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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/743

of 30 March 2020

amending Delegated Regulation (EU) 2017/891 as regards the calculation of the value of marketed production of producer organisations in the fruit and vegetables sector

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 37(c)(i) and (iv) thereof,

Whereas:

- (1) Plant diseases or pest infestations have increasingly damaged the production of fruit and vegetables in the Union for several years. For instance, in 2013–2018 outbreaks and spread of *Xylella fastidiosa* affected, among others, stone fruit trees, such as plums, cherries and almonds in Italy, Spain and France. In 2018–2019 the introduction and spread of invasive Tomato brown rugose fruit virus (ToBRFV) damaged tomato (*Solanum lycopersicum* L.) and pepper (*Capsicum annuum*) production in Italy and Germany. As for pests, for instance *Eurytoma schreineri* Schreiner introduced in the Union with imports in 2013, caused damage to plum, apricot and cherry production in Bulgaria and in the neighbouring countries. Most recently, in 2019, the Asian brown marmorated stink bug (*Halyomorpha halys*) caused high production losses in the northern regions of Italy, namely Emilia Romagna, Veneto, Trentino Alto-Adige, Lombardia, Piemonte and Friuli Venezia Giulia and impacted negatively on the value of marketed production of the producer organisations operating in those regions.
- (2) In view of the increase in the frequency of phytosanitary damage, a long-term solution regarding the calculation of the value of marketed production of producer organisations is needed, in order to reinforce their resilience for the future. It is necessary to amend Commission Delegated Regulation (EU) 2017/891 ⁽²⁾ by providing for flexibility in the calculation of the value of marketed production of producer organisations in the Union in case they face phytosanitary damage, making the production unusable for consumption and processing.
- (3) Large losses in the value of marketed production caused by phytosanitary damage have a major impact on the amount of Union aid received by producer organisations in the subsequent year, as the amount of Union aid is calculated as a percentage of the value of marketed production of each producer organisation. Where a large part or the entire harvest is lost, producer organisations risk losing their recognition, as one of the criteria for the recognition is reaching a certain minimum value of marketed production fixed at national level. This would entail a double economic loss, which would put at risk the long-term stability of producer organisations.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Delegated Regulation (EU) 2017/891 of 13 March 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the fruit and vegetables and processed fruit and vegetables sectors and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to penalties to be applied in those sectors and amending Commission Implementing Regulation (EU) No 543/2011 (OJ L 138, 25.5.2017, p. 4).

- (4) More flexibility should therefore be allowed as regards the calculation of value of marketed production for producer organisations. This is necessary to avoid situations where producer organisations that invest in preventive measures and nonetheless incur substantial phytosanitary damage not only incur losses of their value of marketed production but also see their Union financial assistance substantially and abruptly decreased in the subsequent year. Such flexibility in calculation of the value of marketed production should however only be available to producer organisations, that prove that they have taken the necessary preventive measures against plant diseases and pest infestations, such as protective nets, pest and disease monitoring, biological pest control and other measures reducing the occurrence of pests and diseases and the damage to production that they cause.
- (5) In view of the increased frequency of pest infestations or plant diseases and the resulting significantly larger production loss compared to weather-related damage, the safeguard established by Article 23(4) of Delegated Regulation (EU) 2017/891 pursuant to which the value of marketed production of a product is to be deemed to represent 65 % of its value in the previous reference period, is insufficient.
- (6) Therefore, and due to the need to achieve economic and financial stability of producer organisations concerned by large losses in the value of marketed production caused by phytosanitary damage the threshold for the calculation of the value of marketed production should be increased. In view of this, and taking into consideration the important damage caused by the recent pest infestations, the value of marketed production laid down in Article 23 (4) of Delegated Regulation (EU) 2017/891 should be increased to 85 %.
- (7) In view of the implementation of operational programmes by calendar years and considering that the calculation of value of marketed production that determines the amount of Union financial assistance is based on the previous calendar year, it is necessary that this Regulation enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (8) Delegated Regulation (EU) 2017/891 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Delegated Regulation (EU) 2017/891

In Article 23 of Delegated Regulation (EU) 2017/891, paragraph 4 is replaced by the following:

‘4. Where a reduction of at least 35 % in the value of a product has occurred due to reasons falling outside the responsibility and control of the producer organisation, the value of marketed production of that product shall be deemed to represent 65 % of its value in the previous reference period. The producer organisation shall prove to the competent authority of the Member State concerned that those reasons were falling outside its responsibility and control.

