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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information relating to the entry into force of the Agreement between the European Union and the Republic of Armenia on the readmission of persons residing without authorisation

The Agreement between the European Union and the Republic of Armenia on the readmission of persons residing without authorisation will enter into force on 1 January 2014, the procedure provided for in Article 23(2) of the Agreement having been completed on 27 November 2013.

Information relating to the entry into force of the Agreement between the European Union and the Republic of Armenia on the facilitation of the issuance of visas

The Agreement between the European Union and the Republic of Armenia on the facilitation of the issuance of visas will enter into force on 1 January 2014, the procedure provided for in Article 14(1) of the Agreement having been completed on 27 November 2013.

REGULATIONS

COUNCIL REGULATION (EU) No 1325/2013

of 9 December 2013

amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN UNION,

including fuel, in accordance with Commission Implementing Regulation (EU) No 1213/2012 ⁽²⁾.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

- (5) The imposition of customs duties on jet fuel from those suppliers would likely cause an increase in the price of jet fuel on the Union market as it is not economically viable for refineries in the Union to increase their production of aviation fuel to any significant degree.

Having regard to the proposal from the European Commission,

Whereas:

- (6) It is therefore appropriate to suspend the autonomous rate of customs duty for jet fuel. The suspension should cover all products falling within CN code 2710 19 21. Taking into account possible future changes in the market situation of jet fuel, the suspension should be reviewed on the basis of an assessment within five years.

- (1) The Union market for jet fuel depends considerably on imports of jet fuel from third countries.

- (2) Although bilateral aviation agreements between Member States and third countries typically include provisions concerning duty relief for jet fuel, it is necessary to lay down common rules on duty relief for jet fuel in order to ensure clarity and uniformity in this regard, to provide legal certainty for operators and to avoid any distortion of competition resulting from differing practices and rules.

- (7) Annex I to Council Regulation (EEC) No 2658/87 ⁽³⁾ should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

- (3) A significant part of jet fuel imports to the Union originates in countries that benefit from the scheme of generalised tariff preferences or have preferential access to the Union market, and thus the imports are duty-free.

In Annex I to Regulation (EEC) No 2658/87, the text for CN code 2710 19 21 in column 3 of the table in Chapter 27 of Section V of Part Two, is replaced by the following:

‘4,7 (*)

- (4) With the application of tariff preferences in accordance with Regulation (EU) No 978/2012 of the European Parliament and of the Council ⁽¹⁾ starting from 1 January 2014, a number of countries which are important exporters of jet fuel will cease to be beneficiaries of that preferential access to the Union market, and certain other exporting countries will not benefit from preferential access for certain product categories,

(*) Autonomous rate of duty: Free.’

⁽¹⁾ Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (OJ L 303, 31.10.2012, p. 1).

⁽²⁾ Commission Implementing Regulation (EU) No 1213/2012 of 17 December 2012 suspending the tariff preferences for certain GSP beneficiary countries in respect of certain GSP sections in accordance with Regulation (EU) No 978/2012 of the European Parliament and of the Council applying a scheme of generalised tariff preferences (OJ L 348, 18.12.2012, p. 11).

⁽³⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

Article 2

This Regulation shall enter into force on 1 January 2014.

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

Done at Brussels, 9 December 2013.

For the Council
The President
A. PABEDINSKIENĖ

COUNCIL REGULATION (EU) No 1326/2013**of 9 December 2013****amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Until 2012, sanitary towels (pads) and tampons, napkins and napkin liners for babies and similar articles of any material were classified in different Chapters of the Harmonised System nomenclature, depending on the nature or constituent material of the article. Different rates of customs duty were associated with those articles. This led to a complex tariff system of classification.
- (2) In 2012, a single heading 961900 was created in the Harmonised System to cover those sanitary articles. However, the same complex tariff system of classification was kept under the new heading, which was divided into twelve subheadings according to the constituent material, each corresponding to a different conventional rate of duty.

- (3) That complex system has been found to lead to unnecessary difficulties and burdens in the application of the Combined Nomenclature. In the interest of legislative simplification and to avoid unnecessary difficulties in applying the Combined Nomenclature, it is therefore appropriate to simplify both the Combined Nomenclature and the tariff structure for those sanitary articles, in order to implement four categories of products (instead of eight), each of them associated with a single autonomous rate of duty.

- (4) Council Regulation (EEC) No 2658/87 ⁽¹⁾ should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2658/87 is hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 2014.

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

Done at Brussels, 9 December 2013.

For the Council
The President
A. PABEDINSKIENĖ

⁽¹⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

ANNEX

In Annex I to Regulation (EEC) No 2658/87, the entries for CN codes 9619 00 to 9619 00 90 in Chapter 96 of Section XX of Part Two, are replaced by the following:

9619 00	Sanitary towels (pads) and tampons, napkins and napkin liners for babies, and similar articles, of any material:		
9619 00 30	– Of wadding of textile materials	(¹)	—
	– Of other textile materials:		
9619 00 40	– – Sanitary towels (pads), tampons and similar articles	(²)	—
9619 00 50	– – Napkins and napkin liners for babies, and similar articles	(³)	—
	– Of other materials:		
	– – Sanitary towels (pads), tampons and similar articles:		
9619 00 71	– – – Sanitary towels (pads)	(⁴)	—
9619 00 75	– – – Tampons	(⁴)	—
9619 00 79	– – – Other	(⁴)	—
	– – Napkins and napkin liners for babies, and similar articles:		
9619 00 81	– – – Napkins and napkin liners for babies	(⁴)	—
9619 00 89	– – – Other (for example, incontinence care articles)	(⁴)	—

(¹) Autonomous rate of duty: 3,8 %.

Conventional rate of duty:

— Of man made fibres: 5 %,

— Other than of man made fibres: 3,8 %.

(²) Autonomous rate of duty: 6,3 %.

Conventional rate of duty:

— Knitted or crocheted: 12 %,

— Other: 10,5 %.

(³) Autonomous rate of duty: 10,5 %.

Conventional rate of duty:

— Knitted or crocheted: 12 %,

— Other: 10,5 %.

(⁴) Autonomous rate of duty: Free.

Conventional rate of duty:

— Of paper pulp, paper, cellulose wadding or webs of cellulose fibres: Free,

— Of other materials: 6,5 %.

COMMISSION REGULATION (EU) No 1327/2013**of 11 December 2013****establishing a prohibition of fishing for redfish in NAFO area 3LN by vessels flying the flag of a Member State of the European Union**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) No 40/2013 of 21 January 2013 fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements⁽²⁾, lays down quotas for 2013.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2013.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2013 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***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, 11 December 2013.

*For the Commission,
On behalf of the President,*

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ OJ L 23, 25.1.2013, p. 54.

ANNEX

No	71/TQ40
Member State	European Union (all Member States)
Stock	RED/N3LN.
Species	Redfish (<i>Sebastes</i> spp.)
Zone	NAFO 3LN
Closing date	26.11.2013

COMMISSION IMPLEMENTING REGULATION (EU) No 1328/2013**of 12 December 2013****granting cross-regional cumulation between Indonesia and Sri Lanka as regards the rules of origin used for the purposes of the scheme of generalised tariff preferences pursuant to Regulation (EEC) No 2454/93**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, and in particular Article 247 thereof,Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, and in particular Article 86 thereof,

Whereas:

- (1) Article 86(5) of Regulation (EEC) No 2454/93 provides that and sets conditions under which beneficiary countries of the Union Generalised System of Preferences (GSP) belonging to regional groups I and III may be allowed to use each other's materials under a specific type of cumulation usually called 'cross-regional cumulation'.
- (2) By letter dated 15 April 2013, Indonesia and Sri Lanka submitted a joint request for cross-regional cumulation pursuant to Article 86(5) of Regulation (EEC) No 2454/93.
- (3) The countries concerned propose that, in order to stimulate trade and contribute to the growth of both economies, the tobacco growing sector of Indonesia be allowed to supply the Sri Lankan cigar manufacturing sector with materials of Indonesian origin that Sri Lanka could use there under cumulation in further working or processing going beyond the operations described in Article 78(1) of Regulation (EEC) No 2454/93.
- (4) In the request, both countries have undertaken to comply or ensure compliance with the GSP rules of origin and to provide the administrative cooperation necessary to ensure the correct implementation of these rules both with regard to the Union and between themselves.
- (5) The request contains a description of the materials to be used under cumulation, which are unmanufactured tobacco and tobacco refuse of Harmonised System (HS) heading 2401, as well as the processing phases and the supporting processes to be carried out in Sri Lanka.
- (6) The requesting countries submit that the cross-regional cumulation, if granted, would have positive effects on the economies of both countries and would not affect negatively the sectors of the Union economy involved in cigar production and sale.
- (7) The possibility for Sri Lanka to cumulate materials of HS heading 2401 originating in Indonesia should therefore be granted, provided that both countries remain GSP beneficiary countries in the sense of Article 2(d) of Regulation (EU) No 978/2012 of the European Parliament and of the Council ⁽³⁾.
- (8) The European Commission will monitor the evolution of the imports resulting from this authorisation and in the light of this monitoring, may reconsider this authorisation based on criteria such as the increase of quantity of imports.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Sri Lanka is hereby entitled to use, in accordance with Article 86(5) of Regulation (EEC) No 2454/93, unmanufactured tobacco and tobacco refuse of HS code 2401 originating in Indonesia under cumulation of origin. In accordance with Article 86(2)(a) of Regulation (EEC) No 2454/93, this entitlement is conditional upon both Sri Lanka and Indonesia remaining at the time of exportation of the product to the Union beneficiary countries in the sense of Article 2(d) of Regulation (EU) No 978/2012.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 253, 11.10.1993, p. 1.

