

Official Journal

of the European Union

L 37



English edition

Legislation

Volume 56

8 February 2013

Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

2013/77/EU:

- ★ **Council Decision of 4 February 2013 on the signing, on behalf of the European Union, of the Agreement between the European Union and the Republic of Cape Verde on the readmission of persons residing without authorisation** 1

REGULATIONS

- ★ **Commission Regulation (EU) No 112/2013 of 7 February 2013 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the 2014 list of target secondary variables on material deprivation ⁽¹⁾** 2

Commission Implementing Regulation (EU) No 113/2013 of 7 February 2013 establishing the standard import values for determining the entry price of certain fruit and vegetables 8

DIRECTIVES

- ★ **Commission Directive 2013/2/EU of 7 February 2013 amending Annex I to Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste ⁽¹⁾** 10

Price: EUR 3

(¹) 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.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 4 February 2013

on the signing, on behalf of the European Union, of the Agreement between the European Union and the Republic of Cape Verde on the readmission of persons residing without authorisation

(2013/77/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 79(3), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 4 June 2009, the Council authorised the Commission to open negotiations with the Republic of Cape Verde on the Agreement between the European Union and the Republic of Cape Verde on the readmission of persons residing without authorisation ('the Agreement'). The negotiations were successfully concluded by the initialling of the Agreement on 24 April 2012.
- (2) The Agreement should be signed, on behalf of the Union, subject to its conclusion.
- (3) In accordance with Articles 1 and 2 of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, the United Kingdom is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (4) In accordance with Articles 1 and 2 of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and

without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Decision and is not bound by it or subject to its application.

- (5) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Cape Verde on the readmission of persons residing without authorisation ('the Agreement') is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

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

Done at Brussels, 4 February 2013.

For the Council

The President

E. GILMORE

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

REGULATIONS

COMMISSION REGULATION (EU) No 112/2013

of 7 February 2013

implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the 2014 list of target secondary variables on material deprivation

(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 1177/2003 of the European Parliament and of the Council of 16 June 2003 concerning Community statistics on income and living conditions (EU-SILC) ⁽¹⁾, and in particular Article 15(2)(f) thereof,

Whereas:

- (1) Regulation (EC) No 1177/2003 established a common framework for the systematic production of European statistics on income and living conditions, encompassing comparable and timely cross-sectional and longitudinal data on income and on the level and composition of poverty and social exclusion at national and European levels.
- (2) Pursuant to Article 15(2)(f) of Regulation (EC) No 1177/2003, implementing measures are necessary in respect of the list of target secondary areas and variables that is to be included every year in the cross-

sectional component of EU-SILC. The list of target secondary variables to be incorporated in the module on material deprivation should be laid down for the year 2014, together with the corresponding variables' identifiers.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The list of target secondary variables and the variables' identifiers for the 2014 module on material deprivation to be included in the cross-sectional component of European statistics on income and living conditions (EU-SILC) shall be as laid down in the Annex.

Article 2

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

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

Done at Brussels, 7 February 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 165, 3.7.2003, p. 1.

ANNEX

For the purposes of this Regulation, the following units, mode of data collection and reference period apply:

1. Units

The target variables relate to different types of units:

The variable relating to financial stress applies at household level and refers to the household as a whole.

Information on basic needs, leisure and social activities, durables and mobility in the category 'adult items' is to be provided for each current household member, or, if applicable, for all selected respondents aged 16 and over.

All children's items relate to all household members aged between 1 and 15 except the two variables on educational needs that concern only children attending school. The questions are to be answered by the household respondent for the whole group of children. If at least one child does not have the item in question, the whole group of children in the household is assumed not to have the item.

The age refers to the age at the end of the income reference period.

2. Mode of data collection

For variables applying at household level, the mode of data collection is personal interview with the household respondent.

For variables applying at individual level, the mode of data collection is personal interview with all current household members aged 16 and over or, if applicable, with each selected respondent.

For children's variables the mode of data collection is personal interview with the household respondent.

Given the type of information to be collected, only personal interviews (proxy interviews as an exception for persons temporarily absent or incapacitated) are allowed.

3. Reference period

The reference period for all target variables is the current situation.

4. Data transmission

The target secondary variables should be sent to the Commission (Eurostat) in the Household Data File (H-file) and in the Personal Data File (P-file) after the target primary variables.

