

Official Journal

of the European Union

L 93



English edition

Legislation

Volume 57

28 March 2014

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Price: EUR 7

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EN

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 22 October 2013

on the signing, on behalf of the European Union and its Member States, and provisional application of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, to take account of the accession of the Republic of Croatia to the European Union

(2014/172/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(5) and the second subparagraph of Article 218(8) thereof,

Having regard to the Act of Accession of Croatia, and in particular the second subparagraph of Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 24 September 2012, the Council authorised the Commission to open negotiations, on behalf of the Union and its Member States and the Republic of Croatia, with Montenegro in order to conclude a Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, to take account of the accession of the Republic of Croatia to the European Union ('the Protocol').
- (2) Those negotiations were successfully completed by initialling the Protocol on 16 May 2013.
- (3) The Protocol should be signed on behalf of the Union and its Member States, subject to its conclusion at a later date.
- (4) The conclusion of the Protocol is subject to a separate procedure as regards matters falling within the competence of the European Atomic Energy Community.
- (5) In view of Croatia's accession to the Union on 1 July 2013, the Protocol should be applied on a provisional basis from that date,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, to take account of the accession of the Republic of Croatia to the European Union is hereby authorised on behalf of the Union and its Member States, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union and its Member States.

Article 3

The Protocol shall be applied on a provisional basis, in accordance with Article 12 thereof, as from 1 July 2013, pending the completion of the procedures for its conclusion.

Article 4

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

Done at Luxembourg, 22 October 2013.

For the Council

The President

L. LINKEVIČIUS

PROTOCOL

to the stabilisation and association agreement between the European Communities and their member states, of the one part, and the Republic of Montenegro, of the other part, to take account of the accession of the Republic of Croatia to the European Union

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Contracting Parties to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community,

hereinafter referred to as the 'Member States', and

THE EUROPEAN UNION and THE EUROPEAN ATOMIC ENERGY COMMUNITY,

hereinafter referred to as 'the European Union',

of the one part, and

MONTENEGRO,

of the other part,

Having regard to the accession of the Republic of Croatia (hereinafter referred to as 'Croatia') to the European Union on 1 July 2013,

WHEREAS:

- (1) The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, (hereinafter referred to as 'the SAA') was signed in Luxembourg on 15 October 2007 and entered into force on 1 May 2010.
- (2) The Treaty concerning the accession of Croatia to the European Union (hereinafter referred to as 'the Treaty of Accession') was signed in Brussels on 9 December 2011.
- (3) Croatia acceded to the European Union on 1 July 2013.
- (4) Pursuant to Article 6(2) of the Act of Accession of Croatia, the accession of Croatia to the SAA is to be agreed by the conclusion of a protocol to the SAA.
- (5) Consultations pursuant to Article 39(3) of the SAA have taken place so as to ensure that account is taken of the mutual interests of the European Union and Montenegro stated in this Agreement,

HAVE AGREED AS FOLLOWS:

SECTION I

CONTRACTING PARTIES*Article 1*

Croatia shall be Party to the SAA and shall respectively adopt and take note, in the same manner as the other Member States of the European Union, of the texts of the SAA, as well as of the Joint Declarations, and the Unilateral Declarations annexed to the Final Act signed on the same date.

ADJUSTMENTS TO THE TEXT OF THE SAA INCLUDING ITS ANNEXES AND PROTOCOLS

SECTION II

AGRICULTURAL PRODUCTS*Article 2***Montenegrin concessions on agricultural products**

1. In Article 27 of the SAA, a new paragraph is inserted:

'3. From the entry into force of the Protocol to this Agreement taking account of the accession of the Republic of Croatia to the European Union, Montenegro shall apply the custom duties applicable on imports of certain agricultural products originating in the European Union within the quantities indicated, listed in Annex III(d).'

2. The text set out in Annex I to this Protocol shall be added as Annex III(d) to the SAA.

*Article 3***Fisheries products**

1. In Article 30 of the SAA, a new paragraph is inserted:

'3. From the entry into force of the Protocol to this Agreement taking account of the accession of the Republic of Croatia to the European Union, Montenegro shall eliminate all customs duties and measures having equivalent effect on fish and fishery products originating in the Community other than those listed in Annex Va. Products listed in Annex V shall be subject to the provisions laid down therein.'

2. The text set out in Annex II to this Protocol shall be added as Annex Va to the SAA.

*Article 4***Montenegrin concessions on Processed Agricultural Products**

The text set out in Annex III to this Protocol shall be added as Annex IIa to Protocol 1 to the SAA.

SECTION III

RULES OF ORIGIN*Article 5*

Annex IV to Protocol 3 to the SAA shall be replaced by the text set out in Annex IV to this Protocol.

TRANSITIONAL PROVISIONS

SECTION IV

*Article 6***WTO**

Montenegro undertakes that it shall not make any claim, request or referral nor modify or withdraw any concession pursuant to GATT 1994 Articles XXIV.6 and XXVIII in relation to this enlargement of the European Union.