⁽³⁾ Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (OJ L 303, 31.10.2012, p. 1).

Article 2

This Regulation shall enter into force on 1 January 2014.

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

Done at Brussels, 12 December 2013.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 1329/2013**of 12 December 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, 12 December 2013.

*For the Commission,
On behalf of the President,*

*Jerzy PLEWA
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	IL	200,7
	MA	81,4
	TN	120,9
	TR	100,5
	ZZ	125,9
0707 00 05	MA	134,4
	TR	129,6
	ZZ	132,0
0709 93 10	MA	151,1
	TR	157,7
	ZZ	154,4
0805 10 20	AR	27,9
	MA	36,7
	TR	62,8
	UY	27,9
	ZA	45,3
	ZW	19,7
	ZZ	36,7
0805 20 10	MA	55,4
	ZZ	55,4
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	108,1
	JM	139,0
	TR	70,2
	ZZ	105,8
0805 50 10	TR	65,9
	ZZ	65,9
0808 10 80	BA	78,8
	CN	88,1
	MK	36,9
	US	111,7
	ZA	199,9
0808 30 90	ZZ	103,1
	TR	120,5
	ZZ	120,5

⁽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'.

COMMISSION IMPLEMENTING REGULATION (EU) No 1330/2013**of 12 December 2013****amending Regulation (EC) No 1484/95 as regards representative prices in the poultrymeat and egg sectors and for egg albumin**

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⁾, and in particular Article 143 in conjunction with Article 4 thereof,

Having regard to Council Regulation (EC) No 614/2009 of 7 July 2009 on the common system of trade for ovalbumin and lactalbumin ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

(2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for

egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin.

(3) Regulation (EC) No 1484/95 should be amended accordingly.

(4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out 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, 12 December 2013.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 181, 14.7.2009, p. 8.

⁽³⁾ OJ L 145, 29.6.1995, p. 47.

ANNEX

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security pursuant to Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen	121,1	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen	134,7	0	AR
		131,2	0	BR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	289,6	3	AR
		218,4	25	BR
		321,9	0	CL
		254,3	14	TH
0207 27 10	Turkeys, boneless cuts, frozen	314,3	0	BR
		333,7	0	CL
0408 91 80	Eggs, not in shell, dried	468,7	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	265,3	6	BR
		315,1	0	CL

⁽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”.

DECISIONS

COMMISSION DECISION

of 11 December 2013

on the notification by the Republic of Lithuania of a transitional national plan referred to in Article 32 of Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions

(notified under document C(2013) 8636)

(Only the Lithuanian text is authentic)

(2013/751/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) ⁽¹⁾, and in particular Article 32(5), second subparagraph thereof,

Whereas:

(1) In accordance with Article 32(5) first subparagraph of Directive 2010/75/EU, the Republic of Lithuania submitted to the Commission its transitional national plan (TNP) on 31 December 2012 ⁽²⁾.

(2) During its assessment of the completeness of the TNP, the Commission found that some of the plants included in the TNP did not match with those in the emission inventory submitted by the Republic of Lithuania under Directive 2001/80/EC of the European Parliament and of the Council ⁽³⁾. Therefore, by letter of 12 June 2013 ⁽⁴⁾, the Commission requested the Lithuanian authorities to clarify those discrepancies, to confirm that the provisions of Article 29 of Directive 2010/75/EU have been correctly applied for the drawing up of the TNP, and to provide the missing individual plant data.

(3) The Republic of Lithuania submitted additional information to the Commission by letter of 26 June 2013 ⁽⁵⁾.

(4) After further assessment of the TNP and the additional information, the Commission sent a second letter to the Republic of Lithuania on 23 July 2013 ⁽⁶⁾ with the request to clarify the grounds for applying for five plants the emission limit values mentioned under Note 5 to Table C1 of Appendix C of the Annex to Commission Implementing Decision 2012/115/EU ⁽⁷⁾.

(5) By letter of 20 August 2013 ⁽⁸⁾, the Republic of Lithuania submitted additional information concerning the ash content of the fuel used in some of the plants covered by the TNP.

(6) By letter of 27 September 2013 ⁽⁹⁾, the Commission requested further clarification and completion of this data, in conformity with the information requested in Decision 2012/115/EU.

(7) By e-mail of 3 October 2013 ⁽¹⁰⁾, the Republic of Lithuania provided additional certificates of the composition of the heavy fuel oil and confirmed that all available information had been made available to the Commission and that the conditions for applying the ELV set out in Note 5 to Table C1 of Appendix C of the Annex to Implementing Decision 2012/115/EU were fulfilled for the five plants concerned.

(8) The TNP has therefore been assessed by the Commission in accordance with Article 32(1), (3) and (4) of Directive 2010/75/EU and with Implementing Decision 2012/115/EU.

⁽¹⁾ OJ L 334, 17.12.2010, p. 17

⁽²⁾ The notification by the Republic of Lithuania was received by letter of 31 December 2012 registered under reference Ares(2013)14208

⁽³⁾ Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants (OJ L 309, 27.11.2001, p.1)

⁽⁴⁾ Ares(2013)1636798

⁽⁵⁾ Ares(2013)2499624

⁽⁶⁾ Ares(2013)2741492

⁽⁷⁾ Commission Implementing Decision 2012/115/EU of 10 February 2012 laying down rules concerning the transitional national plans referred to in Directive 2010/75/EU of European Parliament and the Council on industrial emissions (OJ L 52, 24.2.2012, p. 12)

⁽⁸⁾ Ares(2013)3085715

⁽⁹⁾ Ares(2013)3122034

⁽¹⁰⁾ Ares(2013)3183202

- (9) In particular, the Commission has examined the consistency and correctness of the data, assumptions and calculations used for determining the contributions of each of the combustion plants covered by the TNP to the emission ceilings set out in the TNP, and has analysed whether it contains objectives and related targets, measures and timetables for reaching these objectives and a monitoring mechanism to assess future compliance.
- (10) Further to the additional information submitted, the Commission found that the emission ceilings for the years 2016 and 2019 were calculated using the appropriate data and formulae and that the calculations were correct. The Republic of Lithuania has provided sufficient information regarding the measures that will be implemented in order to achieve emission ceilings, the monitoring and the reporting to the Commission on the implementation of the TNP.
- (11) The Commission is satisfied that the Lithuanian authorities have taken into consideration the provisions listed in Article 32 (1), (3) and (4) of Directive 2010/75/EU and in Implementing Decision 2012/115/EU.
- (12) The implementation of the TNP should be without prejudice to other applicable national and Union law. In particular, when setting individual permit conditions for the combustion plants covered by the TNP, the Republic of Lithuania should ensure that compliance with the requirements set out in, *inter alia*, Directive 2010/75/EU, Directive 2008/50/EC of the European Parliament and of the Council⁽¹⁾ and Directive 2001/81/EC of the European Parliament and of the Council⁽²⁾ is not jeopardised.
- (13) Article 32(6) of Directive 2010/75/EU requires the Republic of Lithuania to inform the Commission of any subsequent changes to the TNP. The Commission should assess whether those changes comply with the provisions laid down in Article 32 (1), (3) and (4) of Directive 2010/75/EU and in Implementing Decision 2012/115/EU.

HAS ADOPTED THIS DECISION:

Article 1

1. On the basis of Article 32(1), (3) and (4) of Directive 2010/75/EU and of Implementing Decision 2012/115/EU, no objections are raised against the transitional national plan, which the Republic of Lithuania notified to the Commission on 31 December 2012 pursuant to Article 32(5) of Directive 2010/75/EU, as amended in accordance with the additional information sent on 26 June 2013, 20 August 2013 and 3 October 2013⁽³⁾.

2. The list of plants covered by the transitional national plan, the pollutants for which those plants are covered, and the applicable emission ceilings are laid down in the Annex.

3. The implementation of the transitional national plan by the Lithuanian authorities shall not exempt the Republic of Lithuania from compliance of the provisions of Directive 2010/75/EU concerning the emissions from the individual combustion plants covered by the plan, and of other relevant bodies of the European Union environmental law.

