shall not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
Chapter 31	Fertilisers	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex Chapter 33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations; except for:	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils.	<p>Manufacture from materials of any heading, including materials of a different 'group' (3) in this heading. However, materials of the same group as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>

ex Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster, except for:	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 3404	Artificial waxes and prepared waxes: — With a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax	Manufacture from materials of any heading
Chapter 35	Albuminoidal substances; modified starches; glues; enzymes	Manufacture from materials of any heading, except that of the product, in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
Chapter 37	Photographic or cinematographic goods	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex Chapter 38	Miscellaneous chemical products; except for:	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 3803	Refined tall oil	<p>Refining of crude tall oil</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 3805	Spirits of sulphate turpentine, purified	<p>Purification by distillation or refining of raw spirits of sulphate turpentine</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>

3806 30	Ester gums	<p>Manufacture from resin acids</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 3807	Wood pitch (wood tar pitch)	<p>Distillation of wood tar</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
3809 10	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included: With a basis of amylaceous substances	<p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols	<p>Manufacture from materials of any heading, including other materials of heading 3823</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
3824 60	Sorbitol other than that of sub-heading 2905 44	<p>Manufacture from materials of any sub-heading, except that of the product and except materials of sub-heading 2905 44. However, materials of the same sub-heading as the product may be used, provided that their total value does not exceed 20 % of the exworks price of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex Chapter 39	Plastics and articles thereof; except for:	<p>Manufacture from materials of any heading, except that of the product.</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 3907	– Copolymer, made from polycarbonate and acrylonitrile-butadiene-styrene copolymer (ABS)	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product <sup>(4)</sup></p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>

	– Polyester	<p>Manufacture from materials of any heading, except that of the product</p> <p>or</p> <p>Manufacture from polycarbonate of tetrabromo-(bisphenol A)</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 3920	Ionomer sheet or film	<p>Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and metacrylic acid partly neutralised with metal ions, mainly zinc and sodium</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex 3921	Foils of plastic, metallised	<p>Manufacture from highly-transparent polyester-foils with a thickness of less than 23 micron <sup>(5)</sup></p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex Chapter 40	Rubber and articles thereof; except for:	<p>Manufacture from materials of any heading, except that of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
4012	Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, tyre treads and tyre flaps, of rubber:	
	– Retreaded pneumatic, solid or cushion tyres, of rubber	Retreading of used tyres
	– Other	<p>Manufacture from materials of any heading, except those of headings 4011 and 4012</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
ex Chapter 41	Raw hides and skins (other than furskins) and leather; except for:	Manufacture from materials of any heading, except that of the product

4101 to 4103	Raw hides and skins of bovine (including buffalo) or equine animals (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment dressed or further prepared), whether or not dehaired or split; raw skins of sheep or lambs (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment dressed or further prepared), whether or not with wool on or split, other than those excluded by note 1(c) to Chapter 41; other raw hides and skins (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment dressed or further prepared), whether or not dehaired or split, other than those excluded by note 1(b) or 1(c) to Chapter 41	Manufacture from materials of any heading
4104 to 4106	Tanned or crust hides and skins, without wool or hair on, whether or not split, but not further prepared	Re-tanning of tanned or pre-tanned hides and skins of sub-headings 4104 11, 4104 19, 4105 10, 4106 21, 4106 31 or 4106 91, or Manufacture from materials of any heading, except that of the product
4107, 4112, 4113	Leather further prepared after tanning or crusting	Manufacture from materials of any heading, except that of the product. However, materials of sub-headings 4104 41, 4104 49, 4105 30, 4106 22, 4106 32 and 4106 92 may be used only if a re-tanning operation of the tanned or crust hides and skins in the dry state takes place
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex Chapter 43	Furskins and artificial fur; manufactures thereof; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
4301	Raw furskins (including heads, tails, paws and other pieces or cuttings, suitable for furrier's use), other than raw hides and skins of heading 4101, 4102 or 4103	Manufacture from materials of any heading



ex 4302	Tanned or dressed furskins, assembled:	
	– Plates, crosses and similar forms	Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins
	– Other	Manufacture from non-assembled, tanned or dressed furskins
4303	Articles of apparel, clothing accessories and other articles of furskin	Manufacture from non-assembled tanned or dressed furskins of heading 4302
ex Chapter 44	Wood and articles of wood; wood charcoal; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or end-jointed	Planing, sanding or end-jointing
ex 4408	Sheets for veneering (including those obtained by slicing laminated wood) and for plywood, of a thickness not exceeding 6 mm, spliced, and other wood sawn lengthwise, sliced or peeled of a thickness not exceeding 6 mm, planed, sanded or end-jointed	Splicing, planing, sanding or endjointing
ex 4410 to ex 4413	Beadings and mouldings, including moulded skirting and other moulded boards	Beading or moulding
ex 4415	Packing cases, boxes, crates, drums and similar packings, of wood	Manufacture from boards not cut to size
ex 4418	– Builders' joinery and carpentry of wood	Manufacture from materials of any heading, except that of the product. However, cellular wood panels, shingles and shakes may be used
	– Beadings and mouldings	Beading or moulding
ex 4421	Match splints; wooden pegs or pins for footwear	Manufacture from wood of any heading, except drawn wood of heading 4409
ex Chapter 51	Wool, fine or coarse animal hair; horsehair yarn and woven fabric; except for:	Manufacture from materials of any heading, except that of the product
5106 to 5110	Yarn of wool, of fine or coarse animal hair or of horsehair	Spinning of natural fibres or extrusion of man-made fibres accompanied by spinning <sup>(6)</sup>

5111 to 5113	Woven fabrics of wool, of fine or coarse animal hair or of horsehair:	Weaving <sup>(6)</sup> or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatising, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product
ex Chapter 52	Cotton; except for:	Manufacture from materials of any heading, except that of the product
5204 to 5207	Yarn and thread of cotton	Spinning of natural fibres or extrusion of man-made fibres accompanied by spinning <sup>(6)</sup>
5208 to 5212	Woven fabrics of cotton:	Weaving <sup>(6)</sup> or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatising, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product
ex Chapter 53	Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn; except for:	Manufacture from materials of any heading, except that of the product
5306 to 5308	Yarn of other vegetable textile fibres; paper yarn	Spinning of natural fibres or extrusion of man-made fibres accompanied by spinning <sup>(6)</sup>
5309 to 5311	Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn:	Weaving <sup>(6)</sup> Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatising, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product
5401 to 5406	Yarn, monofilament and thread of man-made filaments	Extrusion of man-made fibres accompanied by spinning OR spinning of natural fibres <sup>(6)</sup>
5407 and 5408	Woven fabrics of man-made filament yarn:	Weaving <sup>(6)</sup> or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatising, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product
5501 to 5507	Man-made staple fibres	Extrusion of man-made fibres

5508 to 5511	Yarn and sewing thread of man-made staple fibres	Spinning of natural fibres or extrusion of man-made fibres accompanied by spinning <sup>(6)</sup>
5512 to 5516	Woven fabrics of man-made staple fibres:	Weaving <sup>(6)</sup> or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatising, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product
ex Chapter 56	Wadding, felt and non-wovens; special yarns; twine, cordage, ropes and cables and articles thereof; except for:	Extrusion of man-made fibres accompanied by spinning or spinning of natural fibres or Flocking accompanied by dyeing or printing <sup>(6)</sup>
5602	Felt, whether or not impregnated, coated, covered or laminated:	
	– Needleloom felt	Extrusion of man-made fibres accompanied by fabric formation, However: — polypropylene filament of heading 5402, — polypropylene fibres of heading 5503 or 5506, or — polypropylene filament tow of heading 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used, provided that their total value does not exceed 40 % of the ex-works price of the product or Fabric formation alone in the case of felt made from natural fibres <sup>(6)</sup>
	– Other	Extrusion of man-made fibres accompanied by fabric formation, or Fabric formation alone in the case of other felt made from natural fibres <sup>(6)</sup>
5603	Nonwovens, whether or not impregnated, coated, covered or laminated	Any non-woven process including needle punching
5604	Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics:	
	– Rubber thread and cord, textile covered	Manufacture from rubber thread or cord, not textile covered

	– Other	Extrusion of man-made fibres accompanied by spinning or spinning of natural fibres <sup>(6)</sup>
5605	Metallised yarn, whether or not gimped, being textile yarn, or strip or the like of heading 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal	Extrusion of man-made fibres accompanied by spinning or spinning of natural and/or man-made staple fibres <sup>(6)</sup>
5606	Gimped yarn, and strip and the like of heading 5404 or 5405, gimped (other than those of heading 5605 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn	Extrusion of man-made fibres accompanied by spinning or spinning of natural and/or man-made staple fibres or Spinning accompanied with flocking or Flocking accompanied by dyeing <sup>(6)</sup>
Chapter 57	Carpets and other textile floor coverings:	Spinning of natural and/or man-made staple fibres or extrusion of man-made filament yarn, in each case accompanied by weaving or Manufacture from coir yarn or sisal yarn or jute yarn or Flocking accompanied by dyeing or by printing or Tufting accompanied by dyeing or by printing Extrusion of man-made fibres accompanied by non-woven techniques including needle punching <sup>(6)</sup> However: — polypropylene filament of heading 5402, — polypropylene fibres of heading 5503 or 5506, or — polypropylene filament tow of heading 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used, provided that their total value does not exceed 40 % of the ex-works price of the product Jute fabric may be used as a backing
ex Chapter 58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery; except for:	Weaving <sup>(6)</sup> or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product