2014 MODULE ON MATERIAL DEPRIVATION AREAS AND LIST OF TARGET VARIABLES

Variable identifier	Values	Target variable
Household items applying at household level		
<i>Financial stress</i>		
HD080		Replace worn-out furniture (*)
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD080_F	1	Filled
	– 1	Missing
Personal items applying at personal level (People aged 16+)		
<i>Basic needs</i>		
PD020		Replace worn-out clothes by some new (not second-hand) ones (*)
	1	Yes

Variable identifier	Values	Target variable
	2	No — cannot afford it
	3	No — other reason
PD020_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PD030		Two pairs of properly fitting shoes (including a pair of all-weather shoes) (*)
	1	Yes
	2	No — cannot afford it
	3	No — other reason
PD030_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
Leisure and social activities		
PD050		Get-together with friends/family (relatives) for drink/meal at least once a month (*)
	1	Yes
	2	No — cannot afford it
	3	No — other reason
PD050_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PD060		Regularly participate in a leisure activity (*)
	1	Yes
	2	No — cannot afford it
	3	No — other reason
PD060_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
PD070		Spend a small amount of money each week on yourself (*)
	1	Yes
	2	No — cannot afford it
	3	No — other reason
PD070_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
Durables		
PD080		Internet connection for personal use at home (*)
	1	Yes
	2	No — cannot afford it
	3	No — other reason

Variable identifier	Values	Target variable
PD080_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
Mobility		
PD090		Regular use of public transport
	1	Yes
	2	No — ticket too expensive
	3	No — station too far away
	4	No — access too difficult
	5	No — private transport
	6	No — other reason
PD090_F	1	Filled
	– 1	Missing
	– 3	Not selected respondent
Children's items applying at household level		
<i>Basic needs</i>		
HD100		Some new (not second-hand) clothes
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD100_F	1	Filled
	– 1	Missing
	– 2	NA (no children aged between 1 and 15)
HD110		Two pairs of properly fitting shoes (including a pair of all-weather shoes)
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD110_F	1	Filled
	– 1	Missing
	– 2	NA (no children aged between 1 and 15)
HD120		Fruits and vegetables once a day
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD120_F	1	Filled
	– 1	Missing
	– 2	NA (no children aged between 1 and 15)

Variable identifier	Values	Target variable
HD140		One meal with meat, chicken or fish (or vegetarian equivalent) at least once a day
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD140_F	1	Filled
	– 1	Missing
	– 2	NA (no children aged between 1 and 15)
Educational or leisure needs		
HD150		Books at home suitable for their age
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD150_F	1	Filled
	– 1	Missing
	– 2	NA (no children aged between 1 and 15)
HD160		Outdoor leisure equipment
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD160_F	1	Filled
	– 1	Missing
	– 2	NA (no children aged between 1 and 15)
HD170		Indoor games
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD170_F	1	Filled
	– 1	Missing
	– 2	NA (no children aged between 1 and 15)
HD180		Regular leisure activity
	1	Yes
	2	No — household cannot afford it
	3	No — other reason
HD180_F	1	Filled
	– 1	Missing
	– 2	NA (no children aged between 1 and 15)

Variable identifier	Values	Target variable
HD190	1 2 3	Celebrations on special occasions Yes No — household cannot afford it No — other reason
HD190_F	1 – 1 – 2	Filled Missing NA (no children aged between 1 and 15)
HD200	1 2 3	Invite friends round to play or eat from time to time Yes No — household cannot afford it No — other reason
HD200_F	1 – 1 – 2	Filled Missing NA (no children aged between 1 and 15)
HD210	1 2 3	Participate in school trips and school events that cost money Yes No — household cannot afford it No — other reason
HD210_F	1 – 1 – 2 – 4	Filled Missing NA (no children aged between 1 and 15) NA (no children attending school)
HD220	1 2	Suitable place to study or do homework Yes No
HD220_F	1 – 1 – 2 – 4	Filled Missing NA (no children aged between 1 and 15) NA (no children attending school)
HD240	1 2 3	Go on holiday away from home at least 1 week per year Yes No — household cannot afford it No — other reason
HD240_F	1 – 1 – 2	Filled Missing NA (no children aged between 1 and 15)

(*) Additionally to the compulsory transmission for 2014 reference year, this variable may be compiled for 2013 reference year on a voluntary basis.

COMMISSION IMPLEMENTING REGULATION (EU) No 113/2013**of 7 February 2013****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

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

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 7 February 2013.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	44,8
	PS	160,8
	TN	57,0
	TR	121,0
	ZZ	95,9
0707 00 05	EG	200,0
	TR	166,3
	ZZ	183,2
0709 91 00	EG	97,7
	ZZ	97,7
0709 93 10	MA	46,3
	TR	161,5
	ZZ	103,9
0805 10 20	EG	50,6
	IL	64,5
	MA	63,7
	TN	51,3
	TR	62,4
	ZZ	58,5
0805 20 10	IL	130,2
	MA	93,8
	ZZ	112,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	118,8
	KR	134,7
	MA	129,5
	TR	73,9
	ZZ	114,2
0805 50 10	EG	87,0
	TR	70,8
	ZZ	78,9
0808 10 80	CN	77,6
	MK	25,7
	US	148,6
	ZZ	84,0
0808 30 90	CN	51,5
	TR	158,2
	US	137,2
	ZA	117,4
	ZZ	116,1