Article 2

The Commission shall assess if any subsequent changes to the transitional national plan, notified by the Republic of Lithuania in the future, comply with the provisions listed in Article 32 (1), (3) and (4) of Directive 2010/75/EU and in Implementing Decision 2012/115/EU.

Article 3

This Decision is addressed to the Republic of Lithuania.

Done at Brussels, 11 December 2013.

For the Commission

Janez POTOČNIK

Member of the Commission

⁽¹⁾ Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p.1)

⁽²⁾ Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22)

⁽³⁾ The consolidated version of the TNP was registered by the Commission on 30 October 2013 under registration number Ares(2013)3408081

ANNEX

List of plants included in the TNP

Number	Plant name in the TNP	Total rated thermal input on 31.12.2010 (MW)	Pollutant covered by the TNP		
			SO ₂	NO _x	dust
1	Termofikacinė elektrinė Nr. 2 (E-2), taršos šaltinis Nr. 001 Elektrinės 2, LT-03150 Vilnius	444	√	√	√
2	Termofikacinė elektrinė Nr. 2 (E-2), taršos šaltinis Nr. 002 Elektrinės 2, LT-03150 Vilnius	438	√	√	√
3	Termofikacinė elektrinė Nr. 3 (E-3), taršos šaltinis Nr. 001 Jočionių 13, LT-02300 Vilnius	1 098	√	√	√
4	Ateities rajoninė katilinė Nr. 8 (RK-8), taršos šaltinis Nr. 001	349	√	√	√
5	Alytaus RK taršos šaltinis Nr. 001	330,5	√	√	√
6	Marijampolės RK taršos šaltinis Nr. 001	158,8	√	√	√
7	Kauno elektrinė, taršos šaltinis Nr.001	1 334	—	√	—

Emission ceilings (tonnes)

	2016	2017	2018	2019	1.1 – 30.6.2020
SO ₂	793	637	480	324	162
NO _x	2 149	1 733	1 317	900	450
dust	94	76	57	39	20

COMMISSION IMPLEMENTING DECISION

of 11 December 2013

amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices and repealing Decision 2005/928/EC

(notified under document C(2013) 8776)

(Text with EEA relevance)

(2013/752/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

(1) Commission Decision 2006/771/EC ⁽²⁾ harmonises the technical conditions for use of spectrum for a wide variety of short-range devices, including applications such as alarms, local communications equipment, door openers, medical implants and for intelligent transport systems. Short-range devices are typically mass-market and/or portable products which can easily be taken and used across borders; differences in spectrum access conditions therefore prevent their free movement, increase their production costs and create risks of harmful interference with other radio applications and services.

(2) Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme ⁽³⁾ (RSPP) requires Member States, in cooperation with the Commission, and where appropriate, to foster the collective use of spectrum as well as shared use of spectrum in order to enhance efficiency and flexibility.

(3) Due to the growing importance of short-range devices for the economy and the rapid changes in technology and societal demands, new applications for short-range devices can emerge. These require regular updates of spectrum harmonisation conditions.

(4) On 5 July 2006, the Commission issued a permanent mandate to the European Conference of Postal and Telecommunications Administrations (CEPT), pursuant to Article 4(2) of Decision No 676/2002/EC, to update the Annex to Decision 2006/771/EC in response to technological and market developments in the area of short-range devices.

(5) Commission Decisions 2008/432/EC ⁽⁴⁾, 2009/381/EC ⁽⁵⁾, 2010/368/EU ⁽⁶⁾ and Commission Implementing Decision 2011/829/EU ⁽⁷⁾ already amended the harmonised technical conditions for short-range devices contained in Decision 2006/771/EC by replacing its Annex.

(6) In its March 2013 report ⁽⁸⁾ submitted in response to the above-mentioned mandate, the CEPT informed the Commission of the results of the requested examination of the 'type of short-range device' and the 'other usage restrictions' categories in the Annex to Decision 2006/771/EC and advised the Commission to amend a number of technical aspects in that Annex.

(7) The results of the mandate show that short-range devices operating on a non-exclusive and shared basis need, on the one hand, legal certainty regarding the possibility to use spectrum on a shared basis, which can be achieved through predictable technical shared usage conditions of harmonised bands which ensure reliable and efficient use of harmonised bands. These short-range devices also need, on the other hand, sufficient flexibility to allow for a large variety of applications in order to maximise the benefits of wireless innovation in the Union. It is therefore necessary to harmonise defined technical usage conditions to prevent harmful interference and to ensure for as much flexibility as possible while fostering reliable and efficient use of frequency bands by short-range devices.

⁽¹⁾ OJ L 108, 24.4.2002, p. 1.

⁽²⁾ OJ L 312, 11.11.2006, p. 66.

⁽³⁾ OJ L 81, 21.3.2012, p. 7.

⁽⁴⁾ OJ L 151, 11.6.2008, p. 49.

⁽⁵⁾ OJ L 119, 14.5.2009, p. 32.

⁽⁶⁾ OJ L 166, 1.7.2010, p. 33.

⁽⁷⁾ OJ L 329, 13.12.2011, p. 10.

⁽⁸⁾ CEPT Report 44, RSCOM 13-25

- (8) The suppression of the notion of 'type' of short-range devices and the harmonisation of short-range devices categories achieves such purpose. Two kinds of categories would each establish predictable sharing environments for a whole group of short-range devices. The short-range devices in these categories are grouped either on the basis of similar technical spectrum access mechanisms or based on common usage scenarios that determine the expected deployment density.
- (9) The scope of the categories as defined in the technical annex provides users with predictability in regard to other short-range devices that are allowed to use the same frequency band on a non-exclusive and shared basis. Pursuant to Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity ⁽¹⁾ (the R&TTE Directive) within such categories manufacturers should ensure that short-range devices effectively avoid harmful interference to other short-range devices.
- (10) In the specific frequency bands covered by this Decision, the combination of the harmonised short-range devices category and the technical usage conditions (frequency band, transmit power limit/field strength limit/power density limit, additional parameters and other usage restrictions) establishes a harmonised sharing environment in such a way as to allow short-range devices to share the use of spectrum with each other on a non-exclusive basis, regardless of the purpose of such use.
- (11) In order to safeguard the legal certainty and the predictability of such harmonised sharing environments, the use of harmonised bands either by short-range devices which are not part of a harmonised category or under less restrictive technical parameters would only be allowed to the extent that the relevant sharing environment is not compromised.
- (12) On 6 July 2011, the Commission issued a further mandate to the CEPT, pursuant to Article 4(2) of Decision No 676/2002/EC, to undertake the necessary technical studies in support of a possible review of Commission Decision 2005/928/EC of 20 December 2005 on the harmonisation of the 169,4-169,8125 MHz frequency band in the Community ⁽²⁾, to ensure the efficient use of the harmonised frequency range in accordance with Article 5 of that Decision.
- (13) In its June 2012 report ⁽³⁾ submitted in response to the above mentioned second mandate, the CEPT advised the Commission to incorporate existing and additional harmonisation measures for low power/short-range devices in the 169 MHz band in the forthcoming amendment of the Annex to Decision 2006/771/EC to provide better visibility and transparency of the harmonised frequency range (169,4-169,8125 MHz).
- (14) Based on results of the CEPT's work it is possible to streamline the regulatory conditions for short-range devices. The harmonisation of spectrum access conditions would achieve the objective set by the RSPP to foster the collective use of spectrum in the internal market for categories of short-range devices.
- (15) The Annex to Decision 2006/771/EC should therefore be amended and Decision 2005/928/EC should be repealed accordingly.
- (16) Equipment operating within the conditions set in this Decision should also comply with the R&TTE Directive in order to use the spectrum effectively so as to avoid harmful interference, demonstrated either by meeting harmonised standards or by fulfilling alternative conformity assessment procedures.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Radio Spectrum Committee,
- HAS ADOPTED THIS DECISION:
- Article 1*
- In Article 2 of Decision 2006/771/EC, the following point is added:
- '3. "category of short-range devices" means a group of short-range devices that use spectrum with similar technical spectrum access mechanisms or based on common usage scenarios'
- Article 2*
- Article 3 of Decision 2006/771/EC is replaced by the following.

⁽¹⁾ OJ L 91, 7.4.1999, p. 10.

⁽²⁾ OJ L 344, 27.12.2005, p. 47.

⁽³⁾ CEPT Report 43, RSCOM 12-25.

Article 3

1. Member States shall designate and make available, on a non-exclusive, non-interference and non-protected basis, the frequency bands for the categories of short-range devices, subject to the specific conditions and by the implementation deadline, as laid down in the Annex to this Decision.

2. Notwithstanding paragraph 1, Member States may request the benefit of Article 4(5) of the Radio Spectrum Decision.

3. This Decision is without prejudice to the right of Member States to allow the use of the frequency bands under less restrictive conditions or for short-range devices which are not part of the harmonised category provided that this does not prevent or reduce the possibility for short-range devices of such a category to rely on the appropriate set of harmonised technical and operational conditions, as specified in the Annex to this Decision, which allow the shared use of a specific part of the spectrum on a non-exclusive basis and for different purposes by short range devices of the same category.'

