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⁽¹⁾ Text with EEA relevance.

EN

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⁽¹⁾ Text with EEA relevance.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1005

of 15 June 2017

laying down implementing technical standards with regard to the format and timing of the communications and the publication of the suspension and removal of financial instruments pursuant to Directive 2014/65/EU of the European Parliament and of the Council on markets in financial instruments

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU ⁽¹⁾, and in particular Articles 32(3) and 52(3) thereof,

Whereas:

- (1) Directive 2014/65/EU establishes a system by which suspensions from trading, the lifting of those suspensions and removals from trading are to be published and communicated in a timely and efficient manner.
- (2) Publication of the above information by trading venue operators and competent authorities on websites ensures ease of access without imposing significant additional costs. Therefore, publication on the website should be the primary means of publication and simultaneous dissemination of the information in the Union. In order to ensure that the information is simultaneously made available to everyone, publication by other means should only be possible simultaneously with or after publication on the website.
- (3) Due to the need for speedy and accurate communication enabling the functioning of the exchange of information and of the cooperation set out in Directive 2014/65/EU, uniform formats and timing of the communications and publication allowing all relevant information to be easily and efficiently communicated and published should be provided for. The use of those formats and timing should be without prejudice to using other formats or timing in exceptional and unforeseeable circumstances where the formats and timing laid down in this Regulation would not be appropriate having regard to the large scale and urgency of communications resulting from, for instance, the closure of the entire market.
- (4) For reasons of consistency and in order to ensure the smooth functioning of the financial markets, it is necessary that the provisions laid down in this Regulation and the provisions laid down in Directive 2014/65/EU apply from the same date.
- (5) This Regulation is based on the draft implementing technical standards submitted by the European Securities and Markets Authority (ESMA) to the Commission.
- (6) ESMA has conducted open public consultations on the draft implementing technical standards on which this Regulation is based and requested the opinion of the Securities and Markets Stakeholder Group established by Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽²⁾,

⁽¹⁾ OJ L 173, 12.6.2014, p. 349.

⁽²⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

HAS ADOPTED THIS REGULATION:

Article 1

Scope

This Regulation sets down the format and timing for the following communications and publications:

- (a) publication by a market operator operating a regulated market or by an investment firm or a market operator operating an MTF or an OTF of its decision to suspend or remove a financial instrument and, where relevant, related derivatives from trading or to lift a suspension;
- (b) communication of the decisions referred to in point (a) to the relevant competent authority;
- (c) publication by a competent authority of its decision to suspend trading or remove from trading a financial instrument and, where relevant, related derivatives or to lift a suspension;
- (d) communication by a competent authority to ESMA and other competent authorities of the decision to suspend trading or to remove from trading a financial instrument and, where relevant, related derivatives or to lift a suspension;
- (e) communication by a notified competent authority to ESMA and other competent authorities of its decision on whether to follow a decision as referred to in point (d).

Article 2

Definition of the term ‘trading venue operator’

For the purposes of this Regulation, ‘trading venue operator’ means any of the following:

- (a) a market operator operating a regulated market, an MTF or an OTF;
- (b) an investment firm operating an MTF or an OTF.

Article 3

Format of the publication and communication by trading venue operators

1. Trading venue operators shall publish the decisions referred to in point (a) of Article 1 on their websites in the format set out in Table 2 of the Annex.
2. Trading venue operators shall communicate the decisions referred to in point (a) of Article 1 to the relevant competent authority in a standard machine readable format approved by that competent authority using the format set out in Table 2 of the Annex.

Article 4

Timing of the publications and communications by trading venue operators

1. Trading venue operators shall publish the decisions referred to in point (a) of Article 1 immediately.
2. Trading venue operators shall not publish the decisions referred to in point (a) of Article 1 by other means prior to their publication in accordance with Article 3(1).
3. Trading venue operators shall communicate the decisions referred to in point (a) of Article 1 to the relevant competent authority simultaneously with its publication or immediately thereafter.

Article 5

Format of the publications and communications by competent authorities

1. Competent authorities shall publish the decision referred to in point (c) of Article 1 on a website in the format set out in Table 3 of the Annex.
2. Competent authorities shall communicate the decisions referred to in points (d) and (e) of Article 1 in a standard machine-readable format using the formats set out in Tables 3 and 4 of the Annex, respectively.

*Article 6***Timing of the publications and communications by competent authorities**

1. Competent authorities shall publish the decision referred to in point (c) of Article 1 immediately.
2. Competent authorities shall communicate the decision referred to in point (d) of Article 1 simultaneously with its publication or immediately thereafter.
3. A notified competent authority shall communicate the decision referred to in point (e) of Article 1 without undue delay upon receipt of the communication referred to in point (d) of Article 1.

*Article 7***Entry into force and application**

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

It shall apply from 3 January 2018.

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

Done at Brussels, 15 June 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Table 1

Symbol table to be applied to all Tables

SYMBOL	DATA TYPE	DEFINITION
{ALPHANUM-n}	Up to n alphanumerical characters	Free text field.
{COUNTRYCODE_2}	2 alphanumerical characters	2-letter country code, as defined by ISO 3166-1 alpha-2 country code
{DATE_TIME_FORMAT}	ISO 8601 date and time format	<p>Date and time in the following format:</p> <ul style="list-style-type: none"> — YYYY-MM-DDThh:mm:ss.Z. — 'YYYY' is the year; — 'MM' is the month; — 'DD' is the day; — 'T' — means that the letter 'T' shall be used — 'hh' is the hour; — 'mm' is the minute; — 'ss.' is the second; — Z is UTC time. <p>Dates and times shall be reported in UTC.</p>
{ISIN}	12 alphanumerical characters	ISIN code, as defined in ISO 6166
{LEI}	20 alphanumerical characters	Legal entity identifier as defined in ISO 17442
{MIC}	4 alphanumerical characters	Market identifier as defined in ISO 10383

Table 2

Format of the publication and communication to the relevant competent authority by a trading venue operator of its decision to suspend or remove the financial instrument and related derivatives from trading; and of its decision to lift a suspension of a financial instrument and related derivatives

FIELD	DETAILS TO BE REPORTED	FORMAT FOR REPORTING
Date and time of the publication / communication	Field to be populated with the date and time of the publication / communication.	{DATE_TIME_FORMAT}
Action type	Field to be populated with the action type.	Suspension, removal, lifting of a suspension.
Reasons for the action	Field to be populated with the reasons for the action	{ALPHANUM-350}

FIELD	DETAILS TO BE REPORTED	FORMAT FOR REPORTING
Effective from	Field to be populated with the date and time from which the action is effective.	{DATE_TIME_FORMAT}
Effective to	Field to be populated with the date and time until which the action is effective.	{DATE_TIME_FORMAT}
Ongoing	Field to be populated with true if the action is ongoing or false otherwise.	'True' — Action is ongoing 'False' — Action is not ongoing
Trading venue(s)	Field to be populated with the MIC or MICs of the trading venues(s) or segments thereof to which the action relates.	{MIC} If multiple MICs have to be provided, this field shall be populated with multiple MICs separated by comma.
Issuer name	Field to be populated with the name of the issuer of the instrument to which the action relates.	{ALPHANUM-350}
Issuer	Field to be populated with the LEI of the issuer of the instrument to which the action relates.	{LEI}
Instrument identifier	Field to be populated with the ISIN of the instrument.	{ISIN}
Instrument full name	Field to be populated with the name of the instrument.	{ALPHANUM-350}
Related derivatives	Field to be populated with the ISINs of the related derivatives as specified in Commission Delegated Regulation (EU) 2017/569 ⁽¹⁾ , to which the action also relates.	{ISIN} If multiple ISINs have to be provided, this field shall be populated with multiple ISINs separated by comma.
Other related instruments	Field to be populated with the ISINs of the related derivatives affected by the action.	{ISIN} If multiple ISINs have to be provided, this field shall be populated with multiple ISINs separated by comma.
Comments	Field to be populated with comments.	{ALPHANUM-350}

⁽¹⁾ Commission Delegated Regulation (EU) 2017/569 of 24 May 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council with regard to regulatory technical standards for the suspension and removal of financial instruments from trading (OJ L 87, 31.3.2017, p. 122).

Table 3

Format of the publication and communication by Competent Authorities of the decision to suspend or remove a financial instrument and related derivatives from trading and to lift a suspension of a financial instrument and related derivatives

FIELD	DETAILS TO BE REPORTED	FORMAT FOR REPORTING
Competent authority	Field to be populated with the acronym of the competent authority doing the publication / communication.	{ALPHANUM-10}
Member State of the competent authority	Field to be populated with the country code of the Member State of the competent authority doing the publication / communication.	{COUNTRYCODE_2}

FIELD	DETAILS TO BE REPORTED	FORMAT FOR REPORTING
Trading venue operator as initiator of the action	Field to be populated with: — true, if the initiator of the action is a trading venue operator; or — false, if the initiator of the action is not a trading venue operator but a competent authority.	'True' — Trading venue initiator 'False' — Not a trading venue initiator
Date and time of the publication / communication	Field to be populated with the date and time of the publication / communication.	{DATE_TIME_FORMAT}
Action type	Field to be populated with the action type.	Suspension, removal, lifting of a suspension.
Reasons for the action	Field to be populated with the reasons for the action.	{ALPHANUM-350}
Effective from	Field to be populated with the date and time from which the action is effective.	{DATE_TIME_FORMAT}
Effective to	Field to be populated with the date and time until which the action is effective.	{DATE_TIME_FORMAT}
Ongoing	Field to be populated with true if the action is ongoing or false otherwise.	'True' — Action is ongoing 'False' — Action is not ongoing
Trading venue(s)	Field to be populated with the MIC or MICs of the trading venues(s) or segments thereof to which the action relates.	{MIC} If multiple MICs have to be provided, this field shall be populated with multiple MICs separated by comma.
Issuer name	Field to be populated with the name of the issuer of the instrument to which the action relates.	{ALPHANUM-350}
Issuer	Field to be populated with the LEI of the issuer of the instrument to which the action relates.	{LEI}
Instrument identifier	Field to be populated with the ISIN of the instrument.	{ISIN}
Instrument full name	Field to be populated with the name of the instrument.	{ALPHANUM-350}
Related derivatives	Field to be populated with the ISINs of the related derivatives as specified in Delegated Regulation (EU) 2017/569, to which the action also relates.	{ISIN} If multiple ISINs have to be provided, this field shall be populated with multiple ISINs separated by comma.
Other related instruments	Field to be populated with the ISINs of the related derivatives affected by the action.	{ISIN} If multiple ISINs have to be provided, this field shall be populated with multiple ISINs separated by comma.
Comments	Field to be populated with comments.	{ALPHANUM-350}

Table 4

Format of the communication to ESMA and other competent authorities by competent authorities of their decisions on whether to follow a suspension, a removal or a lifting of a suspension

FIELD	DETAILS TO BE REPORTED	FORMAT FOR REPORTING
Competent authority	Field to be populated with the acronym of the competent authority that communicated the original action.	{ALPHANUM-10}
Member State of the competent authority	Field to be populated with the country code of the Member State of the competent authority that communicated the original action.	{COUNTRYCODE_2}
Competent authority initiating the current action	Field to be populated with the acronym of the competent authority following or not following the original action.	{ALPHANUM-10}
Member State of the competent authority initiating the current action	Field to be populated with the country code of the Member State of the competent authority following or not following the original action.	{COUNTRYCODE_2}
Original action type	Field to be populated with the type of the original action.	Suspension, removal, lifting of a suspension.
Decision to follow, if applicable	Field to be populated, if applicable, with: — true if the action is followed; or — false if the action is not followed.	'True' — Action is followed 'False' — Action is not followed
Reasons for the decision not to follow a removal, suspension or lifting thereof, if applicable	Field to be populated with the reasons for the decision not to follow a removal, suspension or lifting thereof, if applicable.	{ALPHANUM-350}
Date and time of the communication	Field to be populated with the date and time of the communication of the current action.	{DATE_TIME_FORMAT}
Effective from	Field to be populated with the date and time from which the current action is effective.	{DATE_TIME_FORMAT}
Effective to	Field to be populated with the date and time until which the current action is effective.	{DATE_TIME_FORMAT}
Ongoing	Field to be populated with 'true' if the action is ongoing, or 'false' otherwise.	'True' — Action is ongoing 'False' — Action is not ongoing
Trading venue(s)	Field to be populated with the MIC or MICs of the trading venues(s) or segments thereof to which the current action relates.	{MIC} If multiple MICs have to be provided, this field shall be populated with multiple MICs separated by comma.