*Article 7***Proof of origin and administrative cooperation**

1. Proofs of origin properly issued by either Montenegro or Croatia in the framework of preferential agreements or autonomous arrangements applied between them shall be accepted in the respective countries, provided that:

- (a) the acquisition of such origin confers preferential tariff treatment on the basis of the preferential tariff measures contained in the SAA;
- (b) the proof of origin and the transport documents were issued no later than the day before the date of accession;
- (c) the proof of origin is submitted to the customs authorities within the period of four months from the date of accession.

Where goods were declared for importation in either Montenegro or Croatia, prior to the date of accession, under preferential agreements or autonomous arrangements applied between Montenegro and Croatia at that time, proof of origin issued retrospectively under those agreements or arrangements may also be accepted, provided that it is submitted to the customs authorities within a period of four months from the date of accession.

2. Montenegro and Croatia are authorised to retain the authorisations with which the status of 'approved exporters' has been granted in the framework of preferential agreements or autonomous arrangements applied between them, provided that:

- (a) such a provision is also provided for in the agreement concluded prior to the date of Croatia's accession between Montenegro and the European Union; and
- (b) the approved exporters apply the rules of origin in force under that agreement.

These authorisations shall be replaced, no later than one year after the date of accession of Croatia, by new authorisations issued under the conditions of the SAA.

3. Requests for subsequent verification of proof of origin issued under the preferential agreements or autonomous arrangements referred to in paragraphs 1 and 2 shall be accepted by the competent customs authorities of either Montenegro or Croatia for a period of three years after the issue of the proof of origin concerned and may be made by those authorities for a period of three years after acceptance of the proof of origin submitted to those authorities in support of an import declaration.

Article 8

Goods in transit

1. The provisions of the SAA may be applied to goods exported from either Montenegro to Croatia or from Croatia to Montenegro, which comply with the provisions of Protocol 3 to the SAA and that on the date of accession of Croatia are either en route or in temporary storage, in a customs warehouse or in a free zone in Montenegro or in Croatia.

2. Preferential treatment may be granted in such cases, subject to the submission to the customs authorities of the importing country, within four months from the date of accession of Croatia, of a proof of origin issued retrospectively by the customs authorities of the exporting country.

Article 9

Quotas in 2013

For the year 2013, the volumes of the new tariff quotas and the increases of the volumes of existing tariff quotas shall be calculated as a pro rata of the basic volumes, taking into account the part of the period elapsed before 1 July 2013.

GENERAL AND FINAL PROVISIONS

SECTION V

Article 10

This Protocol and the Annexes thereto shall form an integral part of the SAA.

Article 11

1. This Protocol shall be approved by the European Union and its Member States and by Montenegro in accordance with their own procedures.

2. The Parties shall notify each other of the completion of the corresponding procedures referred to in paragraph 1. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

Article 12

1. This Protocol shall enter into force on the first day of the first month following the date of the deposit of the last instrument of approval.

2. If not all the instruments of approval of this Protocol have been deposited before 1 July 2013, this Protocol shall apply provisionally with effect from 1 July 2013.

Article 13

This Protocol is drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish languages and in the official language used in Montenegro, each of these texts being equally authentic.

Article 14

The text of the SAA, including the Annexes and Protocols which form an integral part thereof, and the Final Act together with the declarations annexed thereto shall be drawn up in the Croatian language, and those texts shall be authentic in the same way as the original texts. The Stabilisation and Association Council shall approve those texts.

Съставено в Брюксел на осемнадесети декември две хиляди и тринадесета година.

Hecho en Bruselas, el dieciocho de diciembre de dos mil trece.

V Bruselu dne osmnáctého prosince dva tisíce třináct.

Udfærdiget i Bruxelles den attende december to tusind og tretten.

Geschehen zu Brüssel am achtzehnten Dezember zweitausenddreizehn.

Kahe tuhande kolmeteistkümnenda aasta detsembrikuu kaheksateistkümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις δέκα οκτώ Δεκεμβρίου δύο χιλιάδες δεκατρία.

Done at Brussels on the eighteenth day of December in the year two thousand and thirteen.

Fait à Bruxelles, le dix-huit décembre deux mille treize.

Sastavljeno u Bruxellesu osamnaestog prosinca dvije tisuće trinaeste.

Fatto a Bruxelles, addì diciotto dicembre duemilatredici.

Briselē, divi tūkstoši trīspadsmitā gada astoņpadsmitajā decembrī.

Priimta du tūkstančiai trylikų metų gruodžio aštuonioliką dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizenharmadik év december havának tizennyolcadik napján.

Magħmul fi Brussell, fit-tmintax-il jum ta' Diċembru tas-sena elfejn u tlettax.

Gedaan te Brussel, de achttiende december tweeduizend dertien.

Sporządzono w Brukseli dnia osiemnastego grudnia roku dwa tysiące trzynastego.

Feito em Bruxelas, em dezoito de dezembro de dois mil e treze.

Întocmit la Bruxelles la optsprezece decembrie două mii treisprezece.

V Bruseli osemnásteho decembra dvetisíctrinásť.

V Bruslju, dne osemnajstega decembra leta dva tisoč trinajst.

Tehty Brysselissä kahdeksantenatoista päivänä joulukuuta vuonna kaksituhattakolmetoista.

Som skedde i Bryssel den artonde december tjugohundratretton.

Sačinjeno u Briselu osamnaestog decembra dvije hiljade trinaeste.

За държавите-членки
 Por los Estados miembros
 Za členské státy
 For medlemsstaterne
 Für die Mitgliedstaaten
 Liikmesriikide nimel
 Για τα κράτη μέλη
 For the Member States
 Pour les États membres
 Za države članice
 Per gli Stati membri
 Dalībvalstu vārdā –
 Valstybių narių vardu
 A tagállamok részéről
 Għall-Istati Membri
 Voor de lidstaten
 W imieniu Państw Członkowskich
 Pelos Estados-Membros
 Pentru statele membre
 Za členské štáty
 Za države članice
 Jäsenvaltioiden puolesta
 För medlemsstaterna
 Za države članice



За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen
 Za Evropsku uniju



За Черна гора
 Por Montenegro
 Za Černou Horu
 For Montenegro
 Für Montenegro
 Montenegro nimel
 Για το Μαυροβουνίου
 For Montenegro
 Pour le Monténégro
 Za Crnu Goru
 Per il Montenegro
 Melnkalnes vārdā –
 Juodkalnijos vardu
 Montenegró részéről
 Għall-Montenegro
 Voor Montenegro
 W imieniu Czarnogóry
 Pelo Montenegro
 Pentru Muntenegru
 Za Čiernu Horu
 Za Črno goro
 Montenegron puolesta
 För Montenegro
 Za Crnu Goru



ANNEX I

'ANNEX III(d)

**Montenegrin tariff concessions for agricultural primary products originating in the European Union
(referred to in Article 27(3))**

(Custom duties (ad valorem and/or specific duties) as indicated will be applied for the products listed in this annex within the quantities indicated for each product from the date of entry into force of this Protocol)

CN code 2013	Description	Annual quantity (in tons)	Rate of in-quota duty (% of MFN)
0207 11 90 0207 12 90 0207 13 10 0207 13 30 0207 13 60 0207 13 99 0207 14 10 0207 14 30 0207 14 50 0207 14 60 0207 14 99	Poultry	500	20 %
0406 10 20 0406 10 80 0406 30 31 0406 40 50 0406 90 78 0406 90 88 0406 90 99	Cheese	65	30 %
1602 20 90 1602 32 11 1602 32 19 1602 32 30 1602 32 90 1602 41 10 1602 49 15 1602 49 30 1602 50 31 1602 50 95	Preparations of meat	130	30 %

ANNEX II

'ANNEX Va

Montenegrin Concessions for European Union Fishery Products referred to in Article 30(3) of this Agreement

Imports into Montenegro of the following products originating in the Community shall be subject to the quotas set out below:

CN code 2013	Description	Annual quantity (in tons)	Rate of in-quota duty
1604 13 11 1604 13 19 1604 13 90	Prepared and preserved sardines	200	0 % (duty-free)
1604 14 11 1604 14 16 1604 14 18	Prepared and preserved tunas and skipjack; fillets of tuna known as "loins"	75	0 % (duty-free)
1604 15 11 1604 15 19	Prepared and preserved mackerel	30	0 % (duty-free)

ANNEX III

(Products referred to in Article 25 of the SAA)

'ANNEX IIa TO PROTOCOL 1

Tariff quotas applicable to goods originating in the European Union on import into Montenegro

CN code 2013	Description	Annual quantity (in litres)	Rate of in-quota duty
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured;	240 000	0 %
2201 10	Mineral water and aerated water		
Ex 2201 90	Other		
2201 90 00 10	Regular natural water in packing	430 000	
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009	810 000	0 %

ANNEX IV

‘ANNEX IV

TEXT OF THE INVOICE DECLARATION

The invoice declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

Bulgarian version

Износителят на продуктите, обхванати от този документ (митническо разрешение № ... ⁽¹⁾) декларира, че освен където ясно е отбелязано друго, тези продукти са с преференциален произход ⁽²⁾.

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera n° ... ⁽¹⁾) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial ... ⁽²⁾.

Czech version

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení ... ⁽¹⁾) prohlašuje, že kromě zřetelně označených mají tyto výrobky preferenční původ v ... ⁽²⁾.

Danish version

Eksportøren af varer, der er omfattet af nærværende dokument, (toldmyndighedernes tilladelse nr. ... ⁽¹⁾), erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i ... ⁽²⁾.

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr. ... ⁽¹⁾) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anderes angegeben, präferenzbegünstigte ... ⁽²⁾ Ursprungswaren sind.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolli kinnitus nr. ... ⁽¹⁾) deklareerib, et need tooted on ... ⁽²⁾ sooduspäritoluga, välja arvatud juhul, kui on selgelt näidatud teisiti.

Greek version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ'αριθ. ... ⁽¹⁾) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησησιακής καταγωγής ... ⁽²⁾.

English version

The exporter of the products covered by this document (customs authorization No ... ⁽¹⁾) declares that, except where otherwise clearly indicated, these products are of ... ⁽²⁾ preferential origin.

French version

L'exportateur des produits couverts par le présent document (autorisation douanière n° ... ⁽¹⁾) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle ... ⁽²⁾.

Croatian version

Izvoznik proizvoda obuhvaćenih ovom ispravom (carinsko ovlaštenje br. ... ⁽¹⁾) izjavljuje da su, osim ako je drukčije izričito navedeno, ovi proizvodi ... ⁽²⁾ preferencijalnog podrijetla.

Italian version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n. ... ⁽¹⁾) dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale ... ⁽²⁾.

Latvian version

To produktu eksportētājs, kuri ietverti šajā dokumentā (muitas atļauja Nr. ... ⁽¹⁾), deklarē, ka, izņemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir preferenciāla izcelsme ... ⁽²⁾.

Lithuanian version

Šiame dokumente išvardytų produktų eksportuotojas (muitinės liudijimo Nr. ... ⁽¹⁾) deklaruoja, kad, jeigu kitaip nenurodyta, tai yra ... ⁽²⁾ preferencinės kilmės produktai.

Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: ... ⁽¹⁾) kijelentem, hogy eltérő egyértelmű jelzés hiányában az áruk preferenciális ... ⁽²⁾ származásúak.

Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni tad-dwana nru. ... ⁽¹⁾) jiddikjara li, hlief fejn indikat b'mod ċar li mhux hekk, dawn il-prodotti huma ta' oriġini preferenzjali ... ⁽²⁾.

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr. ... ⁽¹⁾), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële ... oorsprong zijn ⁽²⁾.

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych nr ... ⁽¹⁾) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają ... ⁽²⁾ preferencyjne pochodzenie.

Portuguese version

O abaixo-assinado, exportador dos produtos abrangidos pelo presente documento (autorização aduaneira n.º ... ⁽¹⁾), declara que, salvo indicação expressa em contrário, estes produtos são de origem preferencial ... ⁽²⁾.

Romanian version

Exportatorul produselor ce fac obiectul acestui document (autorizația vamală nr. ... ⁽¹⁾) declară că, exceptând cazul în care în mod expres este indicat altfel, aceste produse sunt de origine preferențială ... ⁽²⁾.

Slovak version

Vývozca výrobkov uvedených v tomto dokumente (číslo povolenia ... ⁽¹⁾) vyhlasuje, že okrem zreteľne označených, majú tieto výrobky preferenčný pôvod v ... ⁽²⁾.

Slovenian version

Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št. ... ⁽¹⁾) izjavlja, da, razen če ni drugače jasno navedeno, ima to blago preferencialno ... ⁽²⁾ poreklo.

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupa n:o ... ⁽¹⁾) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohdeltuun oikeutettuja ... alkuperä tuotteita ⁽²⁾.

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr. ... ⁽¹⁾) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande ... ursprung ⁽²⁾.

Version of Montenegro

Izvoznik proizvoda obuhvaćenih ovim dokumentom (carinsko odoborenje br. ⁽¹⁾) izjavljuje da, osim u slučaju kada je drugačije naznačeno, ovi proizvodi su ... ⁽²⁾ preferencijalnog porijekla.

..... ⁽³⁾

(Place and date)

..... ⁽⁴⁾

(Signature of the exporter. In addition, the name of the person signing the declaration has to be indicated in clear script.)

⁽¹⁾ When the invoice declaration is made out by an approved exporter, the authorization number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

⁽²⁾ Origin of products to be indicated. When the invoice declaration relates, in whole or in part, to products originating in Ceuta and Melilla, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol 'CM'.

⁽³⁾ These indications may be omitted if the information is contained on the document itself.

⁽⁴⁾ In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory.

REGULATIONS

COUNCIL REGULATION (EU) No 315/2014

of 24 March 2014

amending Regulation (EU) No 43/2014 as regards certain catch limits

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Catch limits for sandeel in Union waters of ICES zones IIa, IIIa and IV were set at zero in Annex IA to Council Regulation (EU) No 43/2014 ⁽¹⁾, pending advice from the International Council for the Exploration of the Sea (ICES).

(2) ICES advice on the stock has been available since 21 February 2014, and it is now possible to set a TAC for sandeel in this area, distributed in seven management areas in order to avoid local depletion.

(3) Fishing opportunities for Union vessels in Norwegian and Faroese waters and for Norwegian and Faroese vessels in Union waters, and the conditions of access to fishery resources in each other's waters, are established each year in the light of consultations on fishing rights held in accordance with the bilateral agreements on fisheries with Norway ⁽²⁾ and the Faroe Islands ⁽³⁾, respectively. Pending the conclusion of those consultations on the

arrangements for 2014, Regulation (EU) No 43/2014 fixed provisional fishing opportunities for certain stocks of blue whiting. On 12 March 2014, the consultations with Norway and the Faroe Islands were concluded, including those related to blue whiting.

(4) Annex IA to Regulation (EU) No 43/2014 should therefore be amended accordingly.

(5) The catch limits provided for in Regulation (EU) No 43/2014 apply from 1 January 2014. The provisions of this Regulation concerning catch limits should therefore also apply from that date. Such retroactive application is without prejudice to the principles of legal certainty and protection of legitimate expectations as the fishing opportunities concerned were set to zero in the Regulation (EU) No 43/2014. Since the modification of this catch limit has an influence on the economic activities and the planning of the fishing season of Union vessels, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EU) No 43/2014

Annex IA to Regulation (EU) No 43/2014 is amended in accordance with the text set out in Annex to this Regulation.

Article 2

Entry into force and application

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

It shall apply from 1 January 2014.

⁽¹⁾ Council Regulation (EU) No 43/2014 of 20 January 2014 fixing for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, to Union vessels, in certain non-Union waters (OJ L 24, 28.1.2014, p. 1).

⁽²⁾ Agreement on fisheries between the European Economic Community and the Kingdom of Norway (OJ L 226, 29.8.1980, p. 48).

⁽³⁾ Agreement on fisheries between the European Economic Community, of the one part, and the Government of Denmark and the Home Government of the Faroe Islands, of the other part (OJ L 226, 29.8.1980, p. 12).

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

Done at Brussels, 24 March 2014.

For the Council

The President

A.. TSAFTARIS

ANNEX

Annex IA to Regulation (EU) No 43/2014 is amended as follows:

(a) the entry for Sandeel in Union waters of ICES zones IIa, IIIa and IV is replaced by the following:

'Species:	Sandeel <i>Ammodytes</i> spp.	Zone:	Union waters of IIa, IIIa and IV ⁽¹⁾
Denmark	195 471 ⁽²⁾		
United Kingdom	4 273 ⁽²⁾		
Germany	298 ⁽²⁾		
Sweden	7 177 ⁽²⁾		
Union	207 219		
TAC	207 219		Analytical TAC Article 3 of Regulation (EC) No 847/96 shall not apply Article 4 of Regulation (EC) No 847/96 shall not apply

⁽¹⁾ Excluding waters within six nautical miles of the UK baselines at Shetland, Fair Isle and Foula.

⁽²⁾ At least 98 % of landings counted against this quota shall be of sandeel. By-catches of dab, mackerel and whiting to be counted against the remaining 2 % of the quota (OT1/*2A3A4).

Special condition:

within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following sandeel management areas, as defined in Annex IID:

Zone: Union waters of sandeel management areas

	1	2	3	4	5	6	7
	(SAN/234_1)	(SAN/234_2)	(SAN/234_3)	(SAN/234_4)	(SAN/234_5)	(SAN/234_6)	(SAN/234_7)
Denmark	53 769	4 717	132 062	4 717	0	206	0
United Kingdom	1 175	103	2 887	103	0	5	0
Germany	82	7	202	7	0	0	0
Sweden	1 974	173	4 849	173	0	8	0
Union	57 000	5 000	140 000	5 000	0	219	0
Total	57 000	5 000	140 000	5 000	0	219	0'

- (b) the entry for blue whiting in Norwegian waters of II and IV is replaced by the following:

'Species: Blue whiting <i>Micromesistius poutassou</i>		Zone: Norwegian waters of II and IV (WHB/24-N.)
Denmark	0	
United Kingdom	0	
Union	0	
TAC	1 200 000'	Analytical TAC

- (c) the entry for blue whiting in Union and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV is replaced by the following:

'Species: Blue whiting <i>Micromesistius poutassou</i>		Zone: Union and international waters of I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc, VIIIe, XII and XIV (WHB/1X14)
Denmark	28 325 ⁽¹⁾	
Germany	11 013 ⁽¹⁾	
Spain	24 013 ⁽¹⁾ ⁽²⁾	
France	19 712 ⁽¹⁾	
Ireland	21 934 ⁽¹⁾	
The Netherlands	34 539 ⁽¹⁾	
Portugal	2 231 ⁽¹⁾ ⁽²⁾	
Sweden	7 007 ⁽¹⁾	
United Kingdom	36 751 ⁽¹⁾	
Union	185 525 ⁽¹⁾ ⁽³⁾	
Norway	100 000	
Faroe Islands	15 000	
TAC	1 200 000	Analytical TAC

⁽¹⁾ Special condition: of which up to the following percentage may be fished in Norwegian Economic Zone or in the fishery zone around Jan Mayen (WHB/*NZJM1): 0 %

⁽²⁾ Transfers of this quota may be effected to VIIIc, IX and X; Union waters of CECAF 34.1.1. However, such transfers shall be notified in advance to the Commission.

⁽³⁾ Special condition: of which up to the following quantity may be fished in Faroese waters (WHB/*05-F): 25 000';

- (d) the entry for blue whiting in VIIIc, IX and X; Union waters of CECAF 34.1.1 is replaced by the following:

'Species: Blue whiting <i>Micromesistius poutassou</i>		Zone: VIIIc, IX and X; Union waters of CECAF 34.1.1 (WHB/8C3411)
Spain	24 658	
Portugal	6 165	
Union	30 823 ⁽¹⁾	
TAC	1 200 000	Analytical TAC

⁽¹⁾ Special condition: of which up to the following percentage may be fished in Norwegian EEZ or in the fishery zone around Jan Mayen (WHB/*NZJM2): 0 %;

- (e) the entry for blue whiting in Union waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W is replaced by the following:

'Species: Blue whiting <i>Micromesistius poutassou</i>		Zone: Union waters of II, IVa, V, VI north of 56° 30' N and VII west of 12° W (WHB/24A567)
Norway	0 ⁽¹⁾ ⁽²⁾	
Faroe Islands	25 000 ⁽³⁾ ⁽⁴⁾	
TAC	1 200 000	Analytical TAC

⁽¹⁾ To be counted against Norway's catch limits established under the Coastal States arrangement.

⁽²⁾ Special condition: the catch in IV shall be no more than the following amount (WHB/*04A-C): 0
This catch limit in IV amounts to the following percentage of Norway's access quota: 0 %

⁽³⁾ To be counted against the catch limits of the Faroe Islands.

⁽⁴⁾ Special conditions: may also be fished in VIb (WHB/*06B-C). The catch in IVa shall be no more than 6 250 tonnes (WHB/*04A-C).'

COMMISSION REGULATION (EU) No 316/2014**of 21 March 2014****on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of technology transfer agreements****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation No 19/65/EEC of the Council of 2 March 1965 on application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices ⁽¹⁾, and in particular Article 1 thereof,

Having published a draft of this Regulation,

After consulting the Advisory Committee on Restrictive Practices and Dominant Positions,

Whereas:

(1) Regulation No 19/65/EEC empowers the Commission to apply Article 101(3) of the Treaty by regulation to certain categories of technology transfer agreements and corresponding concerted practices to which only two undertakings are party which fall within Article 101(1) of the Treaty.

(2) Pursuant to Regulation No 19/65/EEC, the Commission has, in particular, adopted Commission Regulation (EC) No 772/2004 ⁽²⁾. Regulation (EC) No 772/2004 defines categories of technology transfer agreements which the Commission regarded as normally satisfying the conditions laid down in Article 101(3) of the Treaty. In view of the overall positive experience with the application of that Regulation, which expires on 30 April 2014, and taking into account further experience acquired since its adoption, it is appropriate to adopt a new block exemption regulation.

(3) This Regulation should meet the two requirements of ensuring effective protection of competition and

providing adequate legal security for undertakings. The pursuit of those objectives should take account of the need to simplify administrative supervision and the legislative framework to as great an extent as possible.

(4) Technology transfer agreements concern the licensing of technology rights. Such agreements will usually improve economic efficiency and be pro-competitive as they can reduce duplication of research and development, strengthen the incentive for the initial research and development, spur incremental innovation, facilitate diffusion and generate product market competition.

(5) The likelihood that such efficiency-enhancing and pro-competitive effects will outweigh any anti-competitive effects due to restrictions contained in technology transfer agreements depends on the degree of market power of the undertakings concerned and, therefore, on the extent to which those undertakings face competition from undertakings owning substitute technologies or undertakings producing substitute products.

(6) This Regulation should cover only technology transfer agreements between a licensor and a licensee. It should cover such agreements even if the agreement contains conditions relating to more than one level of trade, for instance requiring the licensee to set up a particular distribution system and specifying the obligations the licensee must or may impose on resellers of the products produced under the licence. However, such conditions and obligations should comply with the competition rules applicable to supply and distribution agreements set out in Commission Regulation (EU) No 330/2010 ⁽³⁾. Supply and distribution agreements concluded between a licensee and buyers of its contract products should not be exempted by this Regulation.

⁽¹⁾ OJ 36, 6.3.1965, p. 533/65.

⁽²⁾ Commission Regulation (EC) No 772/2004 of 7 April 2004 on the application of Article 81(3) of the Treaty to categories of technology transfer agreements (OJ L 123, 27.4.2004, p. 11).

⁽³⁾ Commission Regulation (EU) No 330/2010 of 20 April 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices (OJ L 102, 23.4.2010, p. 1).

- (7) This Regulation should only apply to agreements where the licensor permits the licensee and/or one or more of its sub-contractors to exploit the licensed technology rights, possibly after further research and development by the licensee and/or its sub-contractors, for the purpose of producing goods or services. It should not apply to licensing in the context of research and development agreements which are covered by Commission Regulation (EU) No 1217/2010 ⁽¹⁾ or to licensing in the context of specialisation agreements which are covered by Commission Regulation (EU) No 1218/2010 ⁽²⁾. It should also not apply to agreements, the purpose of which is the mere reproduction and distribution of software copyright protected products as such agreements do not concern the licensing of a technology to produce but are more akin to distribution agreements. Nor should it apply to agreements to set up technology pools, that is to say, agreements for the pooling of technologies with the purpose of licensing them to third parties, or to agreements whereby the pooled technology is licensed out to those third parties.
- (8) For the application of Article 101(3) of the Treaty by regulation, it is not necessary to define those technology transfer agreements that are capable of falling within Article 101(1) of the Treaty. In the individual assessment of agreements pursuant to Article 101(1), account has to be taken of several factors, and in particular the structure and the dynamics of the relevant technology and product markets.
- (9) The benefit of the block exemption established by this Regulation should be limited to those agreements which can be assumed with sufficient certainty to satisfy the conditions of Article 101(3) of the Treaty. In order to attain the benefits and objectives of technology transfer, this Regulation should not only cover the transfer of technology as such but also other provisions contained in technology transfer agreements if, and to the extent that, those provisions are directly related to the production or sale of the contract products.
- (10) For technology transfer agreements between competitors it can be presumed that, where the combined share of the relevant markets accounted for by the parties does not exceed 20 % and the agreements do not contain certain severely anti-competitive restrictions, they generally lead to an improvement in production or distribution and allow consumers a fair share of the resulting benefits.
- (11) For technology transfer agreements between non-competitors it can be presumed that, where the individual share of the relevant markets accounted for by each of the parties does not exceed 30 % and the agreements do not contain certain severely anti-competitive restrictions, they generally lead to an improvement in production or distribution and allow consumers a fair share of the resulting benefits.
- (12) If the applicable market-share threshold is exceeded on one or more product or technology markets, the block exemption should not apply to the agreement for the relevant markets concerned.
- (13) There can be no presumption that, above those market-share thresholds, technology transfer agreements fall within the scope of Article 101(1) of the Treaty. For instance, exclusive licensing agreements between non-competing undertakings often fall outside the scope of Article 101(1). There can also be no presumption that, above those market-share thresholds, technology transfer agreements falling within the scope of Article 101(1) will not satisfy the conditions for exemption. However, it can also not be presumed that they will usually give rise to objective advantages of such a character and size as to compensate for the disadvantages which they create for competition.
- (14) This Regulation should not exempt technology transfer agreements containing restrictions which are not indispensable to the improvement of production or distribution. In particular, technology transfer agreements containing certain severely anti-competitive restrictions, such as the fixing of prices charged to third parties, should be excluded from the benefit of the block exemption established by this Regulation irrespective of the market shares of the undertakings concerned. In the case of such hardcore restrictions the whole agreement should be excluded from the benefit of the block exemption.
- (15) In order to protect incentives to innovate and the appropriate application of intellectual property rights, certain restrictions should be excluded from the benefit of the block exemption. In particular certain grant back obligations and non-challenge clauses should be excluded. Where such a restriction is included in a licence agreement only the restriction in question should be excluded from the benefit of the block exemption.
- ⁽¹⁾ Commission Regulation (EU) No 1217/2010 of 14 December 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of research and development agreements (OJ L 335, 18.12.2010, p. 36).
- ⁽²⁾ Commission Regulation (EU) No 1218/2010 of 14 December 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of specialisation agreements (OJ L 335, 18.12.2010, p. 43).

- (16) The market-share thresholds and the non-exemption of technology transfer agreements containing the severely anti-competitive restrictions and the excluded restrictions provided for in this Regulation will normally ensure that the agreements to which the block exemption applies do not enable the participating undertakings to eliminate competition in respect of a substantial part of the products in question.
- (17) The Commission may withdraw the benefit of this Regulation, pursuant to Article 29(1) of Council Regulation (EC) No 1/2003 ⁽¹⁾, where it finds in a particular case that an agreement to which the exemption provided for in this Regulation applies nevertheless has effects which are incompatible with Article 101(3) of the Treaty. This may occur in particular where the incentives to innovate are reduced or where access to markets is hindered.
- (18) The competition authority of a Member State may withdraw the benefit of this Regulation pursuant to Article 29(2) of Regulation (EC) No 1/2003 in respect of the territory of that Member State, or a part thereof where, in a particular case, an agreement to which the exemption provided for in this Regulation applies nevertheless has effects which are incompatible with Article 101(3) of the Treaty in the territory of that Member State, or in a part thereof, and where such territory has all the characteristics of a distinct geographic market.
- (19) In order to strengthen supervision of parallel networks of technology transfer agreements which have similar restrictive effects and which cover more than 50 % of a given market, the Commission may by regulation declare this Regulation inapplicable to technology transfer agreements containing specific restrictions relating to the market concerned, thereby restoring the full application of Article 101 of the Treaty to such agreements,
- (i) patents,
 - (ii) utility models,
 - (iii) design rights,
 - (iv) topographies of semiconductor products,
 - (v) supplementary protection certificates for medicinal products or other products for which such supplementary protection certificates may be obtained,
 - (vi) plant breeder's certificates and
 - (vii) software copyrights;
- (c) 'technology transfer agreement' means:
- (i) a technology rights licensing agreement entered into between two undertakings for the purpose of the production of contract products by the licensee and/or its sub-contractor(s),
 - (ii) an assignment of technology rights between two undertakings for the purpose of the production of contract products where part of the risk associated with the exploitation of the technology remains with the assignor;
- (d) 'reciprocal agreement' means a technology transfer agreement where two undertakings grant each other, in the same or separate contracts, a technology rights licence, and where those licences concern competing technologies or can be used for the production of competing products;
- (e) 'non-reciprocal agreement' means a technology transfer agreement where one undertaking grants another undertaking a technology rights licence, or where two undertakings grant each other such a licence but where those licences do not concern competing technologies and cannot be used for the production of competing products;
- (f) 'product' means goods or a service, including both intermediary goods and services and final goods and services;
- (g) 'contract product' means a product produced, directly or indirectly, on the basis of the licensed technology rights;
- (h) 'intellectual property rights' includes industrial property rights, in particular patents and trademarks, copyright and neighbouring rights;

HAS ADOPTED THIS REGULATION:

Article 1

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:

- (a) 'agreement' means an agreement, a decision of an association of undertakings or a concerted practice;
- (b) 'technology rights' means know-how and the following rights, or a combination thereof, including applications for or applications for registration of those rights:

⁽¹⁾ Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty (OJ L 1, 4.1.2003, p. 1).

- (i) 'know-how' means a package of practical information, resulting from experience and testing, which is:
- (i) secret, that is to say, not generally known or easily accessible,
 - (ii) substantial, that is to say, significant and useful for the production of the contract products, and
 - (iii) identified, that is to say, described in a sufficiently comprehensive manner so as to make it possible to verify that it fulfils the criteria of secrecy and substantiality;
- (j) 'relevant product market' means the market for the contract products and their substitutes, that is to say all those products which are regarded as interchangeable or substitutable by the buyer, by reason of the products' characteristics, their prices and their intended use;
- (k) 'relevant technology market' means the market for the licensed technology rights and their substitutes, that is to say all those technology rights which are regarded as interchangeable or substitutable by the licensee, by reason of the technology rights' characteristics, the royalties payable in respect of those rights and their intended use;
- (l) 'relevant geographic market' means the area in which the undertakings concerned are involved in the supply of and demand for products or the licensing of technology rights, in which the conditions of competition are sufficiently homogeneous and which can be distinguished from neighbouring areas because the conditions of competition are appreciably different in those areas;
- (m) 'relevant market' means the combination of the relevant product or technology market with the relevant geographic market;
- (n) 'competing undertakings' means undertakings which compete on the relevant market, that is to say:
- (i) competing undertakings on the relevant market where the technology rights are licensed, that is to say, undertakings which license out competing technology rights (actual competitors on the relevant market),
 - (ii) competing undertakings on the relevant market where the contract products are sold, that is to say, undertakings which, in the absence of the technology transfer agreement, would both be active on the relevant market(s) on which the contract products are sold (actual competitors on the relevant market) or which, in the absence of the technology transfer agreement, would, on realistic grounds and not just as a mere theoretical possibility, in response to a small and permanent increase in relative prices, be likely to undertake, within a short period of time, the necessary additional investments or other necessary switching costs to enter the relevant market(s) (potential competitors on the relevant market);
- (o) 'selective distribution system' means a distribution system where the licensor undertakes to license the production of the contract products, either directly or indirectly, only to licensees selected on the basis of specified criteria and where those licensees undertake not to sell the contract products to unauthorised distributors within the territory reserved by the licensor to operate that system;
- (p) 'exclusive licence' means a licence under which the licensor itself is not permitted to produce on the basis of the licensed technology rights and is not permitted to license the licensed technology rights to third parties, in general or for a particular use or in a particular territory;
- (q) 'exclusive territory' means a given territory within which only one undertaking is allowed to produce the contract products, but where it is nevertheless possible to allow another licensee to produce the contract products within that territory only for a particular customer where the second licence was granted in order to create an alternative source of supply for that customer;
- (r) 'exclusive customer group' means a group of customers to which only one party to the technology transfer agreement is allowed to actively sell the contract products produced with the licensed technology.
2. For the purposes of this Regulation, the terms 'undertaking', 'licensor' and 'licensee' shall include their respective connected undertakings.
- 'Connected undertakings' means:
- (a) undertakings in which a party to the technology transfer agreement, directly or indirectly:
 - (i) has the power to exercise more than half the voting rights, or
 - (ii) has the power to appoint more than half the members of the supervisory board, board of management or bodies legally representing the undertaking, or
 - (iii) has the right to manage the undertaking's affairs;

- (b) undertakings which directly or indirectly have, over a party to the technology transfer agreement, the rights or powers listed in point (a);
- (c) undertakings in which an undertaking referred to in point (b) has, directly or indirectly, the rights or powers listed in point (a);
- (d) undertakings in which a party to the technology transfer agreement together with one or more of the undertakings referred to in points (a), (b) or (c), or in which two or more of the latter undertakings, jointly have the rights or powers listed in point (a);
- (e) undertakings in which the rights or the powers listed in point (a) are jointly held by:
 - (i) parties to the technology transfer agreement or their respective connected undertakings referred to in points (a) to (d), or
 - (ii) one or more of the parties to the technology transfer agreement or one or more of their connected undertakings referred to in points (a) to (d