5805	Hand-woven tapestries of the types Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up	Manufacture from materials of any heading, except that of the product
5810	Embroidery in the piece, in strips or in motifs	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Weaving accompanied by dyeing or by flocking or by coating or Flocking accompanied by dyeing or printing
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon:	
	– Containing not more than 90 % by weight of textile materials	Weaving
	– Other	Extrusion of man-made fibres accompanied by weaving
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading 5902	Weaving accompanied by dyeing or by coating or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Weaving accompanied by dyeing or by coating <sup>(6)</sup>
5905	Textile wall coverings:	
	– Impregnated, coated, covered or laminated with rubber, plastics or other materials	Weaving accompanied by dyeing or by coating

	– Other	<p>Spinning of natural and/or man-made staple fibres or extrusion of man-made filament yarn, in each case accompanied by weaving</p> <p>or</p> <p>Weaving accompanied by dyeing or by coating</p> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatising, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product <sup>(6)</sup>:</p>
5906	Rubberised textile fabrics, other than those of heading 5902:	
	– Knitted or crocheted fabrics	<p>Spinning of natural and/or man-made staple fibres or extrusion of man-made filament yarn, in each case accompanied by knitting</p> <p>or</p> <p>Knitting accompanied by dyeing or by coating</p> <p>or</p> <p>Dyeing of yarn of natural fibres accompanied by knitting <sup>(6)</sup></p>
	– Other fabrics made of synthetic filament yarn, containing more than 90 % by weight of textile materials	Extrusion of man-made fibres accompanied by weaving
	– Other	<p>Weaving accompanied by dyeing or by coating</p> <p>or</p> <p>Dyeing of yarn of natural fibres accompanied by weaving</p>
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio back-cloths or the like	<p>Weaving accompanied by dyeing or by flocking or by coating</p> <p>or</p> <p>Flocking accompanied by dyeing or by printing</p> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatising, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p>

5908	Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles or the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated:	
	– Incandescent gas mantles, impregnated	Manufacture from tubular knitted gas-mantle fabric
	– Other	Manufacture from materials of any heading, except that of the product
5909 to 5911	Textile articles of a kind suitable for industrial use:	
	– Polishing discs or rings other than of felt of heading 5911	Weaving
	– Woven fabrics, of a kind commonly used in papermaking or other technical uses, felted or not, whether or not impregnated or coated, tubular or endless with single or multiple warp and/or weft, or flat woven with multiple warp and/or weft of heading 5911	Weaving <sup>(6)</sup>
	– Other	Extrusion of man-made filament yarn OR spinning of natural or man-made staple fibres, accompanied by weaving <sup>(6)</sup> or Weaving accompanied by dyeing or coating
Chapter 60	Knitted or crocheted fabrics	Spinning of natural and/or man-made staple fibres or extrusion of man-made filament yarn, in each case accompanied by knitting or Knitting accompanied by dyeing or by flocking or by coating or Flocking accompanied by dyeing or by printing or Dyeing of yarn of natural fibres accompanied by knitting or Twisting or texturing accompanied by knitting provided that the value of the non-twisted/non-textured yarns used does not exceed 47,5 % of the ex-works price of the product
Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted:	
	– Obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form	Manufacture from fabric

	– Other	Spinning of natural and/or man-made staple fibres or extrusion of man-made filament yarn, in each case accompanied by knitting (knitted to shape products) or Dyeing of yarn of natural fibres accompanied by knitting (knitted to shape products) <sup>(6)</sup>
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted; except for:	Manufacture from fabric
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like:	
	– Embroidered	Weaving accompanied by making-up (including cutting) OR Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product <sup>(7)</sup> OR Making-up preceded by printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product <sup>(6)</sup> <sup>(7)</sup>
	– Other	Weaving accompanied by making-up (including cutting) or Making-up followed by printing accompanied by at least two preparatory finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product <sup>(6)</sup> <sup>(7)</sup>
6217	Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading 6212:	
	– Embroidered	Weaving accompanied by making-up (including cutting) or Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product <sup>(7)</sup>



	– Fire-resistant equipment of fabric covered with foil of aluminised polyester	Weaving accompanied by making-up (including cutting) or Coating provided that the value of the uncoated fabric used does not exceed 40 % of the ex-works price of the product accompanied by making-up (including cutting) <sup>(7)</sup>
	– Interlinings for collars and cuffs, cut out	Manufacture from materials of any heading, except that of the product, and in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex Chapter 63	Other made-up textile articles; sets; worn clothing and worn textile articles; rags; except for:	Manufacture from materials of any heading, except that of the product
6301 to 6304	Blankets, travelling rugs, bed linen etc.; curtains etc.; other furnishing articles:	
	– Of felt, of nonwovens	Any non-woven process including needle punching accompanied by making up (including cutting)
	– Other:	
	– – Embroidered	Weaving or knitting accompanied by making-up (including cutting) or Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product <sup>(7)</sup> <sup>(8)</sup>
	– – Other	Weaving or knitting accompanied by making-up (including cutting)
6305	Sacks and bags, of a kind used for the packing of goods	Weaving or knitting and making-up (including cutting) <sup>(6)</sup>
6306	Tarpaulins, awnings and sun blinds; tents; sails for boats, sailboards or landcraft; camping goods:	
	– Of nonwovens	Any non-woven process including needle punching accompanied by making up (including cutting)
	– Other	Weaving accompanied by making-up (including cutting) <sup>(6)</sup> <sup>(7)</sup> or Coating provided that the value of the uncoated fabric used does not exceed 40 % of the ex-works price of the product accompanied by making-up (including cutting)
6307	Other made-up articles, including dress patterns	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product

6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided that their total value does not exceed 25 % of the ex-works price of the set
ex Chapter 64	Footwear, gaiters and the like; parts of such articles; except for:	Manufacture from materials of any heading, except from assemblies of uppers affixed to inner soles or to other sole components of heading 6406
6406	Parts of footwear (including uppers whether or not attached to soles other than outer soles); removable in-soles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof	Manufacture from materials of any heading, except that of the product
Chapter 65	Headgear and parts thereof	Manufacture from materials of any heading, except that of the product
ex Chapter 68	Articles of stone, plaster, cement, asbestos, mica or similar materials, except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex 6803	Articles of slate or of agglomerated slate	Manufacture from worked slate
ex 6812	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture from materials of any heading
ex 6814	Articles of mica, including agglomerated or reconstituted mica, on a support of paper, paper-board or other materials	Manufacture from worked mica (including agglomerated or reconstituted mica)
Chapter 69	Ceramic products	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex Chapter 70	Glass and glassware, except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
7006	Glass of heading 7003, 7004 or 7005, bent, edge-worked, engraved, drilled,	
	– Glass-plate substrates, coated with a dielectric thin film, and of a semiconductor grade in accordance with SEMII-standards (°)	Manufacture from non-coated glass-plate substrate of heading 7006
	– Other	Manufacture from materials of heading 7001

7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass	Manufacture from materials of any heading, except that of the product or Cutting of glassware, provided that the total value of the uncut glassware used does not exceed 50 % of the ex-works price of the product
7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading 7010 or 7018)	Manufacture from materials of any heading, except that of the product or Cutting of glassware, provided that the total value of the uncut glassware used does not exceed 50 % of the ex-works price of the product or Hand-decoration (except silk-screen printing) of hand-blown glassware, provided that the total value of the hand-blown glassware used does not exceed 50 % of the ex-works price of the product
ex 7019	Articles (other than yarn) of glass fibres	Manufacture from: — uncoloured slivers, rovings, yarn or chopped strands, or — glass wool
ex Chapter 71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin, except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
7106, 7108 and 7110	Precious metals:	
	– Unwrought	Manufacture from materials of any heading, except those of headings 7106, 7108 and 7110 or Electrolytic, thermal or chemical separation of precious metals of heading 7106, 7108 or 7110 or Fusion and/or alloying of precious metals of heading 7106, 7108 or 7110 with each other or with base metals
	– Semi-manufactured or in powder form	Manufacture from unwrought precious metals
ex 7107, ex 7109 and ex 7111	Metals clad with precious metals, semi-manufactured	Manufacture from metals clad with precious metals, unwrought

7115	Other articles of precious metal or of metal clad with precious metal	Manufacture from materials of any heading, except that of the product
7117	Imitation jewellery	Manufacture from materials of any heading, except that of the product or Manufacture from base metal parts, not plated or covered with precious metals, provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 73	Articles of iron or steel; except for:	Manufacture from materials of any heading, except that of the product
ex 7301	Sheet piling	Manufacture from materials of heading 7207
7302	Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialised for jointing or fixing rails	Manufacture from materials of heading 7206
7304, 7305 and 7306	Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel	Manufacture from materials of heading 7206, 7207, 7208, 7209, 7210, 7211, 7212, 7218, 7219, 7220 or 7224
ex 7307	Tube or pipe fittings of stainless steel	Turning, drilling, reaming, threading, deburring and sandblasting of forged blanks, provided that the total value of the forged blanks used does not exceed 35 % of the ex-works price of the product
7308	Structures (excluding prefabricated buildings of heading 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	Manufacture from materials of any heading, except that of the product. However, welded angles, shapes and sections of heading 7301 may not be used
ex 7315	Skid chain	Manufacture in which the value of all the materials of heading 7315 used does not exceed 50 % of the ex-works price of the product
ex Chapter 74	Copper and articles thereof; except for:	Manufacture from materials of any heading, except that of the product
7403	Refined copper and copper alloys, unwrought	Manufacture from materials of any heading
ex Chapter 76	Aluminium and articles thereof; except for:	Manufacture from materials of any heading, except that of the product

7601	Unwrought aluminium	Manufacture from materials of any heading
7607	Aluminium foil (whether or not printed or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0,2 mm	Manufacture from materials of any heading, except that of the product and heading 7606
ex Chapter 78	Lead and articles thereof, except for:	Manufacture from materials of any heading, except that of the product
7801	Unwrought lead:	
	– Refined lead	Manufacture from materials of any heading
	– Other	Manufacture from materials of any heading, except that of the product. However, waste and scrap of heading 7802 may not be used
Chapter 80	Tin and articles thereof	Manufacture from materials of any heading, except that of the product
ex Chapter 82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8206	Tools of two or more of the headings 8202 to 8205, put up in sets for retail sale	Manufacture from materials of any heading, except those of headings 8202 to 8205. However, tools of headings 8202 to 8205 may be incorporated into the set, provided that their total value does not exceed 15 % of the ex-works price of the set
8211	Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading 8208, and blades therefor	Manufacture from materials of any heading, except that of the product. However, knife blades and handles of base metal may be used
8214	Other articles of cutlery (for example; hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files)	Manufacture from materials of any heading, except that of the product. However, handles of base metal may be used
8215	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware	Manufacture from materials of any heading, except that of the product. However, handles of base metal may be used
ex Chapter 83	Miscellaneous articles of base metal; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product

ex 8302	Other mountings, fittings and similar articles suitable for buildings, and automatic door closers	Manufacture from materials of any heading, except that of the product. However, other materials of heading 8302 may be used, provided that their total value does not exceed 20 % of the ex-works price of the product
ex 8306	Statuettes and other ornaments, of base metal	Manufacture from materials of any heading, except that of the product. However, other materials of heading 8306 may be used, provided that their total value does not exceed 30 % of the ex-works price of the product
ex Chapter 84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8401	Nuclear reactors; fuel elements (cartridges), non-irradiated, for nuclear reactors; machinery and apparatus for isotopic separation	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8407	Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8427	Fork-lift trucks; other works trucks fitted with lifting or handling equipment	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8482	Ball or roller bearings	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex Chapter 85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8501, 8502	Electric motors and generators; Electric generating sets and rotary converters	Manufacture from materials of any heading, except that of the product and of heading 8503 or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product

8513	Portable electric lamps designed to function by their own source of energy (for example, dry batteries, accumulators, magnetos), other than lighting equipment of heading 8512	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8519	Sound recording and sound reproducing apparatus	Manufacture from materials of any heading, except that of the product and of heading 8522 or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8521	Video recording or reproducing apparatus, whether or not incorporating a video tuner	Manufacture from materials of any heading, except that of the product and of heading 8522 or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8523	Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8525	Transmission apparatus for radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras, digital cameras and other video camera recorders	Manufacture from materials of any heading, except that of the product and of heading 8529 or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8526	Radar apparatus, radio navigational aid apparatus and radio remote control apparatus	Manufacture from materials of any heading, except that of the product and of heading 8529 or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8527	Reception apparatus for radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock	Manufacture from materials of any heading, except that of the product and of heading 8529 or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8528	Monitors and projectors, not incorporating television reception apparatus; reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus	Manufacture from materials of any heading, except that of the product and of heading 8529 or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product

8535 to 8537	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits; connectors for optical fibres, optical fibre bundles or cables; boards, panels, consoles, desks, cabinets and other bases, for electric control or the distribution of electricity	Manufacture from materials of any heading, except that of the product and of heading 8538 or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8540 11 and 8540 12	Cathode ray television picture tubes, including video monitor cathode ray tubes	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex 8542 31 to ex 8542 33 and ex 8542 39	Monolithic integrated circuits	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product or The operation of diffusion, in which integrated circuits are formed on a semi-conductor substrate by the selective introduction of an appropriate dopant, whether or not assembled and/or tested in a non-party
8544	Insulated (including enamelled or anodised) wire, cable (including coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8546	Electrical insulators of any material	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating materials apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly, other than insulators of heading 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8548	Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product



Chapter 86	Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds.	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex Chapter 87	Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof; except for:	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof, except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
9002	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
9033	Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
Chapter 91	Clocks and watches and parts thereof	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
Chapter 94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated nameplates and the like; prefabricated buildings	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex Chapter 95	Toys, games and sports requisites; parts and accessories thereof, except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex 9506	Golf clubs and parts thereof	Manufacture from materials of any heading, except that of the product. However, roughly-shaped blocks for making golf-club heads may be used

ex Chapter 96	Miscellaneous manufactured articles, except for:	<p>Manufacture from materials of any heading, except that of the product</p> <p>or</p> <p>Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</p>
9601 and 9602	<p>Worked ivory, bone, tortoiseshell, horn, antlers, coral, mother-of-pearl and other animal carving material, and articles of these materials (including articles obtained by moulding).</p> <p>Worked vegetable or mineral carving material and articles of these materials; moulded or carved articles of wax, of stearin, of natural gums or natural resins or of modelling pastes, and other moulded or carved articles, not elsewhere specified or included; worked, unhardened gelatine (except gelatine of heading 3503) and articles of unhardened gelatin</p>	Manufacture from materials of any heading
9603	Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorized, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers, squeegees (other than roller squeegees)	Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
9605	Travel sets for personal toilet, sewing or shoe or clothes cleaning	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided that their total value does not exceed 15 % of the ex-works price of the set
9606	Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks	<p>Manufacture:</p> <ul style="list-style-type: none"> <li>— from materials of any heading, except that of the product, and</li> <li>— in which the value of all the materials used does not exceed 70 % of the ex-works price of the product</li> </ul>
9608	Ball-point pens; felt-tipped and other porous-tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils; pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading 9609	Manufacture from materials of any heading, except that of the product. However, nibs or nib-points of the same heading as the product may be used

9612	Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
9613 20	Pocket lighters, gas fuelled, refillable	Manufacture in which the total value of the materials of heading 9613 used does not exceed 30 % of the ex-works price of the product
9614	Smoking pipes (including pipe bowls) and cigar or cigarette holders, and parts thereof	Manufacture from materials of any heading

<sup>(1)</sup> For the special conditions relating to 'specific processes', see Introductory Notes 7.1 and 7.3.

<sup>(2)</sup> For the special conditions relating to 'specific processes', see Introductory Note 7.2.

<sup>(3)</sup> A 'group' is regarded as any part of the heading separated from the rest by a semi-colon.

<sup>(4)</sup> In the case of the products composed of materials classified within both headings 3901 to 3906, on the one hand, and within headings 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

<sup>(5)</sup> The following foils shall be considered as highly transparent: foils, the optical dimming of which, measured according to ASTM-D 1003-16 by Gardner Hazemeter (i.e. Hazefactor), is less than 2 %.

<sup>(6)</sup> For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

<sup>(7)</sup> See Introductory Note 6.

<sup>(8)</sup> For knitted or crocheted articles, not elastic or rubberised, obtained by sewing or assembling pieces of knitted or crocheted fabrics (cut out or knitted directly to shape), see Introductory Note 6.

<sup>(9)</sup> SEMII — Semiconductor Equipment and Materials Institute Incorporated

**COUNCIL DECISION (EU) 2016/1316****of 26 July 2016****amending Decision 2009/908/EU, laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

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

Having regard to European Council Decision 2009/881/EU of 1 December 2009 on the exercise of the Presidency of the Council <sup>(1)</sup>, and in particular Article 4 thereof,

Whereas,

- (1) By Decision 2009/908/EU <sup>(2)</sup> the Council established the order in which the office of President of the Council was to be held for the Member States of the European Union as from 1 January 2007 until 30 June 2020, and it set out therein the division of that order of Presidencies into groups of three Member States.
- (2) The European Union was enlarged on 1 July 2013 to include Croatia as a new Member State.
- (3) Although no notification has as yet been received under Article 50 TEU from its government, a Member State has made it known publicly that it will withdraw from the Union. The order of presidencies of the Council should be amended to take account of that circumstance, without prejudice to the rights and obligations of that Member State.
- (4) The Council should establish the order in which the office of President of the Council shall be held for the near future. That order should be determined in accordance with the criteria laid down in the Treaties and in Decision 2009/881/EU of the European Council. The Decision 2009/908/EU should be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Council Decision 2009/908/EU of 1 December 2009 laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council, is amended as follows:

- (1) Article 1 is replaced by the following:

*'Article 1*

The order in which the Member States shall hold the Presidency of the Council as from 1 July 2017 and until 31 December 2030, as well as the division of this order of Presidencies into groups of three Member States is set out in Annex I to this Decision.'