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DIRECTIVES

COMMISSION DIRECTIVE 2013/2/EU

of 7 February 2013

amending Annex I to Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste ⁽¹⁾, and in particular Article 3(1) thereof,

Whereas:

- (1) Article 3(1) of Directive 94/62/EC defines 'packaging' by setting out a number of criteria. The items listed in Annex I to that Directive are illustrative examples of the application of those criteria.
- (2) For reasons of legal certainty and harmonisation of the interpretation of the definition of 'packaging', it is necessary to review and amend the list of illustrative examples to clarify additional cases where the borderline between what is packaging and what is not, remains unclear. The review follows calls from the Member States and the economic operators to reinforce the implementation of the Directive and create a level playing field in the internal market.
- (3) Directive 94/62/EC should therefore be amended accordingly.
- (4) The Committee established by Article 21 of Directive 94/62/EC has not delivered an opinion (on the measures provided for in this Directive) and the Commission therefore submitted to the Council a proposal relating to the measures and forwarded it to the European Parliament. The Council did not act within the two-month period provided for by Article 5a of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽²⁾ and the Commission therefore submitted the proposal to the European Parliament without delay. The European Parliament did not oppose the measure within four months from the abovementioned forwarding,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 94/62/EC is replaced by the text set out in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 September 2013 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

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

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 7 February 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 365, 31.12.1994, p. 10.

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

ANNEX

‘ANNEX I

ILLUSTRATIVE EXAMPLES FOR THE CRITERIA REFERRED TO IN ARTICLE 3(1)**Illustrative examples for criterion (i)***Packaging*

Sweet boxes

Film overwrap around a CD case

Mailing pouches for catalogues and magazines (with a magazine inside)

Cake doilies sold with a cake

Rolls, tubes and cylinders around which flexible material (e.g. plastic film, aluminium, paper) is wound, except rolls, tubes and cylinders intended as parts of production machinery and not used to present a product as a sales unit

Flower pots intended to be used only for the selling and transporting of plants and not intended to stay with the plant throughout its life time

Glass bottles for injection solutions

CD spindles (sold with CDs, not intended to be used as storage)

Clothes hangers (sold with a clothing item)

Matchboxes

Sterile barrier systems (pouches, trays and materials necessary to preserve the sterility of the product)

Beverage system capsules (e.g. coffee, cacao, milk) which are left empty after use

Refillable steel cylinders used for various kinds of gas, excluding fire extinguishers

Non-packaging

Flower pots intended to stay with the plant throughout its life time

Tool boxes

Tea bags

Wax layers around cheese

Sausage skins

Clothes hangers (sold separately)

Beverage system coffee capsules, coffee foil pouches, and filter paper coffee pods disposed together with the used coffee product

Cartridges for printers

CD, DVD and video cases (sold together with a CD, DVD or video inside)

CD spindles (sold empty, intended to be used as storage)

Soluble bags for detergents

Grave side lights (containers for candles)

Mechanical quern (integrated in a refillable recipient, e.g. refillable pepper mill)

Illustrative examples for criterion (ii)

Packaging, if designed and intended to be filled at the point of sale

Paper or plastic carrier bags

Disposable plates and cups

Cling film

Sandwich bags

Aluminium foil

Plastic foil for cleaned clothes in laundries

Non-packaging

Stirrer

Disposable cutlery

Wrapping paper (sold separately)

Paper baking cases (sold empty)

Cake doilies sold without a cake

Illustrative examples for criterion (iii)

Packaging

Labels hung directly on or attached to a product

Part of packaging

Mascara brush which forms part of the container closure

Sticky labels attached to another packaging item

Staples

Plastic sleeves

Device for measuring dosage which forms part of the container closure for detergents

Mechanical quern (integrated in a non-refillable recipient, filled with a product, e.g. pepper mill filled with pepper)

Non-packaging

Radio frequency identification (RFID) tags'

2013 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 300 per year
EU Official Journal, L + C series, paper + annual DVD	22 official EU languages	EUR 1 420 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 910 per year
EU Official Journal, L + C series, monthly DVD (cumulative)	22 official EU languages	EUR 100 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, DVD, one edition per week	multilingual: 23 official EU languages	EUR 200 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual DVD.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our sales agents. The list of sales agents is available at:

http://publications.europa.eu/others/agents/index_en.htm

EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN