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## Legislation

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

# EN

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

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## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION DELEGATED REGULATION (EU) 2021/424

of 17 December 2019

amending Regulation (EU) No 575/2013 of the European Parliament and of the Council with regard to the alternative standardised approach for market risk

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 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 <sup>(1)</sup>, and in particular Article 461a thereof:

- (1) In 2019, the Basel Committee on Banking Supervision (BCBS) published the revised 'Minimum capital requirements for market risk', which addressed the weaknesses in the prudential treatment of banks' trading book activities <sup>(2)</sup>.
- (2) The alternative standardised approach laid down in Chapter 1a of Title IV of Part Three of Regulation (EU) No 575/2013 currently lacks technical specifications to be fully operational. Those specifications should be aligned with the BCBS Minimum capital requirements for market risk.
- (3) The BCBS Minimum capital requirements for market risk specify the calculation of the own funds requirements for curvature risk for instruments with optionality. That calculation comprises a number of steps, including how to apply shocks to risk factors and how to aggregate curvature risk across risk factors. For foreign exchange risk factors, the calculation needs to be adjusted to avoid double-counting curvature risks. Without that adjustment, such double-counting may occur because in the BCBS Minimum capital requirements for market risk, foreign exchange risk factors are expressed using the reporting currency of an institution.
- (4) Instruments without optionality should only be subject to own funds requirements for delta risk for the non-exotic underlying(s) of the instruments, but not for curvature risk. The BCBS Minimum capital requirements for market risk, however, gives institutions the option to subject all instruments, including those without optionality, to own funds requirements for curvature risk. That option can be helpful for institutions that manage and hedge positions with and without optionality together. However, to avoid that that option is used primarily for the purpose of reducing own funds requirements, an institution wishing to exercise that option should be required to notify its intention to use that option to its competent authority, which should have the possibility to refuse the use of that option. The same should apply where an institution no longer wishes to use that option.

<sup>(1)</sup> OJ L 176, 27.6.2013, p. 1.

<sup>(2)</sup> Basel Committee on Banking Supervision, Minimum capital requirements for market risk. This publication is available on the website of the Bank for International Settlements ([www.bis.org](http://www.bis.org)).

- (5) In relation to the treatment of positions in collective investment undertakings (CIUs), the look-through approach is the most accurate approach for the calculation of own funds requirements for positions in CIUs because that approach relies on the actual composition of the CIUs instead of a proxy composition. The availability of the look-through approach, however, requires certain strict conditions to be met. Institutions should therefore be allowed to use other approaches, provided they are aware of the content of the mandate of the CIU and can obtain daily price quotes. In that situation, institutions can set up a hypothetical portfolio to compute the own funds requirements for market risk of the position in the CIU. These institutions should also have the possibility to calculate the own funds requirements for credit valuation adjustment risk of derivative positions included in the CIU using a simplified approach where there is not sufficient information to calculate the own funds requirements for credit valuation adjustment risk based on the existing approaches. That possibility should be aligned with the simplified approach applicable to derivative positions included in the CIUs allocated to the non-trading book. Because of the number of assumptions that institutions need to make when using that approach, its use should be subject to the approval of the competent authority at the level of each individual CIU.
- (6) In addition, institutions should have the option to treat a CIU position that tracks an index as a direct position in that index for the purposes of calculating the own funds requirements for market risk. That approach should be allowed where the difference in annualised return between the CIU and the index it tracks remains below 1 % over a 12-month period. Where less than 12 months of data are available, institutions should seek the permission from their competent authority to use that approach.
- (7) In all other instances, positions in CIUs should be assigned to the non-trading book and treated accordingly for the purposes of calculating the own funds requirements of those positions.
- (8) The BCBS Minimum capital requirements for market risk propose a 'base currency' approach as an additional approach to determine the own funds requirements for delta and curvature risks of foreign exchange risk factors. In line with that approach, institutions should, when calculating the own funds requirements for market risk, be able to choose another currency than their reporting currency to express the foreign exchange risk factors. That approach should be allowed where the institution meets a number of conditions related to the institution's management of foreign exchange risk and should be subject to supervisory approval.
- (9) The BCBS Minimum capital requirements for market risk specify the risk weights applicable to the sensitivities of the risk-free rate risk factors, of inflation and to cross currency basis risk factors, to the credit spread risk factors for non-securitisations of bucket 11 in Table 4 of Article 325ah of Regulation (EU) No 575/2013, of covered bonds risk factors issued by credit institutions in third countries, of credit spread risk factors for securitisations included in the ACTP, of credit spread risk factors for securitisations not included in the ACTP, of equity risk factors and of commodity risk factors. The risk weights applicable to the sensitivities of those risk factors in the alternative standardised approach should be aligned with the BCBS Minimum capital requirements for market risk.
- (10) The BCBS Minimum capital requirements for market risk specify the intra-bucket correlations for covered bonds risk factors issued by credit institutions in third countries, the intra-bucket correlations for equity risk, and the correlations across buckets for equity risk. The correlations applicable in the alternative standardised approach should be aligned with the BCBS Minimum capital requirements for market risk.
- (11) Regulation (EU) No 575/2013 should therefore be amended accordingly.
- (12) Institutions should be given sufficient time to implement the changes to the alternative standardised approach for market risk introduced by this Delegated Regulation. The application of this Delegated Regulation should therefore be deferred,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EU) No 575/2013 is amended as follows:

(1) Article 325e is amended as follows:

(a) in paragraph 2, points (a) and (b) are replaced by the following:

‘(a) all the positions of instruments with optionality shall be subject to the own funds requirements referred to in points (a), (b) and (c) of paragraph 1 for the risks other than exotic underlyings of the instruments as referred to in point (a) of Article 325u(2);

(b) all the positions of instruments without optionality shall be subject to the own funds requirements referred to in point (a) of paragraph 1 for the risks other than exotic underlyings of the instruments as referred to in point (a) of Article 325u(2).’;

(b) the following paragraph is added:

‘3. By way of derogation from point (b) of paragraph 2, an institution may choose to subject all the positions of instruments without optionality to the own funds requirements referred to in points (a) and (c) of paragraph 1.