- (2) Article 3 is replaced by the following:

*'Article 3*

The Council shall, before 31 December 2029, decide the order in which the Member States will hold the Presidency of the Council as from 1 January 2031';

- (3) the text of Annex I to Council Decision 2009/908/EU is replaced by the text set out in the Annex to this Decision.

<sup>(1)</sup> OJ L 315, 2.12.2009, p. 50.

<sup>(2)</sup> Council Decision 2009/908/EU of 1 December 2009, laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council (OJ L 322, 9.12.2009, p. 28).

*Article 2*

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

It shall apply from 1 July 2017.

It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 26 July 2016.

*For the Council*

*The President*

M. LAJČÁK

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## ANNEX

## ‘ANNEX I

**Draft Table of Presidencies of the Council (\*)**

Netherlands (**)	January-June	2016
Slovakia (**)	July-December	2016
Malta (**)	January-June	2017
Estonia	July-December	2017
Bulgaria	January-June	2018
Austria	July-December	2018
Romania	January-June	2019
Finland	July-December	2019
Croatia	January-June	2020
Germany	July-December	2020
Portugal	January-June	2021
Slovenia	July-December	2021
France	January-June	2022
Czech Republic	July-December	2022
Sweden	January-June	2023
Spain	July-December	2023
Belgium	January-June	2024
Hungary	July-December	2024
Poland	January-June	2025
Denmark	July-December	2025
Cyprus	January-June	2026
Ireland	July-December	2026
Lithuania	January-June	2027
Greece	July-December	2027
Italy	January-June	2028
Latvia	July-December	2028
Luxembourg	January-June	2029
Netherlands	July-December	2029
Slovakia	January-June	2030
Malta	July-December	2030

(\*) Without prejudice to the United Kingdom's rights and obligations as a Member State.

(\*\*) The current trio is inserted in this Annex for information purposes.’

**COUNCIL DECISION (EU) 2016/1317****of 28 July 2016****appointing a member, proposed by the Kingdom of Belgium, 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 305 thereof,

Having regard to the proposal of the Belgian Government,

Whereas:

- (1) On 26 January 2015, 5 February 2015 and 23 June 2015, the Council adopted Decisions (EU) 2015/116 <sup>(1)</sup>, (EU) 2015/190 <sup>(2)</sup> and (EU) 2015/994 <sup>(3)</sup> appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020.
- (2) A member's seat on the Committee of the Regions has become vacant following the end of the mandate on the basis of which Mr Hicham IMANE (*Député wallon*) was proposed,

HAS ADOPTED THIS DECISION:

*Article 1*

The following is hereby appointed as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2020:

— Mr Hicham IMANE, *Conseiller communal de la Ville de Charleroi* (change of mandate).

*Article 2*

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

Done at Brussels, 28 July 2016.

*For the Council*  
*The President*  
M. LAJČÁK

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<sup>(1)</sup> Council Decision (EU) 2015/116 of 26 January 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 20, 27.1.2015, p. 42).

<sup>(2)</sup> Council Decision (EU) 2015/190 of 5 February 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 31, 7.2.2015, p. 25).

<sup>(3)</sup> Council Decision (EU) 2015/994 of 23 June 2015 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2015 to 25 January 2020 (OJ L 159, 25.6.2015, p. 70).

# RECOMMENDATIONS

## COMMISSION RECOMMENDATION (EU) 2016/1318

of 29 July 2016

**on guidelines for the promotion of nearly zero-energy buildings and best practices to ensure that, by 2020, all new buildings are nearly zero-energy buildings**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Buildings are central to the EU's energy efficiency policy, as they account for nearly 40 % <sup>(1)</sup> of final energy consumption.
- (2) The importance of the building sector for energy efficiency improvements was highlighted in the European Commission's Communication on energy efficiency and its contribution to energy security and the 2030 framework for climate and energy policy <sup>(2)</sup> and in its Communication on a framework strategy for a resilient energy union with a forward-looking climate change policy <sup>(3)</sup>.
- (3) Full implementation and enforcement of existing energy legislation is recognised as the first priority in establishing the Energy Union.
- (4) The Directive on the energy performance of buildings is the main legal instrument addressing energy efficiency in buildings in the context of the 2020 energy efficiency targets.
- (5) Article 9 of the Directive sets a specific target that by the end of 2020 all new buildings must have nearly zero or very low energy needs. The nearly zero or very low amount of energy required should be covered to a very significant extent by energy from renewable sources.
- (6) National legislation transposing the requirements of Article 9(1) is required to ensure that by 31 December 2020 all new buildings are nearly zero-energy buildings. The same nearly zero-energy target but with a shorter deadline of 31 December 2018 applies for new buildings occupied and owned by public authorities. This should create a transparent national legal framework for economic operators regarding requirements for the energy performance of new buildings as of the end of 2020.
- (7) In parallel to requirements for new buildings, the Directive requires Member States to put in place support policies to stimulate the refurbishment of existing building stocks towards nearly zero-energy levels.
- (8) The Commission has issued a Report to the European Parliament and the Council on progress by Member States towards nearly zero-energy buildings <sup>(4)</sup>. Further information has been gathered from Member States as part of their reporting obligations on the subject matter.
- (9) Progress by Member States has slowly improved but should be accelerated. Although measures to support the growth in nearly zero-energy buildings at national level have increased, Member States should step up their efforts to ensure that all new buildings are nearly zero-energy by the target dates in the Directive.

<sup>(1)</sup> See 'Energy, transport and environment indicators, 2012 edition', European Commission. For the purpose of this estimate, the final energy consumption for the household and services sectors has been combined. This includes, for example, electricity consumption for appliances but excludes energy consumption in industrial buildings.

<sup>(2)</sup> SWD(2014) 255 final.

<sup>(3)</sup> Energy union package COM(2015) 80 final.

<sup>(4)</sup> COM(2013) 483 final/2.



- (10) The Directive on the energy performance of buildings is currently under review. Principles for nearly zero-energy buildings are one of the pillars of the current Directive and are set to become the norm for new buildings as of 2020. The review will assess whether additional measures will be needed for 2030. The development of new policies and approaches should be based on solid foundations. It is crucial that the nearly zero-energy buildings requirements for 2020 are fully implemented.
- (11) This is further supported by Article 9(4) of the Directive, which provides that the Commission may issue a recommendation on nearly zero-energy buildings to Member States.

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should follow the guidelines provided in the Annex to this Recommendation. Following these guidelines will help to ensure that, by 31 December 2020, all new buildings are nearly zero-energy buildings, and will help Member States to develop national plans for increasing the number of nearly zero-energy buildings.
2. The Recommendation shall be published in the *Official Journal of the European Union*.

Done at Brussels, 29 July 2016.

*For the Commission*  
Miguel ARIAS CAÑETE  
*Member of the Commission*

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## ANNEX

## 1. INTRODUCTION

Following the introduction of efficiency requirements in national building codes, new buildings today consume only half as much energy as typical buildings from the 1980s.

The Energy Performance of Buildings Directive (the 'EPBD' or 'the Directive') requires Member States to establish minimum requirements for the energy performance of newly constructed buildings and existing buildings undergoing major renovations. Further to these minimum requirements, the EPBD sets a clear requirement for all new buildings, by the end of the decade, to have nearly zero or very low energy needs and qualify as nearly zero-energy buildings (NZEB). However, the existing building stock is old and inefficient and is being renovated at a slow pace. In line with the EPBD, the stock of existing buildings should also be gradually transformed to similar standards.

Full implementation and enforcement of existing energy legislation is recognised as the first priority in establishing the Energy Union <sup>(1)</sup>. Ensuring that all new buildings are nearly zero-energy buildings by 31 December 2020 (two years earlier for public buildings), and supporting the transformation of existing building stocks towards NZEB standards, are two crucial requirements under the current legal framework.

## 2. CONTEXT: THE PROVISIONS OF THE EPBD ON NZEB

## 2.1. The concept of NZEB

According to Article 2(2) of the EPBD an NZEB '...means a building that has a very high energy performance, as determined in accordance with Annex I. The nearly zero or very low amount of energy required should be covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby'.

The first part of the definition establishes energy performance as the defining element that makes a building an 'NZEB'. This energy performance has to be very high and determined in accordance with Annex I of the EPBD. The second part of the definition provides guiding principles to achieve this very high performance by covering the resulting low amount of energy to a very significant extent by energy from renewable sources.

The concept of NZEB reflects the fact that renewable energy and efficiency measures work together. When placed on-building, renewable energy will reduce net delivered energy. In many cases, on-site renewable energy will not be sufficient to bring energy needs close to zero, without further energy efficiency measures or a significant decrease of primary energy factors for off-site renewable energy sources. Therefore, higher and more demanding requirements for highly efficient NZEB will also drive an increased use of on-building renewables and should result in adaptation of primary energy factors for off-site energy carriers, taking their renewable energy content into account.

While the EPBD sets the framework definition of NZEBs, its detailed application in practice (e.g. what is a 'very high energy performance' and what would be the recommended significant contribution of 'energy from renewable sources') is the responsibility of the Member States when they transpose Article 9 of the Directive into their national legal systems.

## 2.1.1. What is the energy performance of a 'nearly zero-energy' building?

Energy performance is defined <sup>(2)</sup> as '...the amount of energy needed to meet the energy demand associated with a typical use of the building which includes, inter alia, energy used for heating, cooling, ventilation, hot water and lighting'. Commission Delegated Regulation (EU) No 244/2012 <sup>(3)</sup> and its accompanying guidelines <sup>(4)</sup> provide useful guidance on how to calculate the energy performance of a building <sup>(5)</sup>.

<sup>(1)</sup> COM(2015) 80 final.

<sup>(2)</sup> Article 2(4).

<sup>(3)</sup> Commission Delegated Regulation (EU) No 244/2012 of 16 January 2012 supplementing Directive 2010/31/EU of the European Parliament and of the Council on the energy performance of buildings by establishing a comparative methodology framework for calculating cost-optimal levels of minimum energy performance requirements for buildings and building elements (OJ L 81, 21.3.2012, p. 18).

<sup>(4)</sup> Guidelines establishing a methodology framework for calculating cost-optimal levels of minimum energy performance requirements (OJ C 115, 19.4.2012, p. 1).

<sup>(5)</sup> See table in page 10 of the guidelines.

Under Annex I(3) to the Regulation, the calculation of energy performance starts with the calculation of final **energy needs** <sup>(6)</sup> for heating and cooling, and ends with the calculation of the **net primary energy**. The 'direction' of the calculation goes from the building's needs to the source (i.e. to the primary energy).

Under the EPBD, Member States can use their own national primary energy factors to transform the final delivered energy into primary energy and calculate building energy performance.

The primary energy use must be calculated using primary energy factors specific to each energy carrier (e.g. electricity, heating oil, biomass, district heating and cooling). The accompanying guidelines to the Delegated Regulation recommend using the same 2,5 primary energy factor for delivered and for exported electricity.

Energy produced on-site (used on-site or exported) reduces the primary energy needs associated with delivered energy.

The end objective of the energy performance calculation is to determine the annual overall energy use in net primary energy, which corresponds to energy use for heating, cooling, ventilation, hot water and lighting. This annual balancing is consistent with the current EPBD framework. However, studies suggest that there could be benefits in calculating energy balances at smaller time steps (e.g. to observe daily and seasonal effects) <sup>(7)</sup>.

In accordance with Article 4(1), minimum requirements must take account of general indoor climate conditions in order to avoid possible negative effects such as inadequate ventilation. To avoid deterioration of indoor air quality, comfort and health conditions in the European building stock <sup>(8)</sup>, the stepwise tightening of minimum energy performance requirements resulting from the implementation of NZEB across Europe should be done together with appropriate strategies dealing with indoor environment.

Similarly, studies <sup>(9)</sup> indicate that often new and renovated buildings do not reach the planned energy performance. Mechanisms should be put in place to calibrate the calculation of the energy performance with actual energy use.

#### 2.1.2. Relationship between cost-optimal and NZEB levels

The EPBD establishes a benchmarking system (principle of 'cost-optimality') to guide Member States in setting energy performance requirements contained in national or regional building codes, and keeping them under regular review. Under the EPBD, cost-optimality <sup>(10)</sup> sets the minimum level of ambition for both building renovation and new buildings.

In line with the cost-optimal requirements under Article 5 of the Directive, national minimum energy performance requirements are to be reviewed every five years and strengthened if they are significantly less ambitious than the national cost-optimal levels.

The cost-optimal methodology allows Member States to define the range of NZEB requirements in 2020. This requires assessing and comparing different energy efficiency and renewable energy measures, both individually and in combination, as part of packages of measures to be applied to reference buildings.

Accordingly, to define and meet the NZEB level, Member States can use different combinations of measures concerning insulation or other energy efficiency measures, inclusion of highly-efficient technical building systems and use of on-site renewable energy sources <sup>(11)</sup>. As part of the cost-optimal calculations, Member States need to explore the contribution of each of these three types of measures.

<sup>(6)</sup> 'Energy need', 'delivered energy' and 'net primary energy' should be read according to the definitions laid down in Delegated Regulation (EU) No 244/2012 and its accompanying Guidelines.

<sup>(7)</sup> See for instance 'Analysis of load match and grid interaction indicators in net zero energy buildings with simulated and monitored data', Applied Energy, 31 December 2014, pp. 119-131.

<sup>(8)</sup> JRC report on 'Promoting healthy and energy efficient buildings in the European Union', 2016.

<sup>(9)</sup> See e.g. 'Predicted vs. actual energy performance of non-domestic buildings: Using post-occupancy evaluation data to reduce the performance gap', Anna Carolina Menezes, Andrew Cripps, Dino Bouchlaghem & Richard Buswell (2012), Applied Energy, Volume 97, pp. 355-364, <http://www.sciencedirect.com/science/article/pii/S0306261911007811>

<sup>(10)</sup> Meaning the level of energy performance which leads to the lowest cost during the estimated lifecycle of the building.

<sup>(11)</sup> 'Energy from renewable sources' covers energy from renewable non-fossil sources namely wind, solar, aerothermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases.

Member States have to define primary energy factors per energy carrier. These primary energy factors can be based on national or regional average values, or on specific values. These factors should take into account the renewable energy content of the energy supplied to the building, including from nearby sources, in order to place on-site and off-site renewable energy sources on equal footing.

It is important to keep in mind that, for the bulk of new buildings, the nearly zero-energy buildings concept will apply as from January 2021 onwards (for new public buildings from January 2019 onwards). By then, technology costs are likely to be lower in reaction to more mature markets and larger volumes. It is therefore likely that the NZEB levels will correspond to the cost-optimum for 2020.

The evidence suggests that existing technologies related to energy savings, energy efficiency and renewable energies are sufficient to reach, in combination, a suitable target for nearly zero-energy buildings <sup>(12)</sup>. A technology gap that would need to be bridged by 2021 has not been identified. Analysis of the cost-optimal reports required under Article 5 of the EPBD indicates that a smooth transition between cost optimality and NZEB is achievable <sup>(13)</sup>.

Each five-year cost-optimality cycle presents an opportunity to lock energy efficiency gains into national building codes as new technologies are proven, and a chance to amend the building performance rules to close the gap to cost-optimal levels. After 2020, the principle of cost-optimality will allow continuous improvement of the level of ambition of NZEB requirements for new buildings, as part of the regular review of national building codes for new and for existing buildings.

#### 2.1.3. *How do renewable energy sources contribute?*

A particular important objective has been the integration of renewable energy sources in national NZEB implementation. Directive 2009/28/EC of the European Parliament and of the Council <sup>(14)</sup> (hereafter the RES Directive) requires Member States to introduce in their building regulations and codes appropriate measures in order to increase the share of all kinds of energy from renewable sources in the building sector <sup>(15)</sup>.

Such measures are complementary to the NZEB requirements in the EPBD. The provisions of the EPBD naturally drive the use of renewable energy sources, notably on-site as the energy produced on-building reduces the primary energy associated with the delivered energy. In this way, on-site renewables are always part of the calculation of the energy performance of the building.

While several Member States require a renewable energy share of the primary energy used or a minimum renewable energy contribution in kWh/(m<sup>2</sup>.y), others use indirect requirement such as a low non-renewable primary energy use that can only be met if renewable energy is part of the building concept <sup>(16)</sup>. This flexibility allows adaptation to national circumstances and local conditions (building type, climate, costs for comparable renewable technologies and accessibility, optimal combination with demand side measures, building density, etc.). The most frequently applied renewable energy systems in NZEB are on-building solar thermal and PV systems. Other renewable energy sources used in these buildings are geothermal (from ground source heat pumps) and biomass.

For example, renewable energy technologies such as solar thermal and PV systems are more cost-effective in Mediterranean climates (characterised by higher solar radiation) than in other climates. Therefore, these technologies can have a higher relative contribution to tighter energy performance requirements.

<sup>(12)</sup> 'Towards nearly zero-energy buildings- Definition on common principles under the EPBD' ([http://ec.europa.eu/energy/sites/ener/files/documents/nzeb\\_full\\_report.pdf](http://ec.europa.eu/energy/sites/ener/files/documents/nzeb_full_report.pdf)), carried out by Ecofys for the European Commission, DG ENERGY.

<sup>(13)</sup> Report of the Commission to the European Parliament and the Council on progress by Member States in reaching cost-optimal levels of minimum energy performance requirements.

<sup>(14)</sup> Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

<sup>(15)</sup> See Article 13(4) of the RES Directive.

<sup>(16)</sup> EPBD Concerted Action III book, 2016.

As regards off-site renewable energy sources, including those nearby such as district heating and cooling <sup>(17)</sup>, the share of renewable energy in the energy carrier mix (for instance in the electricity network mix when electricity is the energy carrier) will affect the energy performance of the building through primary energy factors. Member States make use of this flexibility as significantly different primary energy factors for different energy carriers are observed in general, and for most renewable energy sources and technologies in particular <sup>(18)</sup>.

## 2.2. What do national applied definitions of NZEB need to cover?

The majority of Member States <sup>(19)</sup> already use a primary energy use indicator in kWh/(m<sup>2</sup>.y) in line with Annex I. In addition, Member States often include other parameters such as U-values of building envelope components, net and final energy for heating and cooling and CO<sub>2</sub> emissions.

Approximately 60 % of Member States have fixed their detailed application of the NZEB definition in a legal document (e.g. building regulations and energy decrees).

Member States' detailed application in practice of the definition of nearly zero-energy buildings needs to include a numerical indicator of primary energy use expressed in kWh/(m<sup>2</sup>.y) <sup>(20)</sup>. This detailed application is to be included in the national transposition measures or in the national plan for increasing the number of NZEB.

## 2.3. New buildings: timeline for NZEB targets

Article 9(1) of the EPBD requires Member States to

'...ensure that:

- (a) by 31 December 2020, all new buildings are nearly zero-energy buildings; and
- (b) after 31 December 2018, new buildings occupied and owned by public authorities are nearly zero-energy buildings.'

National legislation transposing the requirements of Article 9(1) needs to contain provisions, measures or policies to ensure that by 31 December 2020 all new buildings are nearly-zero energy buildings. The same applies for new public occupied and owned buildings to be nearly-zero energy buildings by 31 December 2018.

With a view to preparing the implementation of Article 9(1), national plans for increasing the number of nearly zero-energy buildings had to include, inter alia, intermediate targets for improving the energy performance of new buildings by 2015. These targets could relate to the minimum percentage of new buildings to be nearly zero-energy buildings, by that date.

Member States must ensure that the requirements of Article 9(1)(a) are met by 31 December 2020 and 31 December 2018 for Article 9(1)(b). Although these dates are in the future, the deadline for transposition of Article 9 was 9 January 2013 <sup>(21)</sup>. By this date, all the NZEB provisions of Article 9 needed to be reflected in national transposition measures. Indeed, such a lengthy run-up is necessary given how long it takes to plan, have permission for and construct a building.

Having these targets set in national legislation creates transparency about the political goals and gives visibility to economic operators and other stakeholders concerning the future requirements for the energy performance of new buildings.

Furthermore, Article 9(1) requires Member States to ensure that by the relevant dates, 'all new buildings are NZEBs'. As a result, citizens buying newly constructed buildings or apartments in 2021 would expect the market to have evolved in line with these targets, and buildings to be NZEBs.

Experience from the construction sector shows that the timing of the end of construction or completion of a building might be uncertain and may suffer delays. Member States would need to factor in the period of validity of building permits, the length of construction and completion of building works and the targets in Article 9(1) of the EPBD to avoid falling short of the obligation to ensure that 'by January 2021 all new buildings are NZEBs'.

<sup>(17)</sup> DHC systems in the EU have a level of market deployment of about 10-13 % of EU energy heating/cooling supply.

<sup>(18)</sup> See footnote 12.

<sup>(19)</sup> 23 Member States and one of the Belgian regions.

<sup>(20)</sup> In accordance with Article 9(3)(a).

<sup>(21)</sup> Article 28(1) second subparagraph.

## 2.4. Policies and measures for the promotion of NZEB

Under Article 9(1), Member States must draw up national plans for increasing the number of NZEBs. The minimum elements to be included in the national plans are established in Article 9(3), as follows:

‘The national plans shall include, inter alia, the following elements:

- (a) the Member State’s detailed application in practice of the definition of nearly zero-energy buildings, reflecting their national, regional or local conditions, and including a numerical indicator of primary energy use expressed in kWh/m<sup>2</sup> per year....;
- (b) intermediate targets for improving the energy performance of new buildings, by 2015...;
- (c) information on the policies and financial or other measures (.....) including details of energy from renewable sources in new buildings and existing buildings undergoing major renovation in the context of Article 13(4) of Directive 2009/28/EC and Articles 6 and 7 of this Directive.’

## 2.5. Supporting the transformation of existing buildings towards NZEB

The EPBD also includes NZEB obligations relating to existing buildings without target dates or an obligation to set minimum energy performance requirements. Article 9(2) of the EPBD requires Member States to, ‘following the leading example of the public sector, develop policies and take measures such as the setting of targets in order to stimulate the transformation of buildings that are refurbished into NZEBs, and inform the Commission thereof in their national plans...’.

Supporting the transformation of existing building stocks towards NZEBs under Article 9(2) of the EPBD should include as an element the increase of energy from renewable sources (Article 9(3)(c)). In addition Article 13(6) of the RES Directive requires that Member States promote the use of renewable energy heating and cooling in their building codes and regulations.

Article 9(2) aims therefore at increasing renovation depth by setting national support policies to refurbish existing buildings to deeper, NZEB levels. The obligation in Article 9(2) of the EPBD is complemented by national long term building strategies under Article 4 of Directive 2012/27/EU of the European Parliament and of the Council <sup>(22)</sup> (EED), which should result in increased renovation rates through mobilising finance and investments in building renovation. These long term renovation strategies bring together the above elements of the EED (renovation rate) and of the EPBD (renovation depth).

The framework definition of NZEB in the EPBD does not differentiate between new and existing buildings. Having such differentiation may be misleading towards consumers, as would be the case if there were separate Energy Performance Certification ratings for new and for existing buildings.

‘Refurbishment into NZEB’ therefore means a refurbishment of a magnitude that allows the energy performance requirements of a NZEB level to be met. This does not prevent having different timelines and financial support for existing buildings, in recognition of the longer period required for NZEB levels to be cost-optimal in the case of existing buildings.

## 3. PROGRESS BY MEMBER STATES TOWARDS NZEB

### 3.1. Applied national definitions of NZEB

Numerical indicators are not comparable across Member States because different energy performance calculation methodologies are used <sup>(23)</sup>. Some Member States have extended the scope of the numerical indicator by including non-mandatory energy uses, e.g. energy use in appliances. Evidence shows how inclusion of lighting and appliances can result in more optimal solutions, especially for electricity use <sup>(24)</sup>.

<sup>(22)</sup> Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

<sup>(23)</sup> On-going standardisation work and projects such as the GE<sup>2</sup>O project (<http://www.geoclusters.eu/>) try to overcome this limitation while acknowledging natural differences such as climate.

<sup>(24)</sup> Modelling of optimal paths to reach NZEB for new constructions in Europe, presented by Delia D’Agostino at the WSED conference in February 2016 (<http://www.wsed.at/en/programme/young-researchers-conference-energy-efficiency-biomass/>).

With this caveat, the available evidence <sup>(25)</sup> shows that where a numerical indicator has been set, the requirements range rather widely from 0 kWh/(m<sup>2</sup>.y) to 270 kWh/(m<sup>2</sup>.y) (which includes energy use in appliances) and are mainly given as primary energy use in kWh/m<sup>2</sup>/y. The higher values are mainly for hospitals or other specialised non-residential buildings.

For residential buildings, most Member States aim to have a primary energy use not higher than 50 kWh/(m<sup>2</sup>.y). The maximal primary energy use ranges between 20 kWh/(m<sup>2</sup>.y) in Denmark or 33 kWh/(m<sup>2</sup>.y) in Croatia (Littoral) and 95 kWh/(m<sup>2</sup>.y) in Latvia. Several countries (Belgium (Brussels), Estonia, France, Ireland, Slovakia, United Kingdom, Bulgaria, Denmark, Croatia (Continental), Malta, Slovenia) aim at 45 or 50 kWh/(m<sup>2</sup>.y) <sup>(26)</sup>.

As regards the share of renewable energy, the reporting is quite diverse, with only a few countries defining a specific minimum percentage and the majority making qualitative statements.

No Member State has yet reported any legislative regime for not applying the NZEB requirements in specific and justifiable cases where the cost benefit analysis over the economic life cycle of the building in question is negative, as permitted under Article 9(6) of the EPBD.

### 3.2. Policies and measures for the promotion of NZEB

An assessment of the state of play as of October 2014 <sup>(27)</sup> showed that Member States reported a wide range of policies and measures in support of the NZEB objectives in their national plans and National Energy Efficiency Action Plans, although it is often not clear to what extent these measures specifically target NZEB. Compared to the situation reported in the 2013 Commission progress report <sup>(28)</sup>, the number of policies and measures reported from the Member States has increased.

More than two thirds of the Member States have in place policies and measures in the categories of awareness raising and education, strengthening building regulation and energy performance certificates. Financial instruments and support measures, including e.g. incentive policies, loans with reduced interest rate, tax exemptions, energy bonuses for private individuals, grant schemes for installation of renewable energy, guidance and financing for at-risk populations and subsidised mortgage interest rates for energy efficient homes, are another focus to promote NZEB.

Most of the policies and measures reported by the Member States also apply to public buildings. The scope of measures for public buildings varies substantially between Member States ranging from central government buildings only to all publicly-owned buildings or all buildings used for public purposes. Some Member States also have specific measures for public buildings. These are mainly monitoring campaigns (e.g. 'NRClick' is an energy accounting system for the comparison of different municipalities in Belgium) and demonstration projects (e.g. in Germany the Zero-energy building for the Federal Environmental Agency (Umweltbundesamt)).

An EU wide overview of the status of national plans for NZEB was prepared in 2015 <sup>(29)</sup>. This recent analysis confirms sustained progress, both in the quantity and in the quality of national measures for the promotion of NZEB, including the detailed application of the definition, intermediate targets by 2015 and financial and other policies. This report identifies several exemplary or front-runner policy frameworks.