FIELD	DETAILS TO BE REPORTED	FORMAT FOR REPORTING
Issuer name	Field to be populated with the name of the issuer of the instrument to which the action relates.	{ALPHANUM-350}
Issuer	Field to be populated with the LEI of the issuer of the instrument to which the action relates.	{LEI}
Instrument identifier	Field to be populated with the ISIN of the instrument.	{ISIN}
Instrument full name	Field to be populated with the name of the instrument.	{ALPHANUM-350}
Related derivatives	Field to be populated with the ISINs of the related derivatives as specified in Delegated Regulation (EU) 2017/569, to which the action also relates.	{ISIN} If multiple ISINs have to be provided, this field shall be populated with multiple ISINs separated by comma.
Other related instruments	Field to be populated with the ISINs of the related derivatives affected by the action.	{ISIN} If multiple ISINs have to be provided, this field shall be populated with multiple ISINs separated by comma.
Comments	Field to be populated with comments.	{ALPHANUM-350}

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1006**of 15 June 2017****amending Implementing Regulation (EU) No 1206/2012 as regards the change of the production strain of the preparation of endo-1,4-beta-xylanase, produced by *Aspergillus oryzae* (DSM 10287) as feed additive for poultry for fattening, weaned piglets and pigs for fattening (holder of authorisation DSM Nutritional Products Ltd)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) The use of the preparation of endo-1,4-beta-xylanase produced by *Aspergillus oryzae* (DSM 10287), belonging to the additive category of 'zootechnical additives', was authorised for 10 years as a feed additive for poultry for fattening, weaned piglets and pigs for fattening by Commission Implementing Regulation (EU) No 1206/2012 ⁽²⁾.
- (2) In accordance with Article 13(3) of Regulation (EC) No 1831/2003, the holder of the authorisation has proposed changing the terms of the authorisation of the preparation concerned by requesting for a change in the production strain, from *Aspergillus oryzae* (DSM 10287) to *Aspergillus oryzae* (DSM 26372). The application was accompanied by the relevant supporting data. The Commission forwarded that application to the European Food Safety Authority (hereinafter 'the Authority').
- (3) The Authority concluded in its opinion of 14 July 2016 ⁽³⁾ that the preparation of endo-1,4-beta-xylanase produced by *Aspergillus oryzae* (DSM 26372) does not have any adverse effects on animal health, human health and the environment. The Authority further concluded that the additive has the potential to be efficacious as a zootechnical additive in poultry species for fattening, weaned piglets and pigs for fattening. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (4) The conditions provided for in Article 5 of Regulation (EC) No 1831/2003 are satisfied.
- (5) Implementing Regulation (EU) No 1206/2012 should therefore be amended accordingly.
- (6) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 1206/2012 is replaced by the text set out in the Annex to this Regulation.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ OJ L 347, 15.12.2012, p. 12.

⁽³⁾ EFSA Journal 2016; 14(8):4564.

Article 2

The preparation specified in the Annex, and feed containing that preparation, which are produced and labelled before 6 January 2018 in accordance with the rules applicable before 6 July 2017 may continue to be placed on the market and used until the existing stocks are exhausted.

Article 3

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

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

Done at Brussels, 15 June 2017.

For the Commission

The President

Jean-Claude JUNCKER

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Units of activity/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: digestibility enhancers									
4a1607i	DSM Nutritional Products Ltd	Endo-1,4-beta-xylanase EC 3.2.1.8	Additive composition	Poultry for fattening	—	100FXU	—	1. In the directions for use of the additive and premixtures, the storage conditions and stability to heat treatment shall be indicated. 2. Recommended maximum dose per kilogram of complete feedingstuff for: — poultry for fattening: 200 FXU; — piglets (weaned): 400 FXU; — pigs for fattening: 400 FXU. 3. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from its use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including breathing protection and skin protection. 4. For use in weaned piglets up to approximately 35 kg.	4 January 2023
			Preparation of endo-1,4-beta-xylanase produced by <i>Aspergillus oryzae</i> (DSM 26372) having a minimum activity of: Solid form: 1 000 FXU ⁽¹⁾ /g Liquid form: 650 FXU/ml	Weaned piglets		200FXU			
			Solid form: 1 000 FXU ⁽¹⁾ /g Liquid form: 650 FXU/ml <i>Characterisation of the active substance</i> endo-1,4-beta-xylanase produced by <i>Aspergillus oryzae</i> (DSM 26372) <i>Analytical method</i> ⁽²⁾ For quantification of endo-1,4-beta-xylanase produced by <i>Aspergillus oryzae</i> (DSM 26372) in a feed additive: — colorimetric method measuring coloured compound produced by the dinitro salicylic acid (DNSA) and the xylosylic moieties released by the action of xylanase on arabinoxylan.	Pigs for fattening		200FXU			

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Units of activity/kg of complete feedingstuff with a moisture content of 12 %			
			For quantification of endo-1,4-beta-xylanase produced by Aspergillus oryzae (DSM26372) in premixtures and feedingstuffs: — colorimetric method measuring water soluble dye released by action of xylanase from dye-labelled oat spelt azo-xylan.						

(¹) 1 FXU is the amount of enzyme which liberates 7,8 micromole of reducing sugars (xylose equivalents) from azo-wheat arabinoxylan per minute at pH 6,0 and 50 °C.

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

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1007
of 15 June 2017
concerning the authorisation of a preparation of lecithins as feed additive for all animal species
(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC ⁽²⁾.
- (2) Lecithins were authorised without a time limit in accordance with Directive 70/524/EEC as feed additive for all animal species. That additive was subsequently entered in the Register of feed additives as an existing product, in accordance with Article 10(1)(b) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 an application was submitted for the re-evaluation of a preparation of lecithins as feed additive for all animal species. The applicant requested that additive to be classified in the additive category 'technological additives' and in the functional group 'emulsifiers'. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 13 July 2016 ⁽³⁾ that, under the proposed conditions of use, the preparation of lecithins does not have an adverse effect on animal health, human health or the environment. The Authority also concluded that preparation is considered efficacious for use in feed as emulsifiers. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the methods of analysis of the feed additives in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of lecithins shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.
- (6) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs (OJ L 270, 14.12.1970, p. 1).

⁽³⁾ EFSA Journal 2016;14(8):4560.

HAS ADOPTED THIS REGULATION:

Article 1

Authorisation

The additive specified in the Annex belonging to the additive category 'technological additives' and to the functional group 'emulsifiers', is authorised as additive in animal nutrition, subject to the conditions laid down in that Annex.

Article 2

Transitional measures

1. The additive specified in the Annex and premixtures containing those additive which are produced and labelled before 6 January 2018 in accordance with the rules applicable before 6 July 2017 may continue to be placed on the market and used until the existing stocks are exhausted.
2. Compound feed and feed materials containing the additive as specified in the Annex which are produced and labelled before 6 July 2018 in accordance with the rules applicable before 6 July 2017 may continue to be placed on the market and used until the existing stocks are exhausted if they are intended for food-producing animals.
3. Compound feed and feed materials containing the additive as specified in the Annex which are produced and labelled before 6 July 2019 in accordance with the rules applicable before 6 July 2017 may continue to be placed on the market and used until the existing stocks are exhausted if they are intended for non-food-producing animals.