An institution that chooses to use the approach set out in the first subparagraph shall notify its competent authority thereof at least three months before the first use. After those three months have elapsed and provided that the competent authority has not objected, the institution may use that approach until the competent authority informs the institution that it is no longer permitted to do so.

An institution that wishes to stop using the approach set out in the first subparagraph shall notify its competent authority thereof at least three months before stopping that use. The institution may stop applying that approach, unless the competent authority has objected within that three-month period.’;

(2) Article 325g is replaced by the following:

‘Article 325g

**Own funds requirements for curvature risk**

1. Institutions shall perform the calculations laid down in paragraph 2 for each risk factor of the instruments subject to the own funds requirement for curvature risk, except for the risk factors referred to in paragraph 3.

For a given risk factor, institutions shall perform those calculations on a net basis across all the positions of the instruments subject to the own funds requirement for curvature risk that contain that risk factor.

2. For a given risk factor  $k$  included in one or more instruments referred to in paragraph 1, institutions shall calculate the upward net curvature risk position of that risk factor ( $CVR_k^+$ ) and the downward net curvature risk position of that risk factor ( $CVR_k^-$ ) as follows:

$$CVR_k^+ = - \sum_i CVR_{ik}^+$$

$$CVR_k^- = - \sum_i CVR_{ik}^-$$

$$CVR_{ik}^+ = V_i \left( x_k^{RW(Curvature)^+} \right) - V_i(x_k) - RW_k^{Curvature} \times S_{ik}$$

$$CVR_{ik}^- = V_i \left( x_k^{RW(Curvature)^-} \right) - V_i(x_k) + RW_k^{Curvature} \times S_{ik}$$

where:

$i$  = the index that denotes all the positions of instruments referred to in paragraph 1 and including risk factor  $k$ ;

$x_k$  = the current value of risk factor  $k$ ;

$V_i(x_k)$  = the value of instrument  $i$  as estimated by the pricing model of the institution based on the current value of risk factor  $k$ ;

$V_i(x_k^{RW(Curvature)^+})$  = the value of instrument  $i$  as estimated by the pricing model of the institution based on an upward shift of the value of risk factor  $k$ ;

$V_i(x_k^{RW(Curvature)^-})$  = the value of instrument  $i$  as estimated by the pricing model of the institution based on a downward shift of the value of risk factor  $k$ ;

$RW_k^{Curvature}$  = the risk weight applicable to risk factor  $k$  determined in accordance with Section 6;

$s_{ik}$  = the delta sensitivity of instrument  $i$  with respect to risk factor  $k$ , calculated in accordance with Article 325r.

3. By way of derogation from paragraph 2, for curves of risk factors that belong to the general interest rate risk (GIRR), credit spread risk (CSR) and commodity risk classes, institutions shall perform the calculations laid down in paragraph 6 at the level of the entire curve instead of at the level of each risk factor that belongs to the curve.

For the purposes of the calculation referred to in paragraph 2, where  $x_k$  is a curve of risk factors allocated to the GIRR, CSR and commodity risk classes,  $s_{ik}$  shall be the sum of the delta sensitivities to the risk factor of the curve across all tenors of the curve.

4. In order to determine a bucket-level own funds requirement for curvature risk, institutions shall aggregate, in accordance with the following formula the upward and downward net curvature risk positions, calculated in accordance with paragraph 2, of all the risk factors assigned to that bucket in accordance with Subsection 1 of Section 3:

$$K_b = \begin{cases} \max(K_b^+, K_b^-), & \text{where } K_b^+ \neq K_b^- \\ K_b^+, & \text{where } K_b^+ = K_b^- \text{ and } \sum_k CVR_k^+ > \sum_k CVR_k^- \\ K_b^-, & \text{otherwise} \end{cases}$$

where:

$b$  = the index that denotes a bucket of a given risk class;

$K_b$  = own funds requirements for curvature risk for bucket  $b$ ;

$$K_b^+ = \sqrt{\max(0, \sum_k \max(CVR_k^+, 0)^2 + \sum_{l \neq k} \sum_k p_{kl} CVR_k^+ CVR_l^+ \psi(CVR_k^+, CVR_l^+))};$$

$$K_b^- = \sqrt{\max(0, \sum_k \max(CVR_k^-, 0)^2 + \sum_{l \neq k} \sum_k p_{kl} CVR_k^- CVR_l^- \psi(CVR_k^-, CVR_l^-))};$$

$$\psi(x, y) = \begin{cases} 0, & \text{where } x < 0 \text{ and } y < 0, \\ 1, & \text{otherwise} \end{cases}$$

$p_{kl}$  = the intra-bucket correlations between risk factors  $k$  and  $l$  as prescribed in Section 6;

$k, l$  = the indices that denote all the risk factors of instruments referred to in paragraph 1 that are assigned to bucket  $b$ ;

$(CVR_k^+)$  = the upward net curvature risk position;

$(CVR_k^-)$  = the downward net curvature risk position.

5. By way of derogation from paragraph 4, for the bucket-level own funds requirements for curvature risk of bucket 18 of Article 325ah, of bucket 18 of Article 325ak, of bucket 25 of Article 325am and of bucket 11 of Article 325ap the following formula shall be used:

$$K_b = \max \left( \sum_k \max(CVR_k^+, 0), \sum_k \max(CVR_k^-, 0) \right)$$

6. Institutions shall calculate the risk-class own funds requirements for curvature risk (RCCR) by aggregating all the bucket-level own funds requirements for curvature risk within a given risk class as follows:

$$RCCR = \sqrt{\max \left( 0, \sum_b K_b^2 + \sum_{c \neq b} \sum_b \gamma_{bc} S_b S_c \psi(S_b, S_c) \right)}$$

where:

$b, c$  = the indices that denote all the buckets of a given risk class that corresponds to instruments referred to in paragraph 1;

$K_b$  = own funds requirements for curvature risk for bucket  $b$ ;

$$S_b = \begin{cases} \sum_k CVR_k^+, & \text{where } K_b = K_b^+ \text{ in accordance with paragraph 4;} \\ \sum_k CVR_k^-, & \text{otherwise} \end{cases}$$

$$\psi(x, y) = \begin{cases} 0, & \text{where } x < 0 \text{ and } y < 0 \\ 1, & \text{otherwise;} \end{cases}$$

$\gamma_{bc}$  = the inter-bucket correlations between buckets  $b$  and  $c$  as set out in Section 6.

7. The own funds requirement for curvature risk shall be the sum of the risk class own funds requirements for curvature risk calculated in accordance with paragraph 6 across all risk classes to which at least one risk factor of the instruments referred to in paragraph 1 belongs.;

(3) in Article 325h(2), point (c) is replaced by the following:

'(c) the "low correlations" scenario, whereby the correlation parameters  $\rho_{kl}$  and  $\gamma_{bc}$  that are specified in Section 6 shall be replaced by  $\rho_{kl}^{low} = \max(2 \cdot \rho_{kl} - 100\%; 75\% \cdot \rho_{kl})$  and  $\gamma_{bc}^{low} = \max(2 \cdot \gamma_{bc} - 100\%; 75\% \cdot \gamma_{bc})$ , respectively.;

(4) Articles 325i and 325j are replaced by the following:

'Article 325i

### Treatment of index instruments and other multi-underlying instruments

1. Institutions shall use a look-through approach for index and other multi-underlying instruments in accordance with the following:

- (a) for the purposes of calculating the own funds requirements for delta and curvature risk, institutions shall consider that they hold individual positions directly in the underlying constituents of the index or other multi-underlying instruments, except for a position in an index included in the ACP for which they shall calculate a single sensitivity to the index;
- (b) institutions are allowed to net the sensitivities to a risk factor of a given constituent of an index instrument or other multi-underlying instrument with the sensitivities to the same risk factor of the same constituent of single name instruments, except for positions included in the ACP;

- (c) for the purposes of calculating the own funds requirements for vega risk, institutions may either consider that they directly hold individual positions in the underlying constituents of the index or other multi-underlying instrument, or calculate a single sensitivity to the underlying of that instrument. In the latter case, institutions shall assign the single sensitivity to the relevant bucket as set out in Subsection 1 of Section 6 as follows:
- (i) where, taking into account the weightings of that index, more than 75 % of constituents in that index would be mapped to the same bucket, institutions shall assign the sensitivity to that bucket and treat it as a single-name sensitivity in that bucket;
  - (ii) in all other cases, institutions shall assign the sensitivity to the relevant index bucket.
2. By way of derogation from point (a) of paragraph 1, institutions may calculate a single sensitivity to a position in a listed equity or credit index for the purposes of calculating the own funds requirements for delta and curvature risks provided the listed equity or credit index meets the conditions set out in paragraph 3. In that case, institutions shall assign the single sensitivity to the relevant bucket as set out in Subsection 1 of Section 6 as follows:
- (a) where, taking into account the weightings of that listed index, more than 75 % of constituents in that listed index would be mapped to the same bucket, that sensitivity shall be assigned to that bucket and treated as a single-name sensitivity in that bucket;
  - (b) in all other cases, institutions shall assign the sensitivity to the relevant listed index bucket.
3. Institutions may use the approach set out in paragraph 2 for instruments referencing a listed equity or credit index where all of the following conditions are met:
- (a) the constituents of the listed index and their respective weightings in that index are known;
  - (b) the listed index contains at least 20 constituents;
  - (c) no single constituent contained within the listed index represents more than 25 % of the total market capitalisation of that index;
  - (d) no set comprising one tenth of the total number of constituents of the listed index, rounded up to the next integer, represents more than 60 % of the total market capitalisation of that index;
  - (e) the total market capitalisation of all the constituents of the listed index is no less than EUR 40 billion.
4. An institution shall use, consistently over time, only the approach set out in paragraph 1 or the approach set out in paragraph 2 for all the instruments that reference a listed equity or credit index that meets the conditions set out in paragraph 3. An institution shall require prior permission from the competent authority before switching from one approach to another.
5. For an index or other multi-underlying instrument, the sensitivity inputs for the calculation of delta and curvature risks shall be consistent, irrespective of the approaches used for that instrument.
6. Index or multi-underlying instruments which bear other residual risks as referred to in Article 325u(5) shall be subject to the residual risk add-on referred to in Section 4.

#### Article 325j

#### **Treatment of collective investment undertakings**

1. An institution shall calculate the own funds requirements for market risk of a position in a CIU using one of the following approaches:
- (a) where an institution is able to obtain sufficient information about the individual underlying exposures of the CIU, the institution shall calculate the own funds requirements for market risk of that CIU position by looking through to the underlying positions of the CIU as if those positions were directly held by the institution;



- (b) where the institution is not able to obtain sufficient information about the individual underlying exposures of the CIU, but the institution has knowledge of the content the mandate of the CIU and daily price quotes for the CIU can be obtained, the institution shall calculate the own funds requirements for market risk of that CIU position by using one of the following approaches:
  - (i) the institution may consider the position in the CIU as a single equity position allocated to the bucket “other sector” in Table 8 of Article 325ap(1);
  - (ii) upon permission from its competent authority, an institution may calculate the own funds requirements for market risk of the CIU in accordance with the limits set in the CIU’s mandate and relevant law;
- (c) where the institution meets neither the conditions in point (a) nor (b), the institution shall allocate the CIU to the non-trading book.

An institution that uses one of the approaches set out in point (b) shall apply the own funds requirement for the default risk set out in Section 5 of this Chapter and the residual risk add-on set out in Section 4 of this Chapter where the mandate of the CIU implies that some exposures in the CIU shall be subject to those own funds requirements.

An institution that uses the approach set out in point (ii) of point (b) may calculate the own funds requirements for counterparty credit risk and own funds requirements for credit valuation adjustment risk of derivative positions of the CIU, using the simplified approach set out in paragraph 3 of Article 132a.

2. By way of derogation from paragraph 1, where an institution has a position in a CIU that tracks an index benchmark so that the annualised return difference between the CIU and the tracked index benchmark over the last 12 months is below 1 % in absolute terms, ignoring fees and commissions, the institution may treat that position as a position in the tracked index benchmark. An institution shall verify compliance with that condition when the institution enters into the position and, after that, at least annually.

However, where data for the last 12 months are not fully available, an institution may, subject to permission from the institution’s competent authority, use an annualised return difference from a period shorter than 12 months.

3. An institution may use a combination of the approaches referred to in points (a), (b) and (c) of paragraph 1 for its positions in CIUs. However, an institution shall use only one of those approaches for all the positions in the same CIU.

4. For the purposes of point (b) of paragraph 1, an institution shall carry out the calculations under the following provisions:

- (a) for the purposes of calculating the own funds requirement under the sensitivities-based method set out in Section 2 of this Chapter, the CIU shall first take position to the maximum extent allowed under its mandate or relevant law in the exposures attracting the highest own funds requirements set out under that Section and shall then continue taking positions in descending order until the maximum total loss limit is reached;
- (b) for the purposes of the own fund requirements for the default risk set out in Section 5 of this Chapter, the CIU shall first take position to the maximum extent allowed under its mandate or relevant law in the exposures attracting the highest own funds requirements set out under that Section and shall then continue taking positions in descending order until the maximum total loss limit is reached;
- (c) the CIU shall apply leverage to the maximum extent allowed under its mandate or relevant law, where applicable.

The own funds requirements for all positions in the same CIU for which the calculations referred to in the first subparagraph are used shall be calculated on a stand-alone basis as a separate portfolio using the approach set out in this Chapter.

5. An institution may use the approaches referred to in point (a) or (b) of paragraph 1 only where the CIU meets all the conditions set out in Article 132(3) and point (a) of Article 132(4).;

(5) Article 325q is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. The foreign exchange delta risk factors to be applied by institutions to foreign exchange sensitive instruments shall be all the spot exchange rates between the currency in which an instrument is denominated and the institution’s reporting currency or the institution’s base currency where the institution is using a base currency in accordance with paragraph 7. There shall be one bucket per currency pair, containing a single risk factor and a single net sensitivity.’;

(b) paragraph 3 is replaced by the following:

‘3. The foreign exchange curvature risk factors to be applied by institutions to instruments with underlyings that are sensitive to foreign exchange shall be the foreign exchange delta risk factors referred to in paragraph 1.’;

(c) the following paragraphs 5, 6 and 7 are added:

‘5. Where a foreign exchange rate that is the underlying of an instrument  $i$  that is subject to own funds requirements for curvature risks neither refers to the institution’s reporting currency nor the institution’s base currency, the institution may divide by 1,5 the corresponding components  $CVR_{ik}^-$  and  $CVR_{ik}^+$  set out in paragraph 2 of Article 325g for which  $x_k$  is the foreign exchange risk factor between one of the two currencies of the underlying and the institution’s reporting currency or the institution’s base currency, as applicable.

6. Subject to permission from its competent authority, an institution may divide by 1,5 the components  $CVR_k^-$  and  $CVR_k^+$  set out in Article 325g(2) consistently for all the foreign exchange risk factors of instruments concerning foreign exchange and subject to own funds requirement for curvature risk, provided that any foreign exchange risk factors based on the institution’s reporting currency or the institution’s base currency, as applicable, that are included in the calculation of those components are shifted simultaneously.

7. By way of derogation from paragraphs 1 and 3, an institution may replace, subject to permission from its competent authority, its reporting currency by another currency (“the base currency”) in all the spot exchange rates to express the delta and curvature foreign exchange risk factors where all of the following conditions are met:

(a) the institution uses only one base currency;

(b) the institution applies the base currency consistently to all its trading book and non-trading book positions;

(c) the institution has demonstrated to the satisfaction of its competent authority that:

(i) using the chosen base currency provides an appropriate risk representation for the institution’s positions subject to foreign exchange risks;

(ii) the choice of base currency is compatible with the manner in which the institution manages those foreign exchange risks internally;

(iii) the choice of base currency is not driven primarily by the desire to reduce the institution’s own funds requirements;

(d) the institution takes into account the translation risk between the reporting currency and the base currency.

An institution that has been permitted to use a base currency as set out in the first subparagraph shall convert the resulting own funds requirements for foreign exchange risk into the reporting currency using the prevailing spot exchange rate between the base currency and the reporting currency.’;

(6) in Article 325ae, paragraphs 1 and 2 are replaced by the following:

‘1. For currencies not included in the most liquid currency sub-category as referred to in point (b) Article 325bd(7), the risk weights of the sensitivities to the risk-free rate risk factors shall be the following:

Table 3

Bucket	Maturity	Risk Weight
1	0,25 years	1,7 %
2	0,5 years	1,7 %

3	1 year	1,6 %
4	2 years	1,3 %
5	3 years	1,2 %
6	5 years	1,1 %
7	10 years	1,1 %
8	15 years	1,1 %
9	20 years	1,1 %
10	30 years	1,1 %

2. Institutions shall apply a risk weight of 1,6 % to all sensitivities of inflation and to cross currency basis risk factors.;

(7) in paragraph 1 of Article 325ah, Table 4 is replaced by the following:

*Table 4*

Bucket number	Credit quality	Sector	Risk weight
1	All	Central government, including central banks, of Member States	0,5 %
2	Credit quality step 1 to 3	Central government, including central banks, of a third country, multilateral development banks and international organisations referred to in Article 117(2) or Article 118	0,5 %
3		Regional or local authority and public sector entities	1,0 %
4		Financial sector entities including credit institutions incorporated or established by a central government, a regional government or a local authority and promotional lenders	5,0 %
5		Basic materials, energy, industrials, agriculture, manufacturing, mining and quarrying	3,0 %
6		Consumer goods and services, transportation and storage, administrative and support service activities	3,0 %
7		Technology, telecommunications	2,0 %
8		Health care, utilities, professional and technical activities	1,5 %
9			Covered bonds issued by credit institutions established in Member States
10	Credit quality step 1	Covered bonds issued by credit institutions in third countries	1,5 %
	Credit quality steps 2 to 3		2,5 %