Some Member States have estimated the benefits of NZEB implementation. New full time jobs will be created: between 649 and 1 180 in Bulgaria, between 4 100 and 6 200 in Poland, between 1 390 and 2 203

<sup>(25)</sup> [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013DC0483R\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013DC0483R(01)&from=EN). This report includes information from all Member States except for Greece and Spain, which had not sent a national plan or consolidated template as of 18 September 2014. A more recent overview table of national definitions of NZEB is available here: <http://ec.europa.eu/energy/en/topics/energy-efficiency/buildings/nearly-zero-energy-buildings>.

<sup>(26)</sup> See information included in the JRC synthesis report on national plans for NZEB, 2016, a BPIE factsheet of January 2015 ([http://bpie.eu/uploads/lib/document/attachment/128/BPIE\\_factsheet\\_nZEB\\_definitions\\_across\\_Europe.pdf](http://bpie.eu/uploads/lib/document/attachment/128/BPIE_factsheet_nZEB_definitions_across_Europe.pdf)) and updated information published by the Commission in October 2014 (<https://ec.europa.eu/energy/sites/ener/files/documents/Updated%20progress%20report%20NZEB.pdf>).

<sup>(27)</sup> <https://ec.europa.eu/energy/sites/ener/files/documents/Updated%20progress%20report%20NZEB.pdf>

<sup>(28)</sup> [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013DC0483R\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52013DC0483R(01)&from=EN)

<sup>(29)</sup> JRC synthesis report on national plans for NZEB, 2016, available in the following website: <http://iet.jrc.ec.europa.eu/energyefficiency/publications/all>

in Romania. Bulgaria expects additional investments between EUR 38 and 69 million, Poland between EUR 240 and 365 million, and Romania between EUR 82 and 130 million. Minimum primary energy requirements are foreseen between 70 kWh/m<sup>2</sup>/y (Bulgaria and Poland) and 100 kWh/m<sup>2</sup>/y (Romania) in 2015, but they will become between 30 kWh/m<sup>2</sup>/y and 50 kWh/m<sup>2</sup>/y in 2020. The percentage of renewable energy will pass from 20 % in 2015 to 40 % in 2020. CO<sub>2</sub> emissions will pass from 8-10 kgCO<sub>2</sub>/m<sup>2</sup>/y to 3-7 kgCO<sub>2</sub>/m<sup>2</sup>/y in 2020.

Recent studies suggest that energy reductions of 80 % and more are economically feasible in new NZEB constructions in Europe, although the mix of selected measures varies strongly with climate. Results show how a broad approach to efficiency combined with renewable measures is feasible across the EU, at different costs <sup>(30)</sup>.

#### 4. RECOMMENDATIONS

##### 4.1. **Application of the NZEB definition in practice: when is the ambition of a NZEB level of energy performance too low?**

This section provides the general principles and factors that Member States are advised to take into account in developing the NZEB definition to be applied at national level, in line with the EPBD.

There cannot be a single level of ambition for NZEB across the EU. Flexibility is needed to account for the impact of climatic conditions on heating and cooling needs and on the cost-effectiveness of packages of energy efficiency and renewable energy sources measures.

Nevertheless, the terms 'nearly zero' or 'very low amount' of energy introduced by the EPBD provide indications as to the extent and limits of Member States' discretion. NZEB definitions should aim at a nearly equalised energy balance.

The NZEB level for new buildings cannot be below (less stringent) than the 2021 cost-optimal level that will be calculated in accordance with Article 5 of the Directive. The cost-optimal level is the minimum level of ambition for NZEB performance. The NZEB level of energy performance for new buildings will be determined by the best technology that is available and well introduced on the market at that time, financial aspects and legal and political considerations at national level.

The establishment of **numeric benchmarks** for NZEB primary energy use indicators, at EU level, is most useful when the values to be compared with these benchmarks result from transparent calculation methodologies. Standards <sup>(31)</sup> are currently under finalisation to allow for transparent comparison of national and regional calculation methodologies.

With these considerations in mind, benchmarks are usually provided in terms of **energy needs**. Underlying reasons are the fact that energy needs are the starting point for the calculation of primary energy and therefore a very low level of energy need for heating and cooling is a vital pre-condition for nearly zero primary energy buildings. Very low energy needs are also a precondition to achieve a significant share of energy from renewable energy sources and nearly zero primary energy.

Projecting the 2020 prices and technologies, benchmarks for the energy performance of NZEB are in the following ranges for the different EU climatic zones <sup>(32)</sup>:

Mediterranean:

- Offices: 20-30 kWh/(m<sup>2</sup>.y) of net primary energy with, typically, 80 — 90 kWh/(m<sup>2</sup>.y) of primary energy use covered by 60 kWh/(m<sup>2</sup>.y) of on-site renewable sources;
- New single family house: 0-15 kWh/m<sup>2</sup>.y) of net primary energy with, typically, 50-65 kWh/(m<sup>2</sup>.y) of primary energy use covered by 50 kWh/(m<sup>2</sup>.y) of on-site renewable sources;

<sup>(30)</sup> See footnote 24.

<sup>(31)</sup> Commission's mandate M/480 to CEN on the elaboration of EPBD standards.

<sup>(32)</sup> In the study 'Towards nearly zero-energy buildings- Definition on common principles under the EPBD' ([http://ec.europa.eu/energy/sites/ener/files/documents/nzeb\\_full\\_report.pdf](http://ec.europa.eu/energy/sites/ener/files/documents/nzeb_full_report.pdf)), carried out by Ecofys for the European Commission, DG ENERGY:

- Mediterranean is referred to as Zone 1: Catania (others: Athens, Larnaca, Luga, Seville, Palermo)
- Oceanic as Zone 4: Paris (others: Amsterdam, Berlin, Brussels, Copenhagen, Dublin, London, Macon, Nancy, Prague, Warszawa)
- Continental as Zone 3: Budapest (others: Bratislava, Ljubljana, Milan, Vienna)
- Nordic as Zone 5: Stockholm (Helsinki, Riga, Stockholm, Gdansk, Tovarene).



Oceanic:

- Offices: 40-55 kWh/(m<sup>2</sup>.y) of net primary energy with, typically, 85-100 kWh/(m<sup>2</sup>.y) of primary energy use covered by 45 kWh/(m<sup>2</sup>.y) of on-site renewable sources;
- New single family house: 15-30 kWh/(m<sup>2</sup>.y) of net primary energy with, typically, 50-65 kWh/(m<sup>2</sup>.y) of primary energy use covered by 35 kWh/(m<sup>2</sup>.y) of on-site renewable sources; and

Continental:

- Offices: 40-55 kWh/(m<sup>2</sup>.y) of net primary energy with, typically, 85-100 kWh/(m<sup>2</sup>.y) of primary energy use covered by 45 kWh/(m<sup>2</sup>.y) of on-site renewable sources;
- New single family house: 20-40 kWh/(m<sup>2</sup>.y) of net primary energy with, typically, 50-70 kWh/(m<sup>2</sup>.y) of primary energy use covered by 30 kWh/(m<sup>2</sup>.y) of on-site renewable sources;

Nordic:

- Offices: 55-70 kWh/(m<sup>2</sup>.y) of net primary energy with, typically, 85-100 kWh/(m<sup>2</sup>.y) of primary energy use covered by 30 kWh/(m<sup>2</sup>.y) of on-site renewable sources;
- New single family house: 40-65 kWh/(m<sup>2</sup>.y) of net primary energy with, typically, 65-90 kWh/(m<sup>2</sup>.y) of primary energy use covered by 25 kWh/(m<sup>2</sup>.y) of on-site renewable sources.

Member States are advised to use renewable energy sources in an integrated design concept to cover the low energy requirements of buildings <sup>(33)</sup>.

Some Member States have chosen to link the NZEB level to one of the best energy performance classes (e.g. building class A++), as specified in an energy performance certificate. This approach, when accompanied by a clear energy performance indicator, is recommended to give clear information to investors and drive the market towards NZEB.

#### 4.2. Meeting the obligation to ensure that new buildings are NZEB as of end of 2020

Preparing new buildings to deliver on the NZEB targets may require adaptation of existing practices. Minimum energy performance requirements and nearly-zero requirements would have to be assessed considering the deadlines in Article 9(1).

Furthermore, Member States need to ensure that if new constructions do not comply with the energy performance requirements, adequate sanction mechanisms are in place. This may require differentiated sanctions for new buildings after the NZEB deadlines have passed.

Member States are advised to assess these elements as soon as possible to make sure that the NZEB targets are achieved. It is equally recommended that Member States define the mechanism that will be used to monitor the fulfilment of the NZEB targets. This mechanism should also monitor the achievement of the intermediate 2015 targets in line with Article 9(1), as well as of possible additional milestones at national level up to 2020. This will strengthen the current NZEB roadmaps and contribute to monitoring mechanisms in the coming years.

#### 4.3. Policies and measures for the promotion of NZEB

In most Member States a wide range of policies has been selected to increase the number of NZEBs (e.g., awareness raising and information, education and training, strengthening building regulations and energy performance certificates, chosen by: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark,

<sup>(33)</sup> The integrated energy performance of a building corresponds to the amount of net primary energy needed to meet the different needs associated with its typical use and must reflect the heating energy needs and cooling energy needs, domestic hot water needs and built-in lighting. As a result, in addition to the quality of insulation of the building, an integrated performance considers heating installations, cooling installations, energy for ventilation, lighting installations, position and orientation of the building, heat recovery, active solar gains and other renewable energy sources.

Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Poland, Portugal, Sweden, Slovenia, United Kingdom). However, policies sometimes seem rather general and addressed to 'all buildings'. Their specific support to NZEB is not always sufficiently clear, nor is to what extent they contribute in practice to achieving the NZEB target in a country. Therefore, a stronger connection between policies, measures and NZEB is recommended.

To facilitate the provision of this information, the Commission has made available to the Member States a non-obligatory template, whose use is recommended to facilitate the comparability and analysis of the NZEB plans <sup>(34)</sup>.

#### 4.4. Supporting the transformation of existing buildings towards NZEB

Best practices to target the transformation of the existing building stock range from technology awareness <sup>(35)</sup>, incentive schemes to financial instruments, taxation mechanisms, economic instruments such as energy saving obligation schemes, market instruments like public private partnerships to stimulate building renovation or one stop solution centres giving advice on energy renovation <sup>(36)</sup>.

The approach followed in some Member States that links financial support for building renovation to the achievement of high energy classes equivalent to NZEB level can be considered a good practice to stimulate the transformation of national building stocks towards NZEB levels.

In the last decade most Member States introduced measures addressed to the existing building stock and new forward-looking perspectives have been recently defined within the national renovation strategies developed in accordance with Energy Efficiency Directive Article 4. Member States should design consistent mixtures of policy instruments (policy packages), depending only partially on public budgets.

Reliable data to monitor policy impacts, including actual energy performance and indoor environment, are required above all for building stock refurbishment. In some countries with limited solar renewable energy potential (e.g. northern Europe), policies that support alternative measures are needed (e.g. biomass). The adoption of roadmaps and indicators is also a good tool to address specific needs and monitor implementation. Member States are advised to further strengthen and evaluate the adopted measures in order to successfully stimulate cost-effective deep and NZEB renovations.

#### 5. SUMMARY OF RECOMMENDATIONS

- (1) Principles for NZEB are one of the pillars of the current Directive and are set to become the norm for new buildings as of 2020. Member States are advised to step up their efforts to fully implement and enforce the provisions of the EPBD to ensure that all new buildings become NZEB by the target dates in the Directive.
- (2) Member States are advised to set national definitions of NZEB at a sufficiently high level of ambition –not below the projected cost-optimal level of minimum requirements- and to use renewable energy sources in an integrated design concept to cover the low energy requirements of nearly-zero energy buildings. Recommended benchmarks are provided in Section 4.1. Proper indoor environment should be ensured to avoid deterioration of indoor air quality, comfort and health conditions in the European building stock.
- (3) In ensuring that new buildings will be NZEB as of the end of 2020, Member States should assess as soon as possible whether adaptation of existing practices is needed. It is equally recommended that Member States define the mechanism that will be used to monitor the fulfilment of the NZEB targets and to consider the possibility to set up differentiated sanctions for new buildings after the NZEB deadlines have passed.
- (4) Policies and measures for the promotion of NZEB should be more specific in clarifying to what extent they contribute to achieving NZEB targets. A stronger connection between policies, measures and NZEBs is recommended. To facilitate the provision of this information, the Commission has made available to Member States a non-obligatory template, whose use is recommended to facilitate the comparability and analysis of the plans.

<sup>(34)</sup> The templates as filled in by the Member States are available from this website <http://ec.europa.eu/energy/en/topics/energy-efficiency/buildings/nearly-zero-energy-buildings>

<sup>(35)</sup> The EU supports technology development under the H2020 programme — in particular through the Public Private Partnership on Energy efficient Buildings — [https://ec.europa.eu/research/industrial\\_technologies/energy-efficient-buildings\\_en.html](https://ec.europa.eu/research/industrial_technologies/energy-efficient-buildings_en.html)

<sup>(36)</sup> See footnote 22.

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- (5) The Commission recommends that Member States accelerate progress in the development of support policies addressing specifically the refurbishment of existing building stocks towards NZEB levels. Member States should design consistent mixtures of policy instruments (policy packages) to provide the required long-term stability to investors in efficient buildings, including deep and NZEB renovations. Reliable data collection to monitor policy impacts is recommended to address specific needs and to monitor the implementation of building stock refurbishment.

**COMMISSION RECOMMENDATION (EU) 2016/1319****of 29 July 2016****amending Recommendation 2006/576/EC as regards deoxynivalenol, zearalenone and ochratoxin A in pet food****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Commission Recommendation 2006/576/EC <sup>(1)</sup> establishes guidance values for deoxynivalenol, zearalenone, ochratoxin A, fumonisins B1+B2 and T-2 and HT-2 toxin in feed materials and compound feed.
- (2) The current guideline level for deoxynivalenol in feed for dogs is 5 mg/kg. Taking into account information received recently as regards the toxicity of deoxynivalenol in feed for dogs and the EFSA opinion on deoxynivalenol in feed <sup>(2)</sup>, it appears that the current guideline level does not provide sufficient guarantees as regards animal health for dogs and it is therefore appropriate to lower the guideline level of deoxynivalenol in feed for dogs.
- (3) Taking into account information received recently as regards the toxicity of zearalenone in feed for cats and dogs, it is appropriate to establish a guideline level for zearalenone in feed for cat and dogs to provide guarantees as regards animal health for cat and dogs, awaiting an updated risk assessment, to be performed by EFSA, on the possible animal health risks as the consequence of the presence of zearalenone in feed.
- (4) Taking into account information received recently as regards the toxicity of ochratoxin A in feed for cats and dogs and the EFSA opinion on ochratoxin A in feed <sup>(3)</sup>, it is appropriate to establish a guideline level for ochratoxin A in feed for cats and dogs to provide guarantees as regards animal health for cats and dogs.
- (5) To maintain the readability of the provisions in the Recommendation, it is appropriate to replace the Annex to Recommendation by a new Annex.

HAS ADOPTED THIS RECOMMENDATION:

The Annex to Recommendation 2006/576/EC is replaced by Annex to this Recommendation.

Done at Brussels, 29 July 2016.

*For the Commission*  
Vytenis ANDRIUKAITIS  
*Member of the Commission*

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<sup>(1)</sup> Commission Recommendation 2006/576/EC of 17 August 2006 on the presence of deoxynivalenol, zearalenone, ochratoxin A, T-2 and HT-2 and fumonisins in products intended for animal feeding (OJ L 229, 23.8.2006, p. 7).

<sup>(2)</sup> Opinion of the Scientific Panel on Contaminants in the Food Chain on a request from the Commission related to Deoxynivalenol (DON) as undesirable substance in animal feed <http://www.efsa.europa.eu/en/efsajournal/pub/73>

<sup>(3)</sup> Opinion of the Scientific Panel on Contaminants in Food Chain on a request from the Commission related to ochratoxin A (OTA) as undesirable substance in animal feed <http://www.efsa.europa.eu/en/efsajournal/pub/101>

## ANNEX

## GUIDANCE VALUES

Mycotoxin	Products intended for animal feed	Guidance value in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
Deoxynivalenol	Feed materials (*)	
	— Cereals and cereal products (**) with the exception of maize by-products	8
	— Maize by-products	12
	Compound feed with the exception of	5
	— compound feed for pigs	0,9
	— compound feed for calves (< 4 months), lambs, kids and dogs	2
Zearalenone	Feed materials (*)	
	— Cereals and cereal products (**) with the exception of maize by-products	2
	— Maize by-products	3
	Compound feed for:	
	— piglets, gilts (young sows), puppies, kittens, dogs and cats for reproduction	0,1
	— adult dogs and cats other than for reproduction	0,2
	— sows and fattening pigs	0,25
Ochratoxin A	— calves, dairy cattle, sheep (including lamb) and goats (including kids)	0,5
	Feed materials (*)	
	— Cereals and cereal products (**)	0,25
	Compound feed for:	
	— pigs	0,05
	— poultry	0,1
Fumonisin B1+B2	— cats and dogs	0,01
	Feed materials (*)	
	— maize and maize products (***)	60
	Compound feed for:	
	— pigs, horses ( <i>Equidae</i> ), rabbits and pet animals	5
	— fish	10

Mycotoxin	Products intended for animal feed	Guidance value in mg/kg (ppm) relative to a feedingstuff with a moisture content of 12 %
	— poultry, calves (< 4 months), lambs and kids	20
	— adult ruminants (> 4 months) and mink	50
T-2 + HT-2 toxin	Compound feed for cats	0,05

(\*) Particular attention has to be paid to cereals and cereals products fed directly to the animals that their use in a daily ration should not lead to the animal being exposed to a higher level of these mycotoxins than the corresponding levels of exposure where only the complete feedingstuffs are used in a daily ration.

(\*\*) The term 'Cereals and cereal products' includes not only the feed materials listed under heading 1 'Cereal grains and products derived thereof' of the list of feed materials referred to in part C of the Annex to Commission Regulation (EU) No 68/2013 of 16 January 2013 on the Catalogue of feed materials (OJ L 29, 30.1.2013, p. 1) but also other feed materials derived from cereals in particular cereal forages and roughages.

(\*\*\*) The term 'Maize and maize products' includes not only the feed materials listed under heading 1 'Cereal grains and products derived thereof' of the list of feed materials referred to in part C of the Annex to Regulation (EU) No 68/2013 but also other feed materials derived from maize in particular maize forages and roughages.