Article 3

The Annex to Decision 2006/771/EC is replaced by the text in the Annex to this Decision.

Article 4

Decision 2005/928/EC is repealed.

Article 5

Member States shall report to the Commission on the implementation of this Decision no later than 1 September 2014.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 11 December 2013.

For the Commission

Neelie KROES

Vice-President

Harmonised frequency bands and technical parameters for short-range devices

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
1	9-59,750 kHz	Inductive devices ⁽¹⁴⁾	72 dBµA/m at 10 metres			1 July 2014
2	9-315 kHz	Active medical implant devices ⁽¹⁾	30 dBµA/m at 10 metres	Duty cycle limit ^(vi) : 10 %	This set of usage conditions is only available to active implantable medical devices ⁽⁷⁾ .	1 July 2014
3	59,750-60,250 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014
4	60,250-74,750 kHz	Inductive devices ⁽¹⁴⁾	72 dBµA/m at 10 metres			1 July 2014
5	74,750-75,250 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014
6	75,250-77,250 kHz	Inductive devices ⁽¹⁴⁾	72 dBµA/m at 10 metres			1 July 2014
7	77,250-77,750 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014
8	77,750-90 kHz	Inductive devices ⁽¹⁴⁾	72 dBµA/m at 10 metres			1 July 2014
9	90-119 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014
10	119-128,6 kHz	Inductive devices ⁽¹⁴⁾	66 dBµA/m at 10 metres			1 July 2014
11	128,6-129,6 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
12	129,6-135 kHz	Inductive devices ⁽¹⁴⁾	66 dBµA/m at 10 metres			1 July 2014
13	135-140 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014
14	140-148,5 kHz	Inductive devices ⁽¹⁴⁾	37,7 dBµA/m at 10 metres			1 July 2014
15	148,5-5 000 kHz ⁽¹⁷⁾	Inductive devices ⁽¹⁴⁾	– 15 dBµA/m at 10 metres in any bandwidth of 10 kHz. Furthermore the total field strength is – 5 dBµA/m at 10 m for systems operating at bandwidths larger than 10 kHz			1 July 2014
16	315-600 kHz	Active medical implant devices ⁽¹⁾	– 5 dBµA/m at 10 m	Duty cycle limit ^(vi) : 10 %	This set of usage conditions is only available to animal implantable devices ⁽²⁾ .	1 July 2014
17	400-600 kHz	Radio Frequency Identification (RFID) devices ⁽¹²⁾	– 8 dBµA/m at 10 metres			1 July 2014
18	456,9-457,1 kHz	Non-specific short-range devices ⁽³⁾	7 dBµA/m at 10 m		This set of usage conditions is only available for emergency detections of buried victims and valuable items devices.	1 July 2014
19	984-7 484 kHz	Transport and Traffic Telematics devices ⁽¹³⁾	9 dBµA/m at 10 m	Duty cycle limit ^(vi) : 1 %	This set of usage conditions is only available for Eurobalise transmissions in the presence of trains and using the 27 MHz band for telepowering.	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
20	3 155-3 400 kHz	Inductive devices ⁽¹⁴⁾	13,5 dBµA/m at 10 metres			1 July 2014
21	5 000-30 000 kHz ⁽¹⁸⁾	Inductive devices ⁽¹⁴⁾	– 20 dBµA/m at 10 metres in any bandwidth of 10 kHz. Furthermore the total field strength is – 5 dBµA/m at 10 m for systems operating at bandwidths larger than 10 kHz			1 July 2014
22a	6 765-6 795 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014
22b	6 765-6 795 kHz	Non-specific short-range devices ⁽³⁾	42 dBµA/m at 10 metres			1 July 2014
23	7 300-23 000 kHz	Transport and Traffic Tele-matics devices ⁽¹³⁾	– 7 dBµA/m at 10 m	Antenna restrictions apply as specified in the harmonised standards adopted under Directive 1999/5/EC.	This set of usage conditions is only available for Euroloop transmissions in the presence of trains and using the 27 MHz band for telepowering.	1 July 2014
24	7 400-8 800 kHz	Inductive devices ⁽¹⁴⁾	9 dBµA/m at 10 metres			1 July 2014
25	10 200-11 000 kHz	Inductive devices ⁽¹⁴⁾	9 dBµA/m at 10 metres			1 July 2014
26	12 500-20 000 kHz	Active medical implant devices ⁽¹⁾	– 7 dBµA/m at 10 m in a bandwidth of 10 kHz	Duty cycle limit ^(vi) : 10 %	This set of usage conditions is only available to indoor use by animal implantable devices ⁽²⁾ .	1 July 2014
27a	13 553-13 567 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
27b	13 553-13 567 kHz	Radio Frequency Identification (RFID) devices ⁽¹²⁾	60 dBµA/m at 10 metres			1 July 2014
27c	13 553-13 567 kHz	Non-specific short-range devices ⁽³⁾	42 dBµA/m at 10 metres			1 July 2014
28a	26 957-27 283 kHz	Inductive devices ⁽¹⁴⁾	42 dBµA/m at 10 metres			1 July 2014
28b	26 957-27 283 kHz	Non-specific short-range devices ⁽³⁾	10 mW effective radiated power (e.r.p.), which corresponds to 42 dBµA/m at 10 metres			1 July 2014
29	26 990-27 000 kHz	Non-specific short-range devices ⁽³⁾	100 mW e.r.p.	Duty cycle limit ^(vi) : 0,1 %	Model control devices may operate without duty cycle restrictions ⁽¹¹⁾ .	1 July 2014
30	27 040-27 050 kHz	Non-specific short-range devices ⁽³⁾	100 mW e.r.p.	Duty cycle limit ^(vi) : 0,1 %	Model control devices may operate without duty cycle restrictions ⁽¹¹⁾ .	1 July 2014
31	27 090-27 100 kHz	Non-specific short-range devices ⁽³⁾	100 mW e.r.p.	Duty cycle limit ^(vi) : 0,1 %	Model control devices may operate without duty cycle restrictions ⁽¹¹⁾ .	1 July 2014
32	27 140-27 150 kHz	Non-specific short-range devices ⁽³⁾	100 mW e.r.p.	Duty cycle limit ^(vi) : 0,1 %	Model control devices may operate without duty cycle restrictions ⁽¹¹⁾ .	1 July 2014
33	27 190-27 200 kHz	Non-specific short-range devices ⁽³⁾	100 mW e.r.p.	Duty cycle limit ^(vi) : 0,1 %	Model control devices may operate without duty cycle restrictions ⁽¹¹⁾ .	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
34	30-37,5 MHz	Active medical implant devices ⁽¹⁾	1 mW e.r.p.	Duty cycle limit ^(vi) : 10 %	This set of usage conditions is only available to ultra-low power medical membrane implants for blood pressure measurements within the definition of active implantable medical devices ⁽⁷⁾ in Directive 90/385/EEC.	1 July 2014
35	40,66-40,7 MHz	Non-specific short-range devices ⁽³⁾	10 mW e.r.p.		Video applications are excluded.	1 July 2014
36	87,5-108 MHz	High duty cycle/continuous transmission devices ⁽⁸⁾	50 nW e.r.p.	Channel spacing up to 200 kHz.	This set of usage conditions is only available to transmitters with analogue frequency modulation (FM).	1 July 2014
37a	169,4-169,475 MHz	Assistive Listening Devices (ALD) ⁽⁴⁾	500 mW e.r.p.	Channel spacing: max 50 kHz.		1 July 2014
37b	169,4-169,475 MHz	Metering devices ⁽⁵⁾	500 mW e.r.p.	Channel spacing: max 50 kHz. Duty cycle limit ^(vi) : 10,0 %.		1 July 2014
37c	169,4-169,475 MHz	Non-specific short-range devices ⁽³⁾	500 mW e.r.p.	Channel spacing: max 50 kHz. Duty cycle limit ^(vi) : 1,0 %.		1 July 2014
38	169,4-169,4875 MHz	Non-specific short-range devices ⁽³⁾	10 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Duty cycle limit ^(vi) : 0,1 %.		1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
39a	169,4875-169,5875 MHz	Assistive Listening Devices (ALD) ⁽⁴⁾	500 mW e.r.p.	Channel spacing: max 50 kHz.		1 July 2014
39b	169,4875-169,5875 MHz	Non-specific short-range devices ⁽³⁾	10 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Duty cycle limit ^(vi) : 0,001 %.	Between 00.00 and 06.00 local time a duty cycle limit ^(vi) of 0,1 % may be used.	1 July 2014
40	169,5875-169,8125 MHz	Non-specific short-range devices ⁽³⁾	10 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Duty cycle limit ^(vi) : 0,1 %.		1 July 2014
41	401-402 MHz	Active medical implant devices ⁽¹⁾	25 µW e.r.p.	Channel spacing: 25 kHz. Individual transmitters may combine adjacent channels for increased bandwidth up to 100 kHz. Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ^(vi) of 0,1 % may also be used.	This set of usage conditions is only available for systems specifically designed for the purpose of providing non-voice digital communications between active implantable medical devices ⁽⁷⁾ and/or body-worn devices and other devices external to the human body used for transferring non-time critical individual patient-related physiological information.	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
42	402-405 MHz	Active medical implant devices ⁽¹⁾	25 µW e.r.p.	Channel spacing: 25 kHz. Individual transmitters may combine adjacent channels for increased bandwidth up to 300 kHz. Other techniques to access spectrum or mitigate interference, including bandwidths greater than 300 kHz, can be used provided they result at least in an equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC to ensure compatible operation with the other users and in particular with meteorological radiosondes.	This set of usage conditions is only available to active implantable medical devices ⁽⁷⁾ .	1 July 2014
43	405-406 MHz	Active medical implant devices ⁽¹⁾	25 µW e.r.p.	Channel spacing: 25 kHz Individual transmitters may combine adjacent channels for increased bandwidth up to 100 kHz. Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ^(vi) of 0,1 % may also be used.	This set of usage conditions is only available for systems specifically designed for the purpose of providing non-voice digital communications between active implantable medical devices ⁽⁷⁾ and/or body-worn devices and other devices external to the human body used for transferring non-time critical individual patient-related physiological information.	1 July 2014
44a	433,05-434,04 MHz	Non-specific short-range devices ⁽³⁾	1 mW e.r.p. and – 13 dBm/10 kHz power density for bandwidth modulation larger than 250 kHz	Voice applications are allowed with advanced mitigation techniques.	Audio and video applications are excluded.	1 July 2014
44b	433,05-434,04 MHz	Non-specific short-range devices ⁽³⁾	10 mW e.r.p.	Duty cycle limit ^(vi) : 10 %	Analogue audio applications other than voice are excluded. Analogue video applications are excluded.	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
45a	434,04-434,79 MHz	Non-specific short-range devices ⁽³⁾	1 mW e.r.p. and – 13 dBm/10 kHz power density for bandwidth modulation larger than 250 kHz	Voice applications are allowed with advanced mitigation techniques.	Audio and video applications are excluded.	1 July 2014
45b	434,04-434,79 MHz	Non-specific short-range devices ⁽³⁾	10 mW e.r.p.	Duty cycle limit ^(vi) : 10 %	Analogue audio applications other than voice are excluded. Analogue video applications are excluded.	1 July 2014
45c	434,04-434,79 MHz	Non-specific short-range devices ⁽³⁾	10 mW e.r.p.	Duty cycle limit ^(vi) : 100 % subject to channel spacing up to 25 kHz. Voice applications are allowed with advanced mitigation techniques.	Audio and video applications are excluded.	1 July 2014
46a	863-865 MHz	Non-specific short-range devices ⁽³⁾	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ^(vi) of 0,1 % may also be used.	Analogue audio applications other than voice are excluded. Analogue video applications are excluded.	1 July 2014
46b	863-865 MHz	High duty cycle/continuous transmission devices ⁽⁸⁾	10 mW e.r.p.		This set of usage conditions is only available to wireless audio and multimedia streaming devices.	1 July 2014
47	865-868 MHz	Non-specific short-range devices ⁽³⁾	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ^(vi) of 1 % may also be used.	Analogue audio applications other than voice are excluded. Analogue video applications are excluded.	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
48	868-868,6 MHz	Non-specific short-range devices ⁽³⁾	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ^(vi) of 1 % may also be used.	Analogue video applications are excluded.	1 July 2014
49	868,6-868,7 MHz	Low duty cycle/high reliability devices ⁽¹⁵⁾	10 mW e.r.p.	Channel spacing: 25 kHz The whole frequency band may also be used as a single channel for high-speed data transmission. Duty cycle limit ^(vi) : 1,0 %	This set of usage conditions is only available to alarm systems.	1 July 2014
50	868,7-869,2 MHz	Non-specific short-range devices ⁽³⁾	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ^(vi) of 0,1 % may also be used.	Analogue video applications are excluded.	1 July 2014
51	869,2-869,25 MHz	Low duty cycle/high reliability devices ⁽¹⁵⁾	10 mW e.r.p.	Channel spacing: 25 kHz. Duty cycle limit ^(vi) : 0,1 %	This set of usage conditions is only available to social alarm devices ⁽⁶⁾ .	1 July 2014
52	869,25-869,3 MHz	Low duty cycle/high reliability devices ⁽¹⁵⁾	10 mW e.r.p.	Channel spacing: 25 kHz Duty cycle limit ^(vi) : 0,1 %	This set of usage conditions is only available to alarm systems.	1 July 2014
53	869,3-869,4 MHz	Low duty cycle/high reliability devices ⁽¹⁵⁾	10 mW e.r.p.	Channel spacing: 25 kHz Duty cycle limit ^(vi) : 1,0 %	This set of usage conditions is only available to alarm systems.	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
54a	869,4-869,65 MHz	Non-specific short-range devices ⁽³⁾	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ^(vi) of 0,1 % may also be used.	Analogue audio applications other than voice are excluded. Analogue video applications are excluded.	1 July 2014
54b	869,4-869,65 MHz	Non-specific short-range devices ⁽³⁾	500 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a Duty cycle limit ^(vi) of 10 % may also be used.	Analogue video applications are excluded.	1 July 2014
55	869,65-869,7 MHz	Low duty cycle/high reliability devices ⁽¹⁵⁾	25 mW e.r.p.	Channel spacing: 25 kHz Duty cycle limit ^(vi) : 10 %	This set of usage conditions is only available to alarm systems.	1 July 2014
56a	869,7-870 MHz	Non-specific short-range devices ⁽³⁾	5 mW e.r.p.	Voice applications allowed with advanced mitigation techniques.	Audio and video applications are excluded.	1 July 2014
56b	869,7-870 MHz	Non-specific short-range devices ⁽³⁾	25 mW e.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Alternatively a duty cycle limit ^(vi) of 1 % may also be used.	Analogue audio applications other than voice are excluded. Analogue video applications are excluded.	1 July 2014
57a	2 400-2 483,5 MHz	Non-specific short-range devices ⁽³⁾	10 mW equivalent isotropic radiated power (e.i.r.p.)			1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
57b	2 400-2 483,5 MHz	Radio determination devices ⁽⁹⁾	25 mW e.i.r.p.			1 July 2014
57c	2 400-2 483,5 MHz	Wideband data transmission devices ⁽¹⁶⁾	100 mW e.i.r.p. and 100 mW/100 kHz e.i.r.p. density applies when frequency hopping modulation is used, 10 mW/MHz e.i.r.p. density applies when other types of modulation are used	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.		1 July 2014
58	2 446-2 454 MHz	Radio Frequency Identification (RFID) devices ⁽¹²⁾	500 mW e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.		1 July 2014
59	2 483,5-2 500 MHz	Active medical implant devices ⁽¹⁾	10 mW e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Channel spacing: 1 MHz. The whole frequency band may also be used dynamically as a single channel for high-speed data transmissions. Duty cycle limit ^(vi) of 10 %.	This set of usage conditions is only available to active implantable medical devices ⁽⁷⁾ . Peripheral master units are for indoor use only.	1 July 2014
60	4 500-7 000 MHz	Radio determination devices ⁽⁹⁾	24 dBm e.i.r.p. ⁽¹⁹⁾	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Tank Level Probing Radar ⁽¹⁰⁾ .	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
61	5 725-5 875 MHz	Non-specific short-range devices ⁽³⁾	25 mW e.i.r.p.			1 July 2014
62	5 795-5 805 MHz	Transport and Traffic Tele-matics devices ⁽¹³⁾	2 W e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions applies only to road tolling applications.	1 July 2014
63	6 000-8 500 MHz	Radio determination devices ⁽⁹⁾	7 dBm/50 MHz peak e.i.r.p. and – 33 dBm/MHz mean e.i.r.p.	Automatic power control and antenna requirements as well as equivalent techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Level Probing Radar. Established exclusion zones around radio astronomy sites must be obeyed.	1 July 2014
64	8 500-10 600 MHz	Radio determination devices ⁽⁹⁾	30 dBm e.i.r.p. ⁽¹⁹⁾	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Tank Level Probing Radar ⁽¹⁰⁾ .	1 July 2014
65	17,1-17,3 GHz	Radio determination devices ⁽⁹⁾	26 dBm e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to ground-based systems.	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
66	24,05-24,075 GHz	Transport and Traffic Tele-matics devices ⁽¹³⁾	100 mW e.i.r.p.			1 July 2014
67	24,05-26,5 GHz	Radio determination devices ⁽⁹⁾	26 dBm/50 MHz peak e.i.r.p. and – 14 dBm/MHz mean e.i.r.p.	Automatic power control and antenna requirements as well as equivalent techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Level Probing Radar. Established exclusion zones around radio astronomy sites must be obeyed.	1 July 2014
68	24,05-27 GHz	Radio determination devices ⁽⁹⁾	43 dBm e.i.r.p. ⁽¹⁹⁾	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Tank Level Probing Radar ⁽¹⁰⁾ .	1 July 2014
69a	24,075-24,15 GHz	Transport and Traffic Tele-matics devices ⁽¹³⁾	100 mW e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Dwell time limits and frequency modulation range apply as specified in harmonised standards.	This set of usage conditions is only available to ground-based vehicle radars.	1 July 2014
69b	24,075-24,15 GHz	Transport and Traffic Tele-matics devices ⁽¹³⁾	0,1 mW e.i.r.p.			1 July 2014
70a	24,15-24,25 GHz	Non-specific short-range devices ⁽³⁾	100 mW e.i.r.p.			1 July 2014