Article 3

Entry into force

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

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

Done at Brussels, 15 June 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

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

Category of technological additives. Functional group: emulsifiers

1c322	—	Lecithins	<p><i>Additive composition</i></p> <p>Preparation of lecithins having a minimum of:</p> <ul style="list-style-type: none"> — phospholipids ≥ 18 %, — lysophospholipids ≥ 11 %, — other phospholipids ≤ 6 %, <p>Moisture ≤ 1 %</p> <p><i>Characterisation of the active substance</i></p> <p>Lecithins (CAS No 8002-43-5) extracted from soybeans</p> <p><i>Analytical method</i> ⁽¹⁾</p> <p>For the characterisation of feed additive:</p> <p>Commission Regulation (EU) No 231/2012 ⁽²⁾ and the corresponding tests in the FAO JECFA monograph 'Lecithin' ⁽³⁾ ⁽⁴⁾</p>	All animal species	—	—	—	Use level in complete feed: 100-1 500 mg of additive/kg complete feed	6 July 2027
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⁽¹⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>.

⁽²⁾ Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).

⁽³⁾ FAO JECFA Combined Compendium of Food Additive Specifications, 'Lecithin', Monograph No. 4 (2007), <http://www.fao.org/food/food-safety-quality/scientific-advice/jecfa/jecfa-additives/detail/en/c/260/>.

⁽⁴⁾ FAO JECFA Combined Compendium for Food Additive Specifications — Analytical methods, test procedures and laboratory solutions used by and referenced in the food additive specifications, Vol. 4, <http://www.fao.org/docrep/009/a0691e/a0691e00.htm>.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1008

of 15 June 2017

concerning the authorisation of the preparation of of *Lactococcus lactis* PCM B/00039, *Carnobacterium divergens* PCM KKP 2012p, *Lactobacillus casei* PCM B/00080, *Lactobacillus plantarum* PCM B/00081 and *Saccharomyces cerevisiae* PCM KKP 2059p as a feed additive for chickens for fattening (holder of authorisation JHJ Ltd)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003 an application was submitted for the authorisation of the preparation of *Lactococcus lactis* PCM B/00039, *Carnobacterium divergens* PCM KKP 2012p, *Lactobacillus casei* PCM B/00080, *Lactobacillus plantarum* PCM B/00081 and *Saccharomyces cerevisiae* PCM KKP 2059p. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) That application concerns the authorisation of the preparation of of *Lactococcus lactis* PCM B/00039, *Carnobacterium divergens* PCM KKP 2012p, *Lactobacillus casei* PCM B/00080, *Lactobacillus plantarum* PCM B/00081 and *Saccharomyces cerevisiae* PCM KKP 2059p as a feed additive for chickens for fattening, to be classified in the additive category 'zootechnical additives'.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 12 July 2016 ⁽²⁾ that, under the proposed conditions of use, the preparation of *Lactococcus lactis* PCM B/00039, *Carnobacterium divergens* PCM KKP 2012p, *Lactobacillus casei* PCM B/00080, *Lactobacillus plantarum* PCM B/00081 and *Saccharomyces cerevisiae* PCM KKP 2059p does not have an adverse effect on animal health, human health or the environment, and that it has a potential to improve zootechnical performance in chickens for fattening. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of the preparation of of *Lactococcus lactis* PCM B/00039, *Carnobacterium divergens* PCM KKP 2012p, *Lactobacillus casei* PCM B/00080, *Lactobacillus plantarum* PCM B/00081 and *Saccharomyces cerevisiae* PCM KKP 2059p shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.⁽²⁾ EFSA Journal 2016;14(9):4555.

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition.

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, 15 June 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

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

Category of zootechnical additives. Functional group: gut flora stabilisers

4b1892	JHJ Ltd	<i>Lactococcus lactis</i> PCM B/00039, <i>Carnobacterium divergens</i> PCM KKP 2012p, <i>Lactobacillus casei</i> PCM B/00080, <i>Lactobacillus plantarum</i> PCM B/00081 and <i>Saccharomyces cerevisiae</i> PCM KKP 2059p	<p><i>Additive composition</i></p> <p>Preparation of <i>Lactococcus lactis</i> PCM B/00039, <i>Carnobacterium divergens</i> PCM KKP 2012p, <i>Lactobacillus casei</i> PCM B/00080, <i>Lactobacillus plantarum</i> PCM B/00081 and <i>Saccharomyces cerevisiae</i> PCM KKP 2059p containing a minimum of $1,2 \times 10^9$ CFU/g of total Lactic Acid Bacteria (LAB) and <i>Saccharomyces cerevisiae</i> PCM KKP 2059p 1×10^7 CFU/g</p> <p>having a minimum of:</p> <p><i>Lactococcus lactis</i> PCM B/00039 $\geq 5 \times 10^8$ CFU/g</p> <p><i>Carnobacterium divergens</i> PCM KKP 2012p $\geq 3 \times 10^8$ CFU/g</p> <p><i>Lactobacillus casei</i> PCM B/00080 $\geq 1 \times 10^8$ CFU/g</p> <p><i>Lactobacillus plantarum</i> PCM B/00081 $\geq 3 \times 10^8$ CFU/g</p> <p><i>Saccharomyces cerevisiae</i> PCM KKP 2059p $\geq 1 \times 10^7$ CFU/g</p>	Chickens for fattening	—	5×10^8 (LAB)	—	<ol style="list-style-type: none"> 1. In the directions for use of the additive and premixtures, indicate the storage temperature, storage life and stability to pelleting. 2. The use is permitted in feed containing the following authorised coccidiostats: narasin/nicarbazin, salinomycin sodium, diclazuril, decoquinate, or maduramicin ammonium. 3. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from their use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including breathing and skin protection. 	6 July 2027
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Identi- fication number of the additive	Name of the holder of authori- sation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of pe- riod of authori- sation
						CFU//kg of complete feeding- stuff with a moisture content of 12 %			
			<p><i>Characterisation of the active sub- stance</i></p> <p>Viable cells of <i>Lactococcus lactis</i> PCM B/00039, <i>Carnobacterium divergens</i> PCM KKP 2012p, <i>Lacto- bacillus casei</i> PCM B/00080, <i>Lacto- bacillus plantarum</i> PCM B/00081 and <i>Saccharomyces cerevisiae</i> PCM KKP 2059p</p> <p><i>Analytical method</i> ⁽¹⁾</p> <p>For the enumeration of <i>Lactococcus lactis</i> PCM B/00039 and <i>Carnobac- terium divergens</i> PCM KKP 2012p in the feed additive and feeding- stuffs:</p> <p>— Poured-plate method using de Man, Rogosa and Sharpe (MRS) agar ISO 15214</p> <p>For the enumeration of <i>Lactobacilli</i> in the feed additive and feeding- stuffs:</p> <p>— Poured-plate method using MRS agar EN 15787</p> <p>For the enumeration of <i>Saccharo- myces cerevisiae</i> PCM KKP 2059p in the feed additive and feedingstuffs:</p> <p>— Poured-plate method using chloramphenicol glucose yeast extract (CGYE) agar EN 15789</p>						

Identi- fication number of the additive	Name of the holder of authori- sation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of pe- riod of authori- sation
						CFU//kg of complete feeding- stuff with a moisture content of 12 %			
			For the identification of <i>Lacto- bacilli</i> , <i>Lactococcus lactis</i> PCM B/00039 and <i>Carnobacterium diver- gens</i> PCM KKP 2012p: — Identification: Pulsed-Field Gel Electrophoresis (PFGE) For the identification of <i>Saccharo- myces cerevisiae</i> PCM KKP 2059p: — Polymerase Chain Reaction (PCR)						

(¹) Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

DIRECTIVES

COMMISSION DELEGATED DIRECTIVE (EU) 2017/1009

of 13 March 2017

amending, for the purposes of adapting to technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium and lead in filter glasses and glasses used for reflectance standards

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment ⁽¹⁾, and in particular Article 5(1)(a) thereof,

Whereas:

- (1) Directive 2011/65/EU prohibits the use of lead and cadmium in electrical and electronic equipment placed on the market.
- (2) Optical filter glasses containing cadmium or lead are used in a wide variety of optical applications for many types of electrical and electronic equipment. Both cadmium and lead are used because of the unique optical properties that their use enables, such as 'sharp cut-off' in the visible spectrum that is unaffected by viewing angle.
- (3) Though various substitution routes exist, substitutes do not provide sufficient cut-off performance for all applications. In the few cases where alternatives are said to supply sufficient performance in this respect, the materials used are too sensitive to environmental conditions of operation and thus not sufficiently reliable.
- (4) In this sense, alternatives are still not suitable for many applications, for which finding alternatives is complicated and time-demanding, thus five years is a justified duration for the categories 1 to 7 and 10.
- (5) Certain optical filter glasses containing cadmium and/or lead should therefore be exempted until 21 July 2021 for categories 1 to 7 and 10. In view of the innovation cycles for the electrical and electronic equipment affected, the duration of this exemption is unlikely to have adverse impacts on innovation.
- (6) Directive 2011/65/EU should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex III to Directive 2011/65/EU is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, by 6 July 2018 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

⁽¹⁾ OJ L 174, 1.7.2011, p. 88.

They shall apply those provisions from 6 July 2018.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 13 March 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Annex III to Directive 2011/65/EU, point 13(b) is replaced by the following:

13(b)	Cadmium and lead in filter glasses and glasses used for reflectance standards	Applies to categories 8, 9 and 11; expires on: — 21 July 2023 for category 8 in vitro diagnostic medical devices; — 21 July 2024 for category 9 industrial monitoring and control instruments and for category 11; — 21 July 2021 for other subcategories of categories 8 and 9
13(b)-(I)	Lead in ion coloured optical filter glass types	Applies to categories 1 to 7 and 10; expires on 21 July 2021 for categories 1 to 7 and 10'
13(b)-(II)	Cadmium in striking optical filter glass types; excluding applications falling under point 39 of this Annex	
13(b)-(III)	Cadmium and lead in glazes used for reflectance standards	

**COMMISSION DELEGATED DIRECTIVE (EU) 2017/1010
of 13 March 2017**

amending, for the purposes of adapting to technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in bearing shells and bushes for certain refrigerant-containing compressors

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment ⁽¹⁾, and in particular Article 5(1)(a) thereof,

Whereas:

- (1) Directive 2011/65/EU prohibits the use of lead in electrical and electronic equipment placed on the market.
- (2) Lead is used in bearings of refrigerant compressors hermetically sealed to prevent leakage of the refrigerant. Lead provides low friction in the bearing by acting as a solid lubricant in case of inadequate lubrication.
- (3) Though lead-free bearings are viable, they still cannot reliably substitute lead bearings for the refrigerant-containing compressors with a stated electrical power input of 9 kW or lower.
- (4) Lead in bearing shells and bushes for refrigerant-containing hermetic scroll compressors with a stated electrical power input equal or below 9 kW for heating, ventilation, air conditioning and refrigeration (HVACR) applications should therefore be exempted until 21 July 2019. In view of the innovation cycles for HVACR applications, the duration of this exemption is unlikely to have adverse impacts on innovation.
- (5) Directive 2011/65/EU should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex III to Directive 2011/65/EU is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, by 6 July 2018 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 6 July 2018.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

⁽¹⁾ OJ L 174, 1.7.2011, p. 88.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 13 March 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Annex III to Directive 2011/65/EU, point 9(b) is replaced by the following:

'9(b)	Lead in bearing shells and bushes for refrigerant-containing compressors for heating, ventilation, air conditioning and refrigeration (HVACR) applications	Applies to categories 8, 9 and 11; expires on: — 21 July 2023 for category 8 in vitro diagnostic medical devices, — 21 July 2024 for category 9 industrial monitoring and control instruments and for category 11, — 21 July 2021 for other subcategories of categories 8 and 9.
9(b)-(l)	Lead in bearing shells and bushes for refrigerant-containing hermetic scroll compressors with a stated electrical power input equal or below 9 kW for heating, ventilation, air conditioning and refrigeration (HVACR) applications	Applies to category 1; expires on 21 July 2019.'

COMMISSION DELEGATED DIRECTIVE (EU) 2017/1011**of 15 March 2017****amending, for the purposes of adapting to technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in white glasses used for optical applications****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment ⁽¹⁾, and in particular Article 5(1)(a) thereof,

Whereas:

- (1) Directive 2011/65/EU prohibits the use of lead in electrical and electronic equipment placed on the market.
- (2) Lead-based glasses are used because they have unique combinations of properties and characteristics, such as light transmission performance, optical dispersion, thermal conductivity, birefringence and others.
- (3) Lead-free optical glasses of alternative designs exist in the form of lead-free glass, plastic lenses and alternative equipment design. Nonetheless, those alternatives that cannot provide for several properties and their combinations comparable to lead-based glasses.
- (4) Where finding substitutes was relatively straightforward, this has already occurred and substitutes are being used. Alternatives for the remaining applications are still not available. Thus substitution for the full application range is not possible in general. Lead in white glasses used for optical applications should therefore be exempted until 21 July 2021 for categories 1 to 7 and 10. In view of the innovation cycles for this type of optical applications, the duration of this exemption is unlikely to have adverse impacts on innovation.
- (5) Directive 2011/65/EU should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex III to Directive 2011/65/EU is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, by 6 July 2018 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 6 July 2018.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

⁽¹⁾ OJ L 174, 1.7.2011, p. 88.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 15 March 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Annex III to Directive 2011/65/EU, point 13(a) is replaced by the following:

'13(a)	Lead in white glasses used for optical applications	Applies to all categories; expires on: — 21 July 2023 for category 8 in vitro diagnostic medical devices; — 21 July 2024 for category 9 industrial monitoring and control instruments and for category 11; — 21 July 2021 for all other categories and subcategories'
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DECISIONS

POLITICAL AND SECURITY COMMITTEE DECISION (CFSP) 2017/1012

of 13 June 2017

extending the mandate of the Head of Mission of the European Union Rule of Law Mission in Kosovo* (EULEX KOSOVO) (EULEX KOSOVO/1/2017)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third paragraph of Article 38 thereof,

Having regard to the Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO ⁽¹⁾, and in particular Article 12(2) thereof,

Whereas:

- (1) Pursuant to Article 12(2) of Joint Action 2008/124/CFSP, the Political and Security Committee (PSC) is authorised, in accordance with the third paragraph of Article 38 of the Treaty, to take the relevant decisions for the purpose of exercising political control and strategic direction of the European Union Rule of Law Mission in Kosovo (EULEX KOSOVO), including the decision to appoint a Head of Mission.
- (2) On 14 June 2016, the Council adopted Decision (CFSP) 2016/947 ⁽²⁾ amending Joint Action 2008/124/CFSP and extending the duration of EULEX KOSOVO until 14 June 2018.
- (3) On 20 July 2016, the PSC adopted Decision (CFSP) 2016/1207 ⁽³⁾, appointing Ms Alexandra PAPADOPOULOU as Head of Mission of EULEX KOSOVO from 1 September 2016 to 14 June 2017.
- (4) On 30 May 2017, the High Representative of the Union for Foreign Affairs and Security Policy proposed to extend the mandate of Ms Alexandra PAPADOPOULOU as Head of Mission of EULEX KOSOVO for the period from 15 June 2017 to 14 June 2018,

HAS ADOPTED THIS DECISION:

Article 1

The mandate of Ms Alexandra PAPADOPOULOU as Head of Mission of the European Union Rule of Law Mission in Kosovo (EULEX KOSOVO) is hereby extended for the period from 15 June 2017 to 14 June 2018.

Article 2

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

Done at Brussels, 13 June 2017.

For the Political and Security Committee

The Chairperson

W. STEVENS

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence.

⁽¹⁾ OJ L 42, 16.2.2008, p. 92.

⁽²⁾ Council Decision (CFSP) 2016/947 of 14 June 2016 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo (EULEX Kosovo) (OJ L 157, 15.6.2016, p. 26).

⁽³⁾ Political and Security Committee Decision (CFSP) 2016/1207 of 20 July 2016 on the appointment of the Head of Mission of the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO (EULEX KOSOVO/1/2016) (OJ L 198, 23.7.2016, p. 49).

COMMISSION IMPLEMENTING DECISION (EU) 2017/1013**of 30 March 2017****drawing up the standard reporting form referred to in Article 17 of Regulation (EC) No 561/2006 of the European Parliament and of the Council***(notified under document C(2017) 1927)***(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 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 ⁽¹⁾, and in particular Article 25(2) thereof,

Having regard to the opinion of the Committee on Road Transport established by Article 42(1) of Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport ⁽²⁾,

Whereas:

- (1) The standard form referred to in Article 17(1) of Regulation (EC) No 561/2006 should be used as the medium through which the Member States communicate to the Commission, every 2 years, the necessary information for the preparation of a report on the implementation of that Regulation, Regulation (EU) No 165/2014 and on developments in the fields covered by those acts.
- (2) The standard form established by Commission Decision 2009/810/EC ⁽³⁾ should be repealed and a new Decision should be adopted in order to take into account, inter alia, the developments in the Union, such as the accession of Croatia, and the new rules on driving times and rest periods intervened since the adoption of that Decision.
- (3) The reporting requirements established by Regulation (EC) No 561/2006 and Directive 2006/22/EC of the European Parliament and of the Council ⁽⁴⁾ which lays down minimum conditions for its implementation cover in particular information on national exceptions granted by Member States under Article 13(1) of Regulation (EC) No 561/2006 and more precise details on checks undertaken on vehicles.
- (4) Directive 2002/15/EC of the European Parliament and of the Council ⁽⁵⁾ complements the provisions on driving time, breaks and rest periods laid down in Regulation (EC) No 561/2006.
- (5) In accordance with Article 13(1) of Directive 2002/15/EC, a report on the implementation of that Directive should be made by the Member States every 2 years. This 2-year period coincides with that laid down in Article 17(1) of Regulation (EC) No 561/2006. It is therefore appropriate for reasons of administrative convenience and effective monitoring of the impact of the Union rules in this field to make provision for the inclusion of this information on the standard form,

⁽¹⁾ OJ L 102, 11.4.2006, p. 1.

⁽²⁾ OJ L 60, 28.2.2014, p. 1.

⁽³⁾ Commission Decision 2009/810/EC of 22 September 2008 drawing up the standard reporting form referred to in Article 17 of Regulation (EC) No 561/2006 of the European Parliament and of the Council (OJ L 289, 5.11.2009, p. 9).

⁽⁴⁾ Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ L 102, 11.4.2006, p. 35).

⁽⁵⁾ Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ L 80, 23.3.2002, p. 35).

HAS ADOPTED THIS DECISION:

Article 1

The standard form referred to in Article 17(1) of Regulation (EC) No 561/2006 shall be drawn up in accordance with the specimen set out in the Annex to this Decision.

Article 2

1. Decision 2009/810/EC is repealed.
2. References to the repealed Decision shall be construed as references to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 30 March 2017.

For the Commission
Violeta BULC
Member of the Commission

ANNEX

Standard form for reporting on the implementation by Member States of Regulation (EC) No 561/2006, Regulation (EU) No 165/2014 and Directive 2002/15/EC in accordance with Article 17 of Regulation (EC) No 561/2006 and Article 13 of Directive 2002/15/EC

1. MEMBER STATE
2. REFERENCE PERIOD

(Article 17 of Regulation (EC) No 561/2006)

From (date):

To (date):

- ### 3. CALCULATION OF MINIMUM CHECKS TO BE CARRIED OUT

(Article 2 of Directive 2006/22/EC)

(a) Number of days worked per driver during the reference period:

(b) Total number of vehicles subject to Regulation (EC) No 561/2006:

(c) Total number of days worked [(a) * (b)]:

(d) Minimum checks [3 % from January 2010]:

- #### 4. CHECKS AT THE ROADSIDE

4.1. Number of drivers checked at the roadside by country of registration and main type of carriage

Main type of carriage	EU/EEA/Switzerland		Third Countries
	Nationals	Non-nationals	
Carriage of passengers			
Carriage of goods			
Total			

4.2. Number of vehicles stopped for roadside check by type of road and country of registration

[illegible]

Type of road	L	LT	LV	M	NL	P	PL	RO	S	SK	SLO	FL	IS	N	CH	Other	Total
Motorway																	
National road																	
Secondary road																	

4.3. Number of vehicles stopped for roadside check by type of tachograph

Type of tachograph	EU/EEA/Switzerland		Third Countries
	Nationals	Non-nationals	
Analogue			
Digital			
Smart ⁽¹⁾			
Total			

⁽¹⁾ Mandatory as of the date Annex IC to Commission Implementing Regulation (EU) 2016/799 (OJ L 139, 26.5.2016, p. 1) applies with effect.

If national statistics allow, please fill in also the table below giving the exact figures concerning vehicles fitted with digital tachograph:

(a) Number of vehicles fitted with digital tachograph	
(b) Share of vehicles fitted with digital tachograph in a total fleet of vehicles subject to Regulations	

4.4. Number of working days checked at the roadside by main type of carriage and country of registration

Main type of carriage	EU/EEA/Switzerland		Third Countries
	Nationals	Non-nationals	
Carriage of passengers			
Carriage of goods			
Total			

4.5. Offences — number and type of offences detected at the roadside

(R — offence against Regulation (EC) No 561/2006, D — offence against Directive 2006/22/EC)

Article	Type of offence	Carriage of passengers			Carriage of goods		
		EU/EEA/Switzerland		Third Countries	EU/EEA/Switzerland		Third Countries
		Nationals	Non-nationals		Nationals	Non-nationals	
R 6	Driving time: — daily limit — weekly limit — fortnightly limit						
R 6	Lack of records for other work and/or availability						
R 7	Breaks in driving time (driving more than 4,5 hours without break or break too short)						
R 8	Rest periods: — daily minimum — weekly minimum						
R 10 & 26	Driving time records: — records for the preceding 28 days						
D Annex I A	Recording equipment: — incorrect functioning — misuse or manipulation of the recording equipment						

5. CHECKS AT THE PREMISES OF UNDERTAKING

5.1. Number of drivers checked and number of working days checked at the premises of undertaking

Type of carriage	Number of drivers checked	Number of working days checked
I. Typology		
Carriage of passengers		
Carriage of goods		

Type of carriage	Number of drivers checked	Number of working days checked
II. Typology		
Carriage for hire or reward		
Carriage on own account		

5.2. Offences — number and type of offences detected at the premises

(R — offence against Regulation (EC) No 561/2006, D — offence against Directive 2006/22/EC)

Article	Type of offence	Carriage of passengers	Carriage of goods
R 6	Driving time: — daily limit — weekly limit — fortnightly limit		
R 6	Lack of records for other work and/or availability		
R 7	Breaks in driving time (driving more than 4,5 hours without break or break too short)		
R 8	Rest periods: — daily minimum — weekly minimum		
R 10 & 26	Driving time records: — 1 year for keeping data		
D Annex I A	Recording equipment: — incorrect functioning — misuse or manipulation of the recording equipment		

5.3. Number of undertakings and drivers checked at the premises by size of fleet of the undertaking

Size of fleet	Number of undertakings checked	Number of drivers checked	Number of offences detected
1			
2-5			
6-10			
11-20			
21-50			

Size of fleet	Number of undertakings checked	Number of drivers checked	Number of offences detected
51-200			
201-500			
Over 500			

6. NATIONAL ENFORCEMENT CAPACITY

- (a) Number of control officers involved in checks at the roadside and at the premises:
- (b) Number of control officers trained to be able to analyse data from digital tachographs at both the roadside or at company premises:
- (c) Number of units of equipment provided to control officers to be able to download, read and analyse data from digital tachographs at the roadside and company premises:

7. NATIONAL AND INTERNATIONAL INITIATIVES

7.1. National

- (a) Regulatory (including the update on what use has been made of exceptions under Article 13(1))
- (b) Administrative
- (c) Other

7.2. International

- (a) Concerted checks: number in each year, countries collaborating
- (b) Exchange of experience, data, staff: number of initiatives, people, subjects of exchange, countries collaborating

8. PENALTIES

8.1. Scales in the reference year

8.2. Changes

- (a) Date and nature of most recent changes (based on reference year)
- (b) Administrative or legal references

9. CONCLUSIONS AND COMMENTS, INCLUDING ANY DEVELOPMENTS IN THE FIELDS IN QUESTION

10. REPORT ON IMPLEMENTATION OF WORKING TIME DIRECTIVE 2002/15/EC

This section should in general include information on:

- how the report has been produced, what stakeholders have been consulted,
- implementation [legal situation, how the transposition changed the previous legal situation regarding working time, any specific difficulties encountered at the application of the Directive, measures taken in response to those difficulties, any flanking measures to facilitate the practical implementation of the legislation],

- monitoring of implementation [*bodies responsible for monitoring compliance with the rules, methods used for monitoring, problems encountered and solutions applied*],
- judicial interpretation [*indicate whether there have been court decisions at national level interpreting or applying the Directive on any significant issues, what were the key legal points on the issue*],
- assessment of effectiveness [*data used to assess the effectiveness of transposing measures, positive and negative aspects of practical implementation of the legislation*],
- outlook [*any priorities in the subject area, suggest adaptations or amendments to the Directive stating the reason, indicate any changes which are considered necessary to technical progress, suggest any flanking measures at EU level*].

11. PERSON RESPONSIBLE FOR THE COMPILATION OF THIS REPORT

Name:

Position:

Organisation:

Administrative address:

Tel./fax

Email:

Date:

COMMISSION IMPLEMENTING DECISION (EU) 2017/1014**of 15 June 2017****on the publication of the references of the European standards EN 13869:2016 on child safety requirements for lighters and EN 13209-2:2015 on baby carriers in the *Official Journal of the European Union* pursuant to Directive 2001/95/EC of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety ⁽¹⁾ and in particular the first subparagraph of Article 4(2) thereof,

Whereas:

- (1) Article 3(1) of Directive 2001/95/EC requires producers to place only safe products on the market.
- (2) Under the second subparagraph of Article 3(2) of Directive 2001/95/EC, a product is to be presumed safe, as far as the risks and risk categories covered by the relevant national standards are concerned, when it conforms to voluntary national standards transposing European standards, the references of which have been published by the Commission in the *Official Journal of the European Union* in accordance with Article 4 of that Directive.
- (3) Pursuant to Article 4(1) of Directive 2001/95/EC, European standards are drawn up by European standardisation organisations under mandates conferred by the Commission.
- (4) Pursuant to Article 4(2) of Directive 2001/95/EC, the Commission is to publish the references of such standards.
- (5) On 23 April 2008, the Commission adopted Decision 2008/357/EC ⁽²⁾ and on 7 June 2008 the Commission issued mandate M/427 to the European Committee for Standardisation (CEN) relative to child-resistance requirements for cigarette lighters.
- (6) In response to mandate M/427, CEN adopted standard EN 13869:2016 'Lighters — Child safety requirements for lighters — safety requirements and test methods'. Standard EN 13869:2016 fulfils mandate M/427 and complies with the general safety requirement set out in Directive 2001/95/EC. Its reference should therefore be published in the *Official Journal of the European Union*.
- (7) On 16 December 1997, the Commission issued mandate M/264 to CEN and to the European Committee for Electrotechnical Standardisation (Cenelec) related to the safety of child-care articles.
- (8) In response to mandate M/264, CEN adopted standard EN 13209-2:2015 'Child use and care articles — Baby carriers — Safety requirements and test methods — Part 2: Soft carrier'. Standard EN 13209-2:2015 fulfils mandate M/264 and complies with the general safety requirement set out in Directive 2001/95/EC. Its reference should therefore be published in the *Official Journal of the European Union*.
- (9) The measures provided for in this Decision are in accordance with the opinion of the committee established by Directive 2001/95/EC,

⁽¹⁾ OJ L 11, 15.1.2002, p. 4.

⁽²⁾ Commission Decision 2008/357/EC of 23 April 2008 on specific child safety requirements to be met by European standards for lighters pursuant to Directive 2001/95/EC of the European Parliament and of the Council (OJ L 120, 7.5.2008, p. 11).

HAS ADOPTED THIS DECISION:

Article 1

The references of the following standards shall be published in the C series of the *Official Journal of the European Union*:

- (a) EN 13869:2016 'Lighters — Child safety requirements for lighters — safety requirements and test methods';
- (b) EN 13209-2:2015 'Child use and care articles — Baby carriers — Safety requirements and test methods — Part 2: Soft carrier'.

Article 2

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

Done at Brussels, 15 June 2017.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING DECISION (EU) 2017/1015**of 15 June 2017****on greenhouse gas emissions covered by Decision No 406/2009/EC of the European Parliament and of the Council for the year 2014 for each Member State**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC ⁽¹⁾, and in particular Article 19(6) thereof,

Whereas:

- (1) Decision No 406/2009/EC of the European Parliament and of the Council ⁽²⁾ lays down greenhouse gas emissions limits (annual emission allocations) for each Member State for each year of the period 2013 to 2020 and a mechanism to annually assess compliance with those limits. Member States' annual emissions allocations expressed in tonnes of CO₂ equivalent are contained in Commission Decision 2013/162/EU ⁽³⁾. Those allocations were adjusted by Commission Implementing Decision 2013/634/EU ⁽⁴⁾.
- (2) Article 19 of Regulation (EU) No 525/2013 provides for a procedure for the review of Member States' greenhouse gas (GHG) emissions inventories for the purposes of assessing compliance with Decision No 406/2009/EC. The comprehensive review referred to in Article 19(1) of Regulation (EU) No 525/2013 was carried out on the basis of the 2014 emissions data reported to the Commission in April 2016 in accordance with the procedures laid down in Chapter III and Annex XVI to Commission Implementing Regulation (EU) No 749/2014 ⁽⁵⁾.
- (3) The total amount of GHG emissions covered by Decision No 406/2009/EC for the year 2014 for each Member State should take into consideration the technical corrections and revised estimates calculated during the comprehensive review as contained in the final review reports drawn up pursuant to Article 35(2) of Implementing Regulation (EU) No 749/2014.
- (4) This Decision should enter into force on the day of its publication in order to be aligned with the provisions of Article 19(7) of Regulation (EU) No 525/2013 which sets the date of publication of this Decision as the starting point for the four months period when Member States are allowed to use the flexibility mechanisms under Decision No 406/2009/EC,

HAS ADOPTED THIS DECISION:

Article 1

The total sum of greenhouse gas emissions covered by Decision No 406/2009/EC for each Member State for the year 2014 arising from the corrected inventory data upon completion of the comprehensive review referred to in Article 19(1) of Regulation (EU) No 525/2013 is set out in the Annex to this Decision.

⁽¹⁾ OJ L 165, 18.6.2013, p. 13.

⁽²⁾ Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

⁽³⁾ Commission Decision 2013/162/EU of 26 March 2013 on determining Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council (OJ L 90, 28.3.2013, p. 106).

⁽⁴⁾ Commission Implementing Decision 2013/634/EU of 31 October 2013 on the adjustments to Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council (OJ L 292, 1.11.2013, p. 19).

⁽⁵⁾ Commission Implementing Regulation (EU) No 749/2014 of 30 June 2014 on structure, format, submission processes and review of information reported by Member States pursuant to Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 203, 11.7.2014, p. 23).

Article 2

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

Done at Brussels, 15 June 2017.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Member State	Greenhouse gas emissions for the year 2014 covered by Decision No 406/2009/EC (tonnes of carbon dioxide equivalent)
Belgium	70 054 910
Bulgaria	22 900 867
Czech Republic	57 620 658
Denmark	32 643 514
Germany	436 790 185
Estonia	6 083 093
Ireland	41 663 021
Greece	44 409 918
Spain	199 755 020
France	353 528 786
Croatia	14 663 196
Italy	265 275 604
Cyprus	3 924 856
Latvia	9 017 595
Lithuania	12 922 268
Luxembourg	8 858 306
Hungary	38 423 028
Malta	1 291 392
Netherlands	97 887 338
Austria	48 194 334
Poland	181 543 023
Portugal	38 836 638
Romania	72 534 134
Slovenia	10 472 374
Slovakia	19 782 144
Finland	30 146 832
Sweden	34 522 651
United Kingdom	324 444 705