11	Credit quality step 4 to 6 and unrated	Central government, including central banks, of a third country, multilateral development banks and international organisations referred to in Article 117(2) or Article 118	2 %
12		Regional or local authority and public sector entities	4,0 %
13		Financial sector entities including credit institutions incorporated or established by a central government, a regional government or a local authority and promotional lenders	12,0 %
14		Basic materials, energy, industrials, agriculture, manufacturing, mining and quarrying	7,0 %
15		Consumer goods and services, transportation and storage, administrative and support service activities	8,5 %
16		Technology, telecommunications	5,5 %
17		Health care, utilities, professional and technical activities	5,0 %
18	Other sector		12,0 %
19	Listed credit indices with a majority of its individual constituents being investment grade		1,5 %
20	Listed credit indices with a majority of its individual constituents being non-investment grade or unrated		5 %

(8) in Article 325aj, Table 5 is replaced by the following:

*Table 5*

Bucket	1, 2 and 11	3 and 12	4 and 13	5 and 14	6 and 15	7 and 16	8 and 17	9 and 10	18	19	20
1, 2 and 11		75 %	10 %	20 %	25 %	20 %	15 %	10 %	0 %	45 %	45 %
3 and 12			5 %	15 %	20 %	15 %	10 %	10 %	0 %	45 %	45 %
4 and 13				5 %	15 %	20 %	5 %	20 %	0 %	45 %	45 %
5 and 14					20 %	25 %	5 %	5 %	0 %	45 %	45 %
6 and 15						25 %	5 %	15 %	0 %	45 %	45 %
7 and 16							5 %	20 %	0 %	45 %	45 %
8 and 17								5 %	0 %	45 %	45 %
9 and 10									0 %	45 %	45 %
18										0 %	0 %
19											75 %
20'											

(9) in Article 325ak, Table 6 is replaced by the following:

*Table 6*

Bucket number	Credit quality	Sector	Risk weight
1	All	Central government, including central banks, of Member States	4,0 %
2	Credit quality step 1 to 3	Central government, including central banks, of a third country, multilateral development banks and international organisations referred to in Article 117(2) or Article 118	4,0 %
3		Regional or local authority and public sector entities	4,0 %

4		Financial sector entities including credit institutions incorporated or established by a central government, a regional government or a local authority and promotional lenders	8,0 %
5		Basic materials, energy, industrials, agriculture, manufacturing, mining and quarrying	5,0 %
6		Consumer goods and services, transportation and storage, administrative and support service activities	4,0 %
7		Technology, telecommunications	3,0 %
8		Health care, utilities, professional and technical activities	2,0 %
9		Covered bonds issued by credit institutions established in Member States	3,0 %
10		Covered bonds issued by credit institutions in third countries	6,0 %
11	Credit quality step 4 to 6 and unrated	Central government, including central banks, of a third country, multilateral development banks and international organisations referred to in Article 117(2) or Article 118	13,0 %
12		Regional or local authority and public sector entities	13,0 %
13		Financial sector entities including credit institutions incorporated or established by a central government, a regional government or a local authority and promotional lenders	16,0 %
14		Basic materials, energy, industrials, agriculture, manufacturing, mining and quarrying	10,0 %
15		Consumer goods and services, transportation and storage, administrative and support service activities	12,0 %
16		Technology, telecommunications	12,0 %
17		Health care, utilities, professional and technical activities	12,0 %
18	Other sector		13,0 %

(10) in paragraph 1 of Article 325am, Table 7 is replaced by the following:

*Table 7*

Bucket number	Credit quality	Sector	Risk weight
1	Senior and Credit quality step 1 to 3	RMBS — Prime	0,9 %
2		RMBS — Mid-Prime	1,5 %
3		RMBS — Sub-Prime	2,0 %
4		CMBS	2,0 %
5		Asset backed securities (ABS) — Student loans	0,8 %
6		ABS — Credit cards	1,2 %
7		ABS — Auto	1,2 %
8		Collateralised loan obligations (CLO) non-ACTP	1,4 %
9	Non-senior and credit quality step 1 to 3	RMBS — Prime	1,125 %
10		RMBS — Mid-Prime	1,875 %
11		RMBS — Sub-Prime	2,5 %
12		CMBS	2,5 %
13		ABS — Student loans	1 %
14		ABS — Credit cards	1,5 %
15		ABS — Auto	1,5 %
16		CLO non-ACTP	1,75 %
17	Credit quality step 4 to 6 and unrated	RMBS — Prime	1,575 %
18		RMBS — Mid-Prime	2,625 %
19		RMBS — Sub-Prime	3,5 %
20		CMBS	3,5 %
21		ABS — Student loans	1,4 %
22		ABS — Credit cards	2,1 %
23		ABS — Auto	2,1 %
24		CLO non-ACTP	2,45 %
25	Other sector		3,5 %

(11) in paragraph 1 of Article 325ap, Table 8 is replaced by the following:

‘Table 8

Bucket number	Market capitalisation	Economy	Sector	Risk weight for equity spot price	Risk weight for equity repo rate
1	Large	Emerging market economy	Consumer goods and services, transportation and storage, administrative and support service activities, healthcare, utilities	55 %	0,55 %
2			Telecommunications, industrials	60 %	0,60 %
3			Basic materials, energy, agriculture, manufacturing, mining and quarrying	45 %	0,45 %
4			Financials including government-backed financials, real estate activities, technology	55 %	0,55 %
5		Advanced economy	Consumer goods and services, transportation and storage, administrative and support service activities, healthcare, utilities	30 %	0,30 %
6			Telecommunications, industrials	35 %	0,35 %
7			Basic materials, energy, agriculture, manufacturing, mining and quarrying	40 %	0,40 %
8			Financials including government-backed financials, real estate activities, technology	50 %	0,50 %
9	Small	Emerging market economy	All sectors described under bucket numbers 1, 2, 3 and 4	70 %	0,70 %
10		Advanced economy	All sectors described under bucket numbers 5, 6, 7 and 8	50 %	0,50 %
11	Other sector			70 %	0,70 %
12	Large market cap, advanced economy indices			15 %	0,15 %
13	Other indices			25 %	0,25 %

(12) Article 325aq is amended as follows

(a) paragraph 1 is replaced by the following:

‘1. The delta risk correlation parameter  $\rho_{kl}$  between two sensitivities  $WS_k$  and  $WS_l$  within the same bucket shall be set at 99,90 % where one is a sensitivity to an equity spot price and the other is a sensitivity to an equity repo rate and where both sensitivities are related to the same equity issuer name.’;

(b) in paragraph 2, the following point (e) is added:

'(e) 80 % between two sensitivities within the same bucket that fall under either index bucket (bucket number 12 or 13).';

(c) paragraph 3 is replaced by the following:

'3. The correlation parameter  $\rho_{ki}$  between two sensitivities  $WS_k$  and  $WS_i$  to equity repo rates within the same bucket shall be set in accordance with points (a) to (d) of paragraph 2.';

(13) Articles 325ar and 325as are replaced by the following:

'Article 325ar

### Correlations across buckets for equity risk

The correlation parameter  $\gamma_{bc}$  shall apply to the aggregation of sensitivities between different buckets.

It shall be set in relation to the buckets of Table 8 in Article 325ap as follows:

- (a) 15 % where the two buckets fall within bucket numbers 1 to 10;
- (b) 0 % where either of the two buckets fall within bucket number 11;
- (c) 75 % where the two buckets fall within bucket number 12 and 13;
- (d) 45 % otherwise.

Article 325as

### Risk weights for commodity risk

Risk weights for sensitivities to commodity risk factors shall be the following:

Table 9

Bucket number	Bucket name	Risk weight
1	Energy — solid combustibles	30 %
2	Energy — liquid combustibles	35 %
3	Energy — electricity and carbon trading	60 %
4	Freight	80 %
5	Metals — non-precious	40 %
6	Gaseous combustibles	45 %
7	Precious metals (including gold)	20 %
8	Grains and oilseed	35 %
9	Livestock and dairy	25 %
10	Softs and other agricultural commodities	35 %
11	Other commodities	50 %



(14) in Article 325av, paragraph 1 is replaced by the following:

'1. A risk weight of 15 % shall be applied to all sensitivities of foreign exchange risk factors.;

(15) in paragraph 3 of Article 325ax, Table 11 is replaced by the following:

*Table 11*

Risk class	LH <sub>risk class</sub>	Risk weights
GIRR	60	100 %
CSR non-securitisations	120	100 %
CSR securitisations (ACTP)	120	100 %
CSR securitisations (non-ACTP)	120	100 %
Equity (large cap and indices)	20	77,78 %
Equity (small cap and other sector)	60	100 %
Commodity	120	100 %
Foreign exchange	40	100 %'

*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*.

It shall apply from 30 September 2021.

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

Done at Brussels, 17 December 2019.

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

**COMMISSION IMPLEMENTING REGULATION (EU) 2021/425****of 9 March 2021****suspending commercial policy measures concerning certain products from the United States of America imposed by Implementing Regulation (EU) 2020/1646 following the adjudication of a trade dispute under the Dispute Settlement Understanding of the World Trade Organization**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 654/2014 of the European Parliament and of the Council of 15 May 2014 concerning the exercise of the Union's rights for the application and enforcement of international trade rules and amending Council Regulation (EC) No 3286/94 laying down Community procedures in the field of common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organization <sup>(1)</sup>, and in particular Article 7(3) thereof,

Whereas:

- (1) On 7 November 2020, the Commission adopted Implementing Regulation (EU) 2020/1646 <sup>(2)</sup> on commercial policy measures concerning certain products from the United States of America (the United States) following the adjudication of a trade dispute under the Dispute Settlement Understanding of the World Trade Organization (WTO) that provides for the application of additional customs duties on imports into the Union of a number of products originating in the United States.
- (2) Recital 9 of Regulation (EU) 2020/1646 provides that the Commission intends to suspend the application of the Regulation in case of suspension by the United States of the countermeasures against imports of certain products from the European Union, in relation to the WTO disputes on large civil aircraft.
- (3) On 4 March 2021, an understanding was reached with the United States to mutually suspend all measures for a period of four months, to allow for the negotiations of a balanced settlement of the WTO disputes on large civil aircraft, as soon as internal procedures are completed on both sides.
- (4) In accordance with Article 7(4) of Regulation (EU) No 654/2014, the Commission may adopt immediately applicable implementing acts suspending commercial policy measures on grounds of urgency, when this suspension is related to the modification of the third country's measure concerned,

HAS ADOPTED THIS REGULATION:

*Article 1*

The application of Implementing Regulation (EU) 2020/1646 is hereby suspended for a period of four months from the entry into force of this Regulation. Accordingly, without prejudice to any further suspension or modification, the duties provided for in Implementing Regulation (EU) 2020/1646 shall again apply with effect from and including 11 July 2021.

<sup>(1)</sup> OJ L 189, 27.6.2014, p. 50; amended by Regulation (EU) 2015/1843 of the European Parliament and of the Council of 6 October 2015 (OJ L 272, 16.10.2015, p. 1) and by Regulation (EU) 2021/167 of the European Parliament and the Council of 10 February 2021 (OJ L 49, 12.2.2021, p. 1).

<sup>(2)</sup> Commission Implementing Regulation (EU) 2020/1646 of 7 November 2020 on commercial policy measures concerning certain products from the United States of America following the adjudication of a trade dispute under the Dispute Settlement Understanding of the World Trade Organization (OJ L 373, 9.11.2020, p. 1).

*Article 2*

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

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

Done at Brussels, 9 March 2021.

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

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## COMMISSION IMPLEMENTING REGULATION (EU) 2021/426

of 10 March 2021

**correcting Implementing Regulation (EU) No 1263/2011 as regards the authorisation of *Lactococcus lactis* (NCIMB 30160) as a 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 <sup>(1)</sup>, and in particular Article 9(2) thereof,

Whereas:

- (1) The use of the preparation of *Lactococcus lactis* NCIMB 30160 as a feed additive was authorised for all animal species by Commission Implementing Regulation (EU) No 1263/2011 <sup>(2)</sup> for a 10- year period.
- (2) The authorisation was subsequently modified by Commission Implementing Regulation (EU) 2020/1092 <sup>(3)</sup> in accordance with Article 13(2) of Regulation (EC) No 1831/2003, as regards the formulation of the additive.
- (3) The intended modification did not concern the period of authorisation laid down in Implementing Regulation (EU) No 1263/2011, which was to run until 26 December 2021. However, in the Annex to Implementing Regulation (EU) 2020/1092, it was mistakenly indicated that the period of authorisation for *Lactococcus lactis* NCIMB 30160 was to run until 16 August 2030. That error was therefore inserted in Implementing Regulation (EU) No 1263/2011 through Implementing Regulation (EU) 2020/1092.
- (4) For reasons of clarity and legal certainty, it is therefore necessary to correct Implementing Regulation (EU) No 1263/2011 as regards the end of period of authorisation for *Lactococcus lactis* NCIMB 30160.
- (5) Implementing Regulation (EU) 2020/1092 provided that the modification to be brought to the terms of the authorisation of the additive *Lactococcus lactis* NCIMB 30160 only concerned the formulation of the additive. No reference was made to the need to modify the period of authorisation of that additive. In addition, Article 9(8) of Regulation (EC) No 1831/2003 prescribes that authorisations are granted for a period of 10 years and such rule may not be derogated from through a modification to the terms of an authorisation. Moreover, the Register of feed additives continued to mention the date of 26 December 2021 as the expiry date of the authorisation of the additive *Lactococcus lactis* NCIMB 30160, even after the adoption of Implementing Regulation (EU) 2020/1092. The absence of retroactive effect of the proposed correction would lead to a breach of the principle of non-discrimination between operators, as the granting of an extended period of authorisation from the date of entry

<sup>(1)</sup> OJ L 268, 18.10.2003, p. 29.

<sup>(2)</sup> Commission Implementing Regulation (EU) No 1263/2011 of 5 December 2011 concerning the authorisation of *Lactobacillus buchneri* (DSM 16774), *Lactobacillus buchneri* (DSM 12856), *Lactobacillus paracasei* (DSM 16245), *Lactobacillus paracasei* (DSM 16773), *Lactobacillus plantarum* (DSM 12836), *Lactobacillus plantarum* (DSM 12837), *Lactobacillus brevis* (DSM 12835), *Lactobacillus rhamnosus* (NCIMB 30121), *Lactococcus lactis* (DSM 11037), *Lactococcus lactis* (NCIMB 30160), *Pediococcus acidilactici* (DSM 16243) and *Pediococcus pentosaceus* (DSM 12834) as feed additives for all animal species (OJ L 322, 6.12.2011, p. 3).

<sup>(3)</sup> Commission Implementing Regulation (EU) 2020/1092 of 24 July 2020 amending Implementing Regulation (EU) No 1263/2011 as regards the authorisation of *Lactococcus lactis* (NCIMB 30160) as a feed additive for all animal species (OJ L 241, 27.7.2020, p. 10).

into force of Implementing Regulation (EU) 2020/1092 to the additive *Lactococcus lactis* NCIMB 30160 would have only unduly benefited operators marketing or using that additive. Moreover, in this case retroactivity is not considered as affecting the legitimate expectations of the operators concerned. Finally, the proposed correction is brought in a non-criminal context, considering that the erroneous end of authorisation period mentioned in Implementing Regulation (EU) 2020/1092 was the result of a mistake. This Regulation should therefore apply retroactively as from the date of entry into force of Implementing Regulation (EU) 2020/1092.

- (6) In order to preserve the legitimate expectations of the interested parties and due to the retroactive application of the proposed correction, this Regulation should enter into force as a matter of urgency.
- (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 1263/2011 is corrected as set out in the Annex to this Regulation.

*Article 2*

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

It shall apply from 16 August 2020.

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

Done at Brussels, 10 March 2021.

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

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## ANNEX

In the Annex to Implementing Regulation (EU) No 1263/2011, the entry concerning the additive *Lactococcus lactis* NCIMB 30160 with the identification number 1k2082 is corrected as follows:

In the column 'End of period of authorisation', the date '16.8.2030' is replaced by '26.12.2021'.

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**COMMISSION IMPLEMENTING REGULATION (EU) 2021/427****of 10 March 2021****approving the active substance 24-epibrassinolide as a low-risk substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC <sup>(1)</sup>, and in particular Article 13(2) in conjunction with Article 22(1) thereof,

Whereas:

- (1) In accordance with Article 7(1) of Regulation (EC) No 1107/2009 Sunttion GmbH submitted to Austria on 28 April 2017 an application for the approval of the active substance 24-epibrassinolide.
- (2) In accordance with Article 9(3) of that Regulation, Austria, as rapporteur Member State, notified the applicant, the other Member States, the Commission and the European Food Safety Authority ('the Authority') of the admissibility of the application on 30 May 2017.
- (3) On 6 June 2018 the rapporteur Member State submitted a draft assessment report to the Commission with a copy to the Authority, assessing whether that active substance can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009.
- (4) The Authority complied with Article 12(1) of Regulation (EC) No 1107/2009. In accordance with Article 12(3) of Regulation (EC) No 1107/2009, it requested that the applicant supplies additional information to the Member States, the Commission and the Authority. The assessment of the additional information by the rapporteur Member State was submitted to the Authority in the format of an updated draft assessment report on 22 October 2019.
- (5) On 4 May 2020 the Authority communicated to the applicant, the Member States and the Commission its conclusion <sup>(2)</sup> on whether the active substance 24-epibrassinolide can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009. The Authority made its conclusion available to the public.
- (6) On 17 July 2020, the Commission presented to the Standing Committee on Plants, Animals, Food and Feed the review report for 24-epibrassinolide and on 4 December 2020, a draft Regulation providing that 24-epibrassinolide is approved.
- (7) The applicant was given the possibility to submit comments on the review report.
- (8) It has been established with respect to one or more representative uses of at least one plant protection product containing the active substance, and in particular the uses which were examined and detailed in the review report, that the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 are satisfied.

<sup>(1)</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

<sup>(2)</sup> EFSA (European Food Safety Authority), Conclusion on the peer review of the pesticide risk assessment of the active substance 24-epibrassinolide; EFSA Journal 2020;6123 <https://doi.org/10.2903/j.efsa.2020.6132>. Available online: [www.efsa.europa.eu](http://www.efsa.europa.eu).

- (9) The Commission further considers that 24-epibrassinolide is a low-risk active substance pursuant to Article 22 of Regulation (EC) No 1107/2009. 24-epibrassinolide is not a substance of concern and it fulfils the conditions set out in point 5.1 of Annex II to Regulation (EC) No 1107/2009.
- (10) It is therefore appropriate to approve 24-epibrassinolide as a low-risk substance.
- (11) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 <sup>(3)</sup> should be amended accordingly.
- (12) 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*

**Approval of the active substance**

The active substance 24-epibrassinolide, as specified in Annex I, is approved as laid down in that Annex.

*Article 2*

**Amendments to Implementing Regulation (EU) No 540/2011**

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

*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, 10 March 2021.

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

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<sup>(3)</sup> Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).



## ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity <sup>(1)</sup>	Date of approval	Expiration of approval	Specific provisions
24-epibrassinolide CAS No: 78821-43-9 CIPAC No: Not applicable	(3aS,5R,6S,7aR,7bS,9aS,10-R,12aS,12bS)-10((2S,3R,4R,5R)-3,4-dihydroxy-5,6-dimethylheptan-2-yl)5,6-dihydroxy-7a,9a-dimethylhexadecahydro-3Hbenzo[c]indeno[5,4-e]oxepin-3-one	≥ 900 g/kg	31 March 2021	31 March 2036	For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on 4 December 2020, and in particular Appendices I and II thereto, shall be taken into account.

<sup>(1)</sup> Further details on identity and specification of active substance are provided in the review report.

## ANNEX II

In Part D of the Annex to Implementing Regulation (EU) No 540/2011, the following entry is added:

No	Common Name, Identification Numbers	IUPAC Name	Purity <sup>(1)</sup>	Date of approval	Expiration of approval	Specific provisions
'27	24-epibrassinolide CAS No: 78821-43-9 CIPAC No: Not applicable	(3aS,5R,6S,7aR,7bS,9aS,10-R,12aS,12bS)-10-((2S,3R,4R,5R)-3,4-dihydroxy-5,6-dimethylheptan-2-yl)5,6-dihydroxy-7a,9a-dimethylhexadecahydro-3Hbenzo[c]indeno[5,4-e]oxepin-3-one	≥ 900 g/kg	31 March 2021	31 March 2036	For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on 4 December 2020, and in particular Appendices I and II thereto, shall be taken into account.'

<sup>(1)</sup> Further details on identity and specification of active substance are provided in the review report.

**COMMISSION IMPLEMENTING REGULATION (EU) 2021/428****of 10 March 2021****adopting standard data formats for the submission of applications for the approval or the amendment to the conditions of approval of active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety <sup>(1)</sup> and in particular Article 39f(2)(b) thereof,

Whereas:

- (1) Regulation (EU) 2019/1381 of the European Parliament and of the Council <sup>(2)</sup> amended, among others, Regulation (EC) No 178/2002 and Regulation (EC) No 1107/2009 of the European Parliament and of the Council <sup>(3)</sup> in order to strengthen the transparency and the sustainability of the Union risk assessment in all areas of the food chain where the European Food Safety Authority ('the Authority') conducts a scientific risk assessment.
- (2) Article 7(1) of Regulation (EC) No 1107/2009 provides that an application for the approval of an active substance or for an amendment to the conditions of an approval are to be submitted in accordance with standard data formats.
- (3) The Authority has drawn up draft standard data formats, based on the IUCLID software package, for the purposes of the applications for approval and for the amendment to the conditions of approval of active substances, as provided for in Regulation (EC) No 1107/2009 and relevant requests for a scientific output.
- (4) In order to ensure a high level of transparency in the activities of the Authority, it is appropriate to enable the efficient processing of requests to the Authority for a scientific output and to allow documents to be submitted, searched, copied and printed, while ensuring compliance with regulatory requirements set out in Union law. Consequently, standard data formats should be adopted for the submission of applications within the meaning of Article 7(1) of Regulation (EC) No 1107/2009.
- (5) As this Regulation implements provisions of Regulation (EC) No 178/2002 which apply from 27 March 2021, it should apply from the same date.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

<sup>(1)</sup> OJ L 31, 1.2.2002, p. 1.

<sup>(2)</sup> Regulation (EU) 2019/1381 of the European Parliament and of the Council of 20 June 2019 on the transparency and sustainability of the EU risk assessment in the food chain and amending Regulations (EC) No 178/2002, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 2065/2003, (EC) No 1935/2004, (EC) No 1331/2008, (EC) No 1107/2009, (EU) 2015/2283 and Directive 2001/18/EC (OJ L 231, 6.9.2019, p. 1).

<sup>(3)</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

HAS ADOPTED THIS REGULATION:

*Article 1*

**Subject matter and scope**

1. This Regulation adopts standard data formats for the submission of applications for the approval or for the amendment to the conditions of approval of active substances, within the meaning of Regulation (EC) No 1107/2009 of the European Parliament and of the Council, in accordance with Article 7 of that Regulation.
2. It shall apply to applications, referred to in paragraph 1, submitted on or after 27 March 2021.

*Article 2*

**Adoption of standard data formats**

The standard data formats for the approval of an active substance and those for the amendment to the conditions of such an approval, as proposed by the Authority, based on the IUCLID software package and linked with the central submission system to be established in accordance with Article 7(1) of Commission Implementing Regulation (EU) 2020/1740 <sup>(4)</sup>, are hereby adopted.

*Article 3*

**Entry into force and application**

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

It shall apply from 27 March 2021.

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

Done at Brussels, 10 March 2021.

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

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<sup>(4)</sup> Commission Implementing Regulation (EU) 2020/1740 of 20 November 2020 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council, and repealing Commission Implementing Regulation (EU) No 844/2012 (OJ L 392, 23.11.2020, p. 20).



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