Band no	Frequency band (i)	Category of short-range devices (ii)	Transmit power limit/field strength limit/power density limit (iii)	Additional parameters (channelling and/or channel access and occupation rules) (iv)	Other usage restrictions (v)	Implementation deadline
70b	24,15-24,25 GHz	Transport and Traffic Tele-matics devices (13)	100 mW e.i.r.p.			1 July 2014
71	24,25-24,495 GHz	Transport and Traffic Tele-matics devices (13)	– 11 dBm e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Duty cycle limits (vi) and frequency modulation ranges apply as specified in harmonised standards.	This set of usage conditions is only available to ground-based vehicle radars operating in the harmonised 24 GHz frequency range.	1 July 2014
72	24,25-24,5 GHz	Transport and Traffic Tele-matics devices (13)	20 dBm e.i.r.p. (forward-facing radars) 16 dBm e.i.r.p. (rear-facing radars)	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Duty cycle limits (vi) and frequency modulation range apply as specified in harmonised standards.	This set of usage conditions is only available to ground-based vehicle radars operating in the harmonised 24 GHz frequency range.	1 July 2014
73	24,495-24,5 GHz	Transport and Traffic Tele-matics devices (13)	– 8 dBm e.i.r.p.	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used. Duty cycle limits (vi) and frequency modulation range apply as specified in harmonised standards.	This set of usage conditions is only available to ground-based vehicle radars operating in the harmonised 24 GHz frequency range.	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
74a	57-64 GHz	Non-specific short-range devices ⁽³⁾	100 mW e.i.r.p., a maximum transmit power of 10 dBm and a maximum e.i.r.p. power spectral density of 13 dBm/MHz			1 July 2014
74b	57-64 GHz	Radio determination devices ⁽⁹⁾	43 dBm e.i.r.p. ⁽¹⁹⁾	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Tank Level Probing Radar ⁽¹⁰⁾ .	1 July 2014
74c	57-64 GHz	Radio determination devices ⁽⁹⁾	35 dBm/50 MHz peak e.i.r.p. and – 2 dBm/MHz mean e.i.r.p.	Automatic power control and antenna requirements as well as equivalent techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Level Probing Radar.	1 July 2014
75	57-66 GHz	Wideband data transmission devices ⁽¹⁶⁾	40 dBm e.i.r.p. and 13 dBm/MHz e.i.r.p. density	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	Fixed outdoor installations are excluded.	1 July 2014
76	61-61,5 GHz	Non-specific short-range devices ⁽³⁾	100 mW e.i.r.p.			1 July 2014
77	63-64 GHz	Transport and Traffic Tele-matics devices ⁽¹³⁾	40 dBm e.i.r.p.		This set of usage conditions is only available to vehicle-to-vehicle, vehicle-to-infrastructure and infrastructure-to-vehicle systems.	1 July 2014

Band no	Frequency band ⁽ⁱ⁾	Category of short-range devices ⁽ⁱⁱ⁾	Transmit power limit/field strength limit/power density limit ⁽ⁱⁱⁱ⁾	Additional parameters (channelling and/or channel access and occupation rules) ^(iv)	Other usage restrictions ^(v)	Implementation deadline
78a	75-85 GHz	Radio determination devices ⁽⁹⁾	34 dBm/50 MHz peak e.i.r.p. and – 3 dBm/MHz mean e.i.r.p.	Automatic power control and antenna requirements as well as equivalent techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Level Probing Radar. Established exclusion zones around radio astronomy sites must be obeyed.	1 July 2014
78b	75-85 GHz	Radio determination devices ⁽⁹⁾	43 dBm e.i.r.p. ⁽¹⁹⁾	Techniques to access spectrum and mitigate interference that provide at least equivalent performance to the techniques described in harmonised standards adopted under Directive 1999/5/EC must be used.	This set of usage conditions is only available to Tank Level Probing Radar ⁽¹⁰⁾ .	1 July 2014
79	76-77 GHz	Transport and Traffic Tele-matics devices ⁽¹³⁾	55 dBm peak e.i.r.p. and 50 dBm mean e.i.r.p. and 23,5 dBm mean e.i.r.p. for pulse radars		This set of usage conditions is only available to ground-based vehicle and infrastructure systems.	1 July 2014
80	122-123 GHz	Non-specific short-range devices ⁽³⁾	100 mW e.i.r.p.			1 July 2014
81	244-246 GHz	Non-specific short-range devices ⁽³⁾	100 mW e.i.r.p.			1 July 2014

⁽ⁱ⁾ Member States must allow adjacent frequency bands within this table to be used as a single frequency band provided the specific conditions of each of these adjacent frequency bands are met.

⁽ⁱⁱ⁾ As defined in Article 2(3).

⁽ⁱⁱⁱ⁾ Member States must allow the usage of spectrum up to the transmit power, field strength or power density given in this table. In accordance with Article 3(3), they may impose less restrictive conditions, i.e. allow the use of spectrum with higher transmit power, field strength or power density, provided that this does not reduce or compromise the appropriate coexistence between short-range devices in bands harmonised by this Decision.

^(iv) Member States may only impose these “additional parameters (channelling and/or channel access and occupation rules)”, and shall not add other parameters or spectrum access and mitigation requirements. Less restrictive conditions within the meaning of Article 3(3) mean that Member States may completely omit the “additional parameters (channelling and/or channel access and occupation rules)” in a given cell or allow higher values, provided that the appropriate sharing environment in the harmonised band is not compromised.

^(v) Member States may only impose these “other usage restrictions” and shall not add additional usage restrictions. As less restrictive conditions may be introduced within the meaning of Article 3(3), Member States may omit one or all of these restrictions, provided that the appropriate sharing environment in the harmonised band is not compromised.

^(vi) “Duty cycle” means the ratio of time during any one-hour period when a single device is actively transmitting. Less restrictive conditions within the meaning of Article 3(3) mean that Member States may allow a higher value for “duty cycle”.

- (1) The active medical implant device category covers the radio part of active implantable medical devices that are intended to be totally or partially introduced, surgically or medically, into the human body or that of an animal, and where applicable their peripherals.
- (2) "Animal implantable devices" are transmitting devices which are placed inside the body of an animal for the purpose of performing diagnostic functions and/or delivery of therapeutic treatment.
- (3) The non-specific short-range device category covers all kinds of radio devices, regardless of the application or the purpose, which fulfil the technical conditions as specified for a given frequency band. Typical uses include telemetry, telecommand, alarms, data transmissions in general and other applications.
- (4) The assistive listening device (ALD) category covers radio communications systems that allow persons suffering from hearing disability to increase their listening capability. Typical systems include one or more radio transmitters and one or more radio receivers.
- (5) The metering device category covers radio devices that are part of bidirectional radio communications systems which allow remote monitoring, measuring and transmission of data in smart grid infrastructures, such as electricity, gas and water.
- (6) "Social alarm devices" are radio communications systems that allow reliable communication for a person in distress in a confined area to initiate a call for assistance. Typical uses of social alarm are to assist elderly or disabled people.
- (7) "Active implantable medical devices" as defined in Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices (OJ L 189, 20.7.1990, p. 17).
- (8) The high duty cycle/continuous transmission device category covers radio devices that rely on low latency and high duty cycle transmissions. Typical uses are for personal wireless audio and multimedia streaming systems, mobile phones, automotive or home entertainment system, wireless microphones, cordless loudspeakers, cordless headphones, radio devices carried on a person, assistive listening devices, in-ear monitoring, wireless microphones for use at concerts or other stage productions, and low power analogue FM transmitters (band 36).
- (9) The radio determination device category covers radio devices that are used for determining the position, velocity and/or other characteristics of an object, or for obtaining information relating to these parameters. Typical uses are various kinds of measurement applications.
- (10) "Tank Level Probing Radar" (TLPR) is a specific type of radiodetermination application, which is used for tank level measurements and is installed in metallic or reinforced concrete tanks, or similar structures made of material with comparable attenuation characteristics. The purpose of the tank is to contain a substance.
- (11) "Model control devices" are a specific kind of telecommand and telemetry radio equipment that is used to remotely control the movement of models (principally miniature representations of vehicles) in the air, on land or over or under the water surface.
- (12) The radio frequency identification (RFID) device category covers tag/interrogator based radio communications systems, consisting of radio devices (tags) attached to animate or inanimate items and of transmitter/receiver units (interrogators) which activate the tags and receive data back. Typical uses include the tracking and identification of items, such as for electronic article surveillance (EAS), and collecting and transmitting data relating to the items to which tags are attached, which may be either battery-less, battery assisted or battery powered. The responses from a tag are validated by its interrogator and passed to its host system.
- (13) The transport and traffic telematics device category covers radio devices that are used in the fields of transport (road, rail, water or air, depending on the relevant technical restrictions), traffic management, navigation, mobility management and in intelligent transport systems (ITS). Typical applications are used for interfaces between different modes of transport, communication between vehicles (e.g. car to car), between vehicles and fixed locations (e.g. car to infrastructure) as well as communication from and to users.
- (14) The inductive device category covers radio devices that use magnetic fields with inductive loop systems for near field communications. Typical uses include devices for car immobilisation, animal identification, alarm systems, cable detection, waste management, personal identification, wireless voice links, access control, proximity sensors, anti-theft systems, including RF anti-theft induction systems, data transfer to hand-held devices, automatic article identification, wireless control systems and automatic road tolling.
- (15) The low duty cycle/high reliability device category covers radio devices that rely on low overall spectrum utilisation and low duty cycle spectrum access rules to ensure highly reliable spectrum access and transmissions in shared bands. Typical uses include alarm systems that use radio communication for indicating an alert condition at a distant location and social alarms systems that allow reliable communication for a person in distress.
- (16) The wideband data transmission device category covers radio devices that use wideband modulation techniques to access the spectrum. Typical uses include wireless access systems such as radio local area networks (WAS/RLANs).
- (17) In band 20 higher field strengths and additional usage restrictions apply for inductive applications.
- (18) In bands 22a, 24, 25, 27a, and 28a higher field strengths and additional usage restrictions apply for inductive applications.
- (19) The power limit applies inside a closed tank and corresponds to a spectral density of $-41,3 \text{ dBm/MHz}$ e.i.r.p. outside a 500 litre test tank.'

COMMISSION IMPLEMENTING DECISION**of 11 December 2013****amending Decision 2012/226/EU on the second set of common safety targets for the rail system***(notified under document C(2013) 8780)***(Text with EEA relevance)****(2013/753/EU)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) ⁽¹⁾, and in particular the second subparagraph of Article 7(3) thereof,

Whereas:

- (1) The Commission gave the European Railway Agency ('the Agency') a mandate under Directive 2004/49/EC to draw up draft common safety targets ('CSTs') and the related draft common safety methods for the period from 2011 to 2015. Following the annual assessment of 2013 the Agency made its recommendation to the Commission for amending the second set of draft CSTs as set out in Commission Decision 2012/226/EU of 23 April 2012 on the second set of common safety targets as regards the rail system ⁽²⁾. This Decision is based on the Agency's recommendation.
- (2) Due to the lack of consistent national data, the National Reference Values ('NRVs') for Bulgaria, Romania and Slovakia has been originally established for certain categories of individual risks either using not fully consistent data from 2004-2006 or on the basis of NRVs of other Member States. At present it is possible to recalculate the NRVs for these categories in a consistent way and therefore the original NRVs in the enclosed tables should be replaced.

- (3) Croatia acceded to the Union on 1 July 2013. To quantitatively identify the current safety performance of railway systems in Croatia, the NRVs have been calculated with the methodology used for other Member States. These NRVs should be included in the annex to Decision 2012/226/EU.
- (4) Decision 2012/226/EU should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 27(1) of Directive 2004/49/EC,

HAS ADOPTED THIS DECISION:

Article 1

Section 1 'National Reference Values (NRVs)' in the Annex to Decision 2012/226/EU is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 December 2013.

For the Commission

Siim KALLAS

Vice-President

⁽¹⁾ OJ L 164, 30.4.2004, p. 44.

⁽²⁾ OJ L 115, 27.4.2012, p. 27.

ANNEX

1. National Reference Values (NRVs)

1.1. NRVs for risk to passengers (NRV 1.1 and NRV 1.2)

Member State	NRV 1.1 (× E-09) (*)	NRV 1.2 (× E-09) (**)
Belgium (BE)	37,30	0,318
Bulgaria (BG)	207,00	1,911
Czech Republic (CZ)	46,50	0,817
Denmark (DK)	9,04	0,110
Germany (DE)	8,13	0,081
Estonia (EE)	78,20	0,665
Ireland (IE)	2,74	0,0276
Greece (EL)	54,70	0,503
Spain (ES)	29,20	0,270
France (FR)	22,50	0,110
Croatia (HR)	176,9	1,135
Italy (IT)	38,10	0,257
Latvia (LV)	78,20	0,665
Lithuania (LT)	97,20	0,757
Luxembourg (LU)	23,80	0,176
Hungary (HU)	170,00	1,650
Netherlands (NL)	7,43	0,089
Austria (AT)	26,30	0,292
Poland (PL)	116,10	0,849
Portugal (PT)	41,80	0,309
Romania (RO)	57,40	0,607
Slovenia (SI)	25,30	0,362
Slovakia (SK)	62,10	0,883
Finland (FI)	9,04	0,110
Sweden (SE)	3,54	0,033
United Kingdom (UK)	2,73	0,028

(*) NRV1.1 expressed as: Number of passenger FWSIs per year arising from significant accidents/Number of passenger train-km per year. Passenger train-km here is the unit of traffic for passenger trains only.

(**) NRV1.2 expressed as: Number of passenger FWSIs per year arising from significant accidents/Number of passenger-km per year. FWSIs in (*) and (**) are as defined in point (d) of Article 3 of Decision 2009/460/EC.

1.2. NRVs for risk to employees (NRV 2)

Member State	NRV 2 (× E-09) (*)
Belgium (BE)	24,60
Bulgaria (BG)	20,40
Czech Republic (CZ)	16,50
Denmark (DK)	9,10
Germany (DE)	12,60
Estonia (EE)	64,80
Ireland (IE)	5,22
Greece (EL)	77,90
Spain (ES)	8,81
France (FR)	6,06
Croatia (HR)	73,65
Italy (IT)	18,90
Latvia (LV)	64,80
Lithuania (LT)	41,00
Luxembourg (LU)	12,00
Hungary (HU)	9,31
Netherlands (NL)	5,97
Austria (AT)	20,30
Poland (PL)	17,20
Portugal (PT)	53,10
Romania (RO)	22,30
Slovenia (SI)	40,90
Slovakia (SK)	2,71
Finland (FI)	9,21
Sweden (SE)	2,86
United Kingdom (UK)	5,17

(*) NRV 2 expressed as: Number of employee FWSIs per year arising from significant accidents/Number of train-km per year. FWSIs here are as defined in point (d) of Article 3 of Decision 2009/460/EC.

1.3. NRVs for risk to level-crossing users (NRV 3.1 and NRV 3.2)

Member State	NRV 3.1 ($\times$ E-09) (*)	NRV 3.2 (**)
Belgium (BE)	138,0	n.a.
Bulgaria (BG)	141,6	n.a.
Czech Republic (CZ)	238,0	n.a.
Denmark (DK)	65,4	n.a.
Germany (DE)	67,8	n.a.
Estonia (EE)	400,0	n.a.
Ireland (IE)	23,6	n.a.
Greece (EL)	710,0	n.a.
Spain (ES)	109,0	n.a.
France (FR)	78,7	n.a.
Croatia (HR)	611,3	n.a.
Italy (IT)	42,9	n.a.
Latvia (LV)	239,0	n.a.
Lithuania (LT)	522,0	n.a.
Luxembourg (LU)	95,9	n.a.
Hungary (HU)	274,0	n.a.
Netherlands (NL)	127,0	n.a.
Austria (AT)	160,0	n.a.
Poland (PL)	277,0	n.a.
Portugal (PT)	461,0	n.a.
Romania (RO)	542,0	n.a.
Slovenia (SI)	364,0	n.a.
Slovakia (SK)	309,0	n.a.
Finland (FI)	164,0	n.a.
Sweden (SE)	64,0	n.a.
United Kingdom (UK)	23,5	n.a.

(*) NRV3.1 expressed as: Number of level-crossing user FWSIs per year arising from significant accidents/Number of train-km per year.

(**) NRV3.2 expressed as: Number of level-crossing user FWSIs per year arising from significant accidents/[(Number of Train-km per year $\times$ Number of level crossings)/Track-km]. Data on the number of level crossings and track-km were not sufficiently reliable at the time of data extraction (most of the Member States reported common data on line-km instead of track-km).