Where a reduction of at least 35 % in the value of a product has occurred due to plant diseases or pest infestations falling outside the responsibility and control of the producer organisation, the value of marketed production of that product shall be deemed to represent 85 % of its value in the previous reference period. The producer organisation shall prove to the competent authority of the Member State concerned that it has taken the necessary preventive measures against the plant disease or pest infestation concerned.

This paragraph shall also apply for the purpose of determining compliance with the minimum value of marketed production as provided for in Article 9.’

*Article 2***Entry into force**

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

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

Done at Brussels, 30 March 2020.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/744**of 4 June 2020****on amending Implementing Regulation (EU) 2016/1800 laying down implementing technical standards with regard to the allocation of credit assessments of external credit assessment institutions to an objective scale of credit quality steps in accordance with Directive 2009/138/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 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) ⁽¹⁾, and in particular Article 109a(1) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/1800 ⁽²⁾ specifies, among others, in its Annex, the correspondence of the relevant credit assessments issued by an external credit assessment institution ('ECAI') to the credit quality steps set out in Section 2 of Chapter I of Title I of Commission Delegated Regulation (EU) 2015/35 ⁽³⁾ ('External credit assessments').
- (2) Following the latest amendments, by Commission Implementing Regulation (EU) 2018/633 ⁽⁴⁾, to the Annex to Implementing Regulation (EU) 2016/1800 the quantitative and qualitative factors underpinning the credit assessments of some mappings in the Annex to Implementing Regulation (EU) 2016/1800 have changed. In addition, some ECAIs have extended their credit assessments to new market segments, resulting in new rating scales and new credit rating types. It is therefore necessary to update the mappings of the ECAIs concerned.
- (3) Since the adoption of Implementing Regulation (EU) 2018/633, another credit rating agency has been registered in accordance with Regulation (EC) No 1060/2009 of the European Parliament and of the Council ⁽⁵⁾. As Article 136(1) of Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽⁶⁾ requires the specification of mappings for all ECAIs, it is necessary to provide a mapping for that newly registered ECAI. The credit assessments applied by the newly registered ECAI are based on the same methodology as those applied by its parent company, a third country ECAI for which a mapping had already been established. It is therefore appropriate in this specific case that the mapping for the newly registered ECAI mirrors the mapping established for that third country ECAI.
- (4) This Regulation is based on the draft implementing technical standards submitted by the European Banking Authority (the EBA), the European Securities and Markets Authority (ESMA) and the European Insurance and Occupational Pensions Authority (EIOPA) jointly (the European Supervisory Authorities) to the Commission.

⁽¹⁾ OJ L 335, 17.12.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2016/1800 of 11 October 2016 laying down implementing technical standards with regard to the allocation of credit assessments of external credit assessment institutions to an objective scale of credit quality steps in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 275, 12.10.2016, p. 19).

⁽³⁾ Commission Delegated Regulation (EU) 2015/35 of 10 October 2014 supplementing Directive 2009/138/EC of the European Parliament and of the Council on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (OJ L 12, 17.1.2015, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2018/633 of 24 April 2018 amending Implementing Regulation (EU) 2016/1800 laying down implementing technical standards with regard to the allocation of credit assessments of external credit assessment institutions to an objective scale of credit quality steps in accordance with Directive 2009/138/EC of the European Parliament and of the Council (OJ L 105, 25.4.2018, p. 6).

⁽⁵⁾ Regulation (EC) No 1060/2009 of the European Parliament and of the Council of 16 September 2009 on credit rating agencies (OJ L 302, 17.11.2009, p. 1).

⁽⁶⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

- (5) The European Supervisory Authorities have conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽⁷⁾; the opinion of the Securities and Markets Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1095/2010 of the European Parliament and of the Council ⁽⁸⁾; and the opinion of the Insurance and Reinsurance Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1094/2010 of the European Parliament and of the Council ⁽⁹⁾.
- (6) Implementing Regulation (EU) 2016/1800 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Implementing Regulation (EU) 2016/1800

The Annex to Implementing Regulation (EU) 2016/1800 is replaced by the text in the Annex to this Regulation.

Article 2

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, 4 June 2020.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁷⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

⁽⁸⁾ 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).

⁽⁹⁾ Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ L 331, 15.12.2010, p. 48).

Allocation of credit assessments of external credit assessment institutions to an objective scale of credit quality steps in accordance with Directive 2009/138/EC

Credit quality step	0	1	2	3	4	5	6
<i>ACRA Europe a.s (formerly European Rating Agency a.s.)</i>							
Global long-term rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Global short-term rating scale		S1		S2	S3, S4, NS		
<i>AM Best Europe-Rating Services Ltd.</i>							
Long-term issuer credit ratings scale	aaa	aa, aa-	a+, a, a-	bbb+, bbb, bbb-	bb+, bb, bb-	b+, b, b-	ccc+, ccc, ccc-, cc, c, d, e, f, s
Long-term issue ratings scale	aaa	aa, aa-	a+, a, a-	bbb+, bbb, bbb-	bb+, bb, bb-	b+, b, b-	ccc+, ccc, ccc-, cc, c, d, s
Financial strength ratings scale		A++, A+	A, A-	B++, B+	B, B-	C++, C+	C, C-, D, E, F, S
Short-term issuer ratings scale		AMB-1+	AMB-1-	AMB-2, AMB-3	AMB- 4, d, e, f, s		
Short-term issue ratings scale		AMB-1+	AMB-1-	AMB-2, AMB-3	AMB- 4, d, s		
<i>ARC Ratings S.A.</i>							
Medium and long-term issuers rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Medium and long-term issues rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Short-term issuers rating scale		A-1+	A-1	A-2, A-3	B, C, D		
Short-term issues rating scale		A-1+	A-1	A-2, A-3	B, C, D		
<i>ASSEKURATA Assekuranz Rating-Agentur GmbH</i>							
Long-term credit rating scale	AAA	AA	A	BBB	BB	B	CCC, CC/C, D
Short-term corporate rating scale		A++	A		B, C, D		
<i>Axesor Risk Management SL</i>							

Global rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D, E
<i>Banque de France</i>							
Global long-term issuer credit ratings scale		3++	3+, 3	4+	4, 5+	5, 6	7, 8, 9, P
<i>BCRA – Credit Rating Agency AD</i>							
Global long-term ratings scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Global short-term ratings scale		A-1+	A-1	A-2, A-3	B, C, D		
Pension-insurance company long-term scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Pension-insurance company short-term scale		A-1+	A-1	A-2, A-3	B, C, D		
Pension fund long-term scale	AAA pf	AA pf	A pf	BBB pf	BB pf	B pf	C pf
Guarantee fund long-term scale	AAA	AA	A	BBB	BB	B	C, D
Guarantee fund short-term scale		A-1+	A-1	A-2, A-3	B, C, D		
<i>Capital Intelligence Ratings Ltd</i>							
International long-term issuer rating scale	AAA	AA	A	BBB	BB	B	C, RS, SD, D
International long-term issue rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
International long-term insurer financial strength rating scale	AAA	AA	A	BBB	BB	B	C,RS, SD, D
International short-term issuer rating scale		A1+	A1	A2, A3	B, C, RS, SD, D		
International short-term issue rating scale		A1+	A1	A2, A3	B, C, D		
International short-term insurer financial strength rating scale		A1+	A1	A2, A3	B, C, RS, SD, D		
<i>Cerved Rating Agency S.p.A.</i>							
Corporate long-term rating scale	A1.1	A1.2, A1.3	A2.1, A2.2, A3.1	B1.1, B1.2	B2.1, B2.2	C1.1	C1.2, C2.1
<i>Creditreform Rating AG</i>							
Long-term rating scale	AAA	AA	A		BBB	BB	B, C, SD, D
<i>CRIF Ratings S.r. l.</i>							

Long-term issuer rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D1S, D
Long-term issue rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, DS
Short-term issuer rating scale		IG-1		IG-2	SIG-1, SIG-2, SIG-3, SIG-4		
Short-term issue rating scale		IG-1		IG-2	SIG-1, SIG-2, SIG-3, SIG-4		
<i>Dagong Europe Credit Rating</i>							
Long-term credit rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Short-term credit rating scale		A-1		A-2, A-3	B, C, D		
<i>DBRS Ratings Limited</i>							
Long-term obligations rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Commercial paper and short-term debt rating scale		R-1 H, R-1 M	R-1 L	R-2, R-3	R-4, R-5, D		
Financial Strength rating scale		AAA, AA	A	BBB	BB	B	CCC, CC, C, R
<i>Egan-Jones Ratings Co.</i>							
Long-term credit rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Short-term credit rating scale		A-1+	A-1	A-2	A-3, B, C, D		
<i>Euler Hermes Rating GmbH</i>							
Global long-term rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, SD, D
<i>EuroRating Sp. z o.o.</i>							
Global long-term rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
<i>Fitch Ratings</i>							
Long-term issuer default ratings scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, RD, D
Corporate finance obligations – Long-term ratings scale	AAA	AA	A	BBB	BB	B	CCC, CC, C
Long-term international IFS ratings scale	AAA	AA	A	BBB	BB	B	CCC, CC, C

Derivative counterparty ratings scale		AAA dcr, AA dcr	A dcr	BBB dcr	BB dcr	B dcr	CCC dcr, CC dcr, C dcr	
Short-term rating scale		F1+	F1	F2, F3	B, C, RD, D			
Short-term IFS ratings scale		F1+	F1	F2, F3	B, C			
<i>GBB-Rating Gesellschaft für Bonitätsbeurteilung mbH</i>								
Global long-term rating scale		AAA	AA	A, BBB	BB	B	CCC, CC, C, D	
<i>HR Ratings de México, S.A. de C. V.</i>								
Global long-term rating scale		HRAAA (G)	HR AA (G)	HR A(G)	HR BBB(G)	HR BB(G)	HR B(G) HR C(G)/HR D(G)	
Global short-term rating scale		HR+1 (G)	HR1(G)	HR2(G)	HR3(G)	HR4(G), HR5 (G), HR D(G)		
<i>ICAP Group S.A</i>								
Global long-term rating scale			AA, A	BB, B	C, D	E, F	G, H	
<i>INC Rating Sp. z o.o.</i>								
Long-term issuer credit rating scale			AA	A	BBB	BB	B	CCC, CC, C, D
<i>Japan Credit Rating Agency Ltd</i>								
Long-term issuer ratings scale		AAA	AA	A	BBB	BB	B	CCC, CC, C, LD, D
Long-term issue ratings scale		AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Short-term issuer ratings scale			J-1+	J-1	J-2	J-3, NJ, LD, D		
Short-term issue credit ratings scale			J-1+	J-1	J-2	J-3, NJ, D		
<i>Kroll Bond Rating Agency</i>								
Long-term credit rating scale		AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Short-term credit rating scale			K1+	K1	K2, K3	B, C, D		
<i>Kroll Bond Rating Agency Europe</i>								

Long-term credit rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Short-term credit rating scale		K1+	K1	K2, K3	B, C, D		
<i>modeFinance S.r.l.</i>							
Global long-term rating scale	A1	A2	A3	B1	B2	B3	C1, C2, C3, D
<i>Moody's Investors Service</i>							
Global long-term rating scale	Aaa	Aa	A	Baa	Ba	B	Caa, Ca, C
Global short-term rating scale		P-1	P-2	P-3	NP		
<i>QIVALIO SAS (formerly Spread Research)</i>							
Global long-term rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Global short-term rating scale		SR0		SR1, SR2	SR3, SR4, SR5, SRD		
<i>Rating-Agentur Expert RA GmbH</i>							
International credit rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D, E
International reliability rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D, E
<i>Scope Ratings AG</i>							
Long-term rating scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Short-term rating scale		S-1+	S-1	S-2	S-3, S-4		
<i>S&P Global Ratings</i>							
Long-term issuer credit ratings scale	AAA	AA	A	BBB	BB	B	CCC, CC, R, SD/D
Long-term issue credit ratings scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D
Insurer financial strength ratings scale	AAA	AA	A	BBB	BB	B	CCC, CC, SD/D, R
Mid-Market Evaluation ratings scale			MM1	MM2	MM3, MM4	MM5, MM6	MM7, MM8, MMD
Short-term issuer credit ratings scale		A-1+	A-1	A-2, A-3	B, C, R, SD/D		
Short-term issue credit ratings scale		A-1+	A-1	A-2, A-3	B, C, D		
<i>The Economist Intelligence Unit Ltd</i>							
Sovereign rating band scale	AAA	AA	A	BBB	BB	B	CCC, CC, C, D'

COMMISSION IMPLEMENTING REGULATION (EU) 2020/745**of 4 June 2020****amending Regulation (EU) 2018/1042 as regards postponing dates of application of certain measures in the context of the COVID-19 pandemic****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 23, Article 31 and Article 62(15) thereof,

Whereas:

- (1) Measures introduced to contain the COVID-19 pandemic severely hamper the ability of Member States and the aviation industry to prepare for the application of a number of recently adopted Implementing Regulations in the field of aviation safety.
- (2) Confinement and changes in the working conditions and availability of employees, combined with the additional workload required to manage the significant negative consequences of the COVID-19 pandemic for all stakeholders, are impairing preparations for the application of these Implementing Regulations.
- (3) New requirements for alcohol testing, peer support programmes, and psychological assessments of pilots as introduced by Commission Regulation (EU) 2018/1042 ⁽²⁾ cannot be applied by the Member States within the timeframe laid down in that Regulation, that is from 14 August 2020, because they adopted various confinement measures. Member States are not in the position to ensure that the crews will have a possibility to comply with the new obligations introduced by Regulation (EU) 2018/1042, as that could hinder the availability of crews at the resumption of flights in the context of the recovery from the COVID-19 pandemic. The date of application of those requirements should therefore be postponed for 6 months in order to allow the Member States to offset the negative impact of the delay in putting those measures into practice caused by the COVID-19 pandemic.
- (4) The European Union Aviation Safety Agency has confirmed to the Commission that postponing the application of the provisions referred to in recital 3 is possible without having a detrimental effect on aviation safety, since it will be for a very limited period and in the context of recovery from the COVID-19 pandemic air traffic is likely to experience low and gradual rates of resumption, with less exposure to the risks identified in the area of psychoactive substances testing and psychological support programmes.
- (5) In order to provide an immediate relief for national authorities and all stakeholders during the COVID-19 pandemic and allow them to adapt their planning to prepare for the postponed application of the provisions concerned, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 212, 22.8.2018, p. 1.

⁽²⁾ Commission Regulation (EU) 2018/1042 of 23 July 2018 amending Regulation (EU) No 965/2012, as regards technical requirements and administrative procedures related to introducing support programmes, psychological assessment of flight crew, as well as systematic and random testing of psychoactive substances to ensure medical fitness of flight and cabin crew members, and as regards equipping newly manufactured turbine-powered aeroplanes with a maximum certified take-off mass of 5 700 kg or less and approved to carry six to nine passengers with a terrain awareness warning system (OJ L 188, 25.7.2018, p. 3).

- (6) The measures provided for in this Regulation are in accordance with the opinion of the committee established by Article 127 of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EU) 2018/1042, the third paragraph is replaced by the following:

‘However, points 1 and 3 of Article 1 shall apply from 14 February 2021 and points 3(f) and 6(b) of the Annex shall apply from 14 August 2018.’.

Article 2

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

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

Done at Brussels, 4 June 2020.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/746**of 4 June 2020****amending Implementing Regulation (EU) 2019/947 as regards postponing dates of application of certain measures in the context of the COVID-19 pandemic****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 57 thereof,

Whereas:

- (1) Measures introduced to contain the COVID-19 pandemic severely hamper the ability of Member States and the aviation industry to prepare for the application of a number of recently adopted Implementing Regulations in the field of aviation safety.
- (2) Confinement and changes in the working conditions and availability of employees combined with the additional workload required to manage the significant negative consequences of the COVID-19 pandemic for all stakeholders are impairing preparations for the application of these Implementing Regulations.
- (3) A delay in executing the different tasks required for the proper and timely implementation of Commission Implementing Regulation (EU) 2019/947 ⁽²⁾, notably the establishment of registration systems that are digital and interoperable, as well as the adaptation of authorisations, declarations and certifications issued on the basis of national law, is inevitable as a consequence of the COVID-19 pandemic.
- (4) The standardisation process and other related activities led by the industry and standardisation bodies, such as preparation of testing methodologies, or the testing of technical features, such as the remote identification, has been delayed. This in turn will have a negative impact on the capacity of manufacturers to put on the market unmanned aircraft systems ('UAS') meeting the new standardised requirements in accordance with Commission Delegated Regulation (EU) 2019/945 ⁽³⁾.
- (5) All UAS types should thus be allowed to continue to operate under the existing conditions for an additional 6 months. Therefore, the dates of application of Implementing Regulation (EU) 2019/947 should be postponed accordingly in order to allow UAS operators to be able to use UAS not complying with Delegated Regulation (EU) 2019/945 for additional 6 months.
- (6) The European Union Aviation Safety Agency confirmed to the Commission that postponing the application of the provisions referred to in recital 3 is possible without having a detrimental effect on aviation safety, since it will be for a very limited period, the air traffic is likely to resume slowly in the context of recovery from the COVID-19 pandemic resulting in less exposure to the risks, and national law will continue to apply in those Member States where UAS operations are permitted.
- (7) In order to provide an immediate relief for national authorities and all stakeholders during the COVID-19 pandemic and allow them to adapt their planning to prepare for the postponed application of the provisions concerned, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the committee established by Article 127 of Regulation (EU) 2018/1139,

⁽¹⁾ OJ L 212, 22.8.2018, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (OJ L 152, 11.6.2019, p. 45).

⁽³⁾ Commission Delegated Regulation (EU) 2019/945 of 12 March 2019 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems (OJ L 152, 11.6.2019, p. 1.)

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2019/947 is amended as follows:

- (1) in Article 20, '1 July 2022' is replaced by '1 January 2023';
- (2) Article 21 is amended as follows:
 - (a) in paragraph 1, '1 July 2021' is replaced by '1 January 2022';
 - (b) in paragraph 2, '1 July 2021' is replaced by '1 January 2022';
 - (c) in paragraph 3, '1 July 2022' is replaced by '1 January 2023';
- (3) in Article 22, 'two years' is replaced by '30 months';
- (4) Article 23 is amended as follows:
 - (a) in paragraph 1, the second subparagraph is replaced by the following:

'It shall apply from 31 December 2020.';
 - (b) paragraph 5 is replaced by the following:

'5. Paragraph 3 of Article 15 shall apply from 1 January 2022.'.

Article 2

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

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

Done at Brussels, 4 June 2020.

For the Commission
The President
Ursula VON DER LEYEN

CORRIGENDA**Corrigendum to Commission Delegated Regulation (EU) 2019/625 of 4 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption**

(Official Journal of the European Union L 131 of 17 May 2019)

On page 28, in point (c) of Article 13(1):

for: (c) sprouts and seeds intended for the production of sprouts and referred to by the following HS codes: 0704 90, 0706 90, 0708 10, 0708 20, 0708 90, 0713 10, 0713 33, 0712 34, 0712 35, 0713 39, 0713 40, 0712 50, 0712 60, 0713 90, 0910 99, 1201 10, 1201 90, 1207 50, 1207 99, 1209 10, 1209 21, 1209 91 or 1214 90 of Part Two of Annex I to Regulation (EEC) No 2658/87.;

read: (c) sprouts and seeds intended for the production of sprouts and referred to by the following HS codes: 0704 90, 0706 90, 0708 10, 0708 20, 0708 90, 0713 10, 0713 33, 0713 34, 0713 35, 0713 39, 0713 40, 0713 50, 0713 60, 0713 90, 0910 99, 1201 10, 1201 90, 1207 50, 1207 99, 1209 10, 1209 21, 1209 91 or 1214 90 of Part Two of Annex I to Regulation (EEC) No 2658/87.;

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