FWSIs in (*) and (**) are as defined in point (d) of Article 3 of Decision 2009/460/EC.

1.4. NRVs for risk to persons classified as “others” (NRV 4)

Member State	NRV 4 (× E-09) (*)
Belgium (BE)	2,86
Bulgaria (BG)	35,47
Czech Republic (CZ)	2,41
Denmark (DK)	14,20
Germany (DE)	3,05
Estonia (EE)	11,60
Ireland (IE)	7,00
Greece (EL)	4,51
Spain (ES)	5,54
France (FR)	7,71
Croatia (HR)	7,28 (**)
Italy (IT)	6,70
Latvia (LV)	11,60
Lithuania (LT)	11,60
Luxembourg (LU)	5,47
Hungary (HU)	4,51
Netherlands (NL)	4,70
Austria (AT)	11,10
Poland (PL)	11,60
Portugal (PT)	5,54
Romania (RO)	2,83
Slovenia (SI)	14,50
Slovakia (SK)	2,41
Finland (FI)	14,20
Sweden (SE)	14,20
United Kingdom (UK)	7,00

(*) NRV 4 expressed as: Yearly number of FWSIs to persons belonging to the category “others” arising from significant accidents/ Number of train-km per year. FWSIs here are as defined in point (d) of Article 3 of Decision 2009/460/EC.

(**) NRV calculated as average of NRV values of neighbouring countries (Hungary, Romania and Slovenia).

1.5. NRVs for risk to unauthorised persons on railway premises (NRV 5)

Member State	NRV 5 (× E-09) (*)
Belgium (BE)	72,6
Bulgaria (BG)	900,2
Czech Republic (CZ)	301,0
Denmark (DK)	116,0
Germany (DE)	113,0
Estonia (EE)	1 550,0
Ireland (IE)	85,2
Greece (EL)	723,0
Spain (ES)	168,0
France (FR)	67,2
Croatia (HR)	676,3 (**)
Italy (IT)	119,0
Latvia (LV)	1 310,0
Lithuania (LT)	2 050,0
Luxembourg (LU)	79,9
Hungary (HU)	588,0
Netherlands (NL)	15,9
Austria (AT)	119,0
Poland (PL)	1 210,0
Portugal (PT)	834,0
Romania (RO)	1 388,2
Slovenia (SI)	236,0
Slovakia (SK)	1 758,0
Finland (FI)	249,0
Sweden (SE)	94,8
United Kingdom (UK)	84,5

(*) NRV 5 expressed as: Number of FWSIs to unauthorised persons on railway premises per year arising from significant accidents/ Number of train-km per year. FWSIs here are as defined in point (d) of Article 3 of Decision 2009/460/EC.

(**) NRV calculated as average of NRV values of neighbouring countries (Hungary, Romania and Slovenia).

1.6. NRVs for societal risk (NRV 6)

Member State	NRV 6 (× E-09) (*)
Belgium (BE)	275,0
Bulgaria (BG)	1 440,0
Czech Republic (CZ)	519,0
Denmark (DK)	218,0
Germany (DE)	203,0
Estonia (EE)	2 110,0
Ireland (IE)	114,0
Greece (EL)	1 540,0
Spain (ES)	323,0
France (FR)	180,0
Croatia (HR)	1 467,0
Italy (IT)	231,0
Latvia (LV)	1 660,0
Lithuania (LT)	2 590,0
Luxembourg (LU)	210,0
Hungary (HU)	1 020,0
Netherlands (NL)	148,0
Austria (AT)	329,0
Poland (PL)	1 590,0
Portugal (PT)	1 360,0
Romania (RO)	1 704,4
Slovenia (SI)	698,0
Slovakia (SK)	1 130,0
Finland (FI)	417,0
Sweden (SE)	169,0
United Kingdom (UK)	120,0

(*) NRV 6 expressed as: Total number of FWSIs per year arising from significant accidents/Number of train-km per year. The total number of FWSIs here is the sum of all the FWSIs considered for calculating all the other NRVs.

COMMISSION IMPLEMENTING DECISION

of 11 December 2013

on measures to prevent the introduction into and the spread within the Union of *Guignardia citricarpa* Kiely (all strains pathogenic to *Citrus*), as regards South Africa

(notified under document C(2013) 8781)

(2013/754/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular the third sentence of Article 16(3) thereof,

Whereas:

(1) *Guignardia citricarpa* Kiely (all strains pathogenic to *Citrus*), hereinafter 'the specified organism', is a harmful organism listed in point (c)11 of Section I of Part A of Annex II to Directive 2000/29/EC. It is not known to occur in the Union. It is primarily hosted by plants of *Citrus* L. and is particularly harmful for those plants.

(2) In accordance with Article 5(1) of Directive 2000/29/EC in conjunction with point 16.4 of Section I of Part A of Annex IV to that Directive, Member States are to ban the introduction into their territory of fruits of *Citrus* L. and their hybrids, hereinafter 'the specified fruits', originating in third countries, unless the special requirements set out in that point are met.

(3) Despite the fact that the Commission had already expressed to South Africa concerns over the phytosanitary status of the specified fruits and South Africa had provided assurances that the necessary measures would be taken, 36 interceptions of consignments of the specified fruits infested with the specified organism have been notified by Member States between July and November 2013 during import inspections of such fruits originating in South Africa.

(4) In light of those interceptions, it is concluded that the current phytosanitary safeguards of South Africa are insufficient to prevent the introduction of the specified organism into the Union.

(5) Those interceptions did not concern areas recognised by South Africa as being free from the specified organism.

While an assessment of the phytosanitary status of those areas is still needed to recognise them as being free of the specified organism by amending Commission Decision 2006/473/EC ⁽²⁾, introduction of the specified fruits from those areas should continue to be allowed. In view of the phytosanitary risk involved, introduction should not be allowed from any other areas of South Africa.

(6) Consequently, the introduction into the Union of the specified fruits originating in areas of South Africa, other than those recognised as being free from the specified organism by Decision 2006/473/EC, should only be allowed from areas recognised by South Africa as being free from that organism. The official phytosanitary certificate accompanying those specified fruits should indicate their origin in one of those areas.

(7) The measures set out in this Decision should only apply to the specified fruits produced during the 2012/13 growing season.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

As regards fruits of *Citrus* L. originating in South Africa and produced during the 2012/13 growing season, points 16.4(c) and (d) of Section I of Part A of Annex IV to Directive 2000/29/EC shall only apply to fruits originating in the following areas:

(a) Northern Cape: magisterial districts of Barkly West, Gordonia, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Namakwaland and Prieska;

(b) Free State Province: magisterial districts of Boshof, Faur-smith, Jacobsdal, Koffiefontein and Philippolis; and

(c) North-West Province: magisterial districts of Christiana and Taung.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 187, 8.7.2006, p. 35.

The official phytosanitary certificate, as referred to in Article 13(1)(ii) of Directive 2000/29/EC, accompanying those fruits shall indicate the area of origin under the heading 'Additional declaration'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 December 2013.

For the Commission

Tonio BORG

Member of the Commission

CORRIGENDA

Corrigendum to Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste*(Official Journal of the European Union L 190 of 12 July 2006)*

On page 27, Article 43(1), point (e):

for: '(e) other areas in cases where, on exceptional grounds during situations of crisis, peacemaking, peacekeeping or war, no bilateral agreements or arrangements pursuant to points (b) or (c) can be concluded or where a competent authority in the country of dispatch has either not been designated or is unable to act.';

read: '(e) other areas in cases where, on exceptional grounds during situations of crisis, peacemaking, peacekeeping or war, no bilateral agreements or arrangements pursuant to points (c) or (d) can be concluded or where a competent authority in the country of dispatch has either not been designated or is unable to act.';

on page 64, Annex V, Part 1, List B, entry B3010:

for: '— The following fluorinated polymer wastes ⁽²⁾:

- Perfluoroethylene/propylene (FEP)
- Perfluoro alkoxyl alkane
 - Tetrafluoroethylene/per fluoro vinyl ether (PFA)
 - Tetrafluoroethylene/per fluoro methylvinyl ether (MFA)
- Polyvinylfluoride (PVF)
- Polyvinylidene fluoride (PVDF)',

read: '— The following fluorinated polymer wastes ⁽²⁾:

- perfluoroethylene/propylene (FEP)
- perfluoro alkoxyl alkane
 - tetrafluoroethylene/per fluoro vinyl ether (PFA)
 - tetrafluoroethylene/per fluoro methylvinyl ether (MFA)
- polyvinylfluoride (PVF)
- polyvinylidene fluoride (PVDF)';

on page 86, Annex V, Part 3, List B, entries AC070 and AC080:

<i>for:</i>	'AC070	ex 382000	Antifreeze fluids
	AC080	ex 381900	Brake fluids',
<i>read:</i>	'AC070	ex 381900	Brake fluids
	AC080	ex 382000	Antifreeze fluids'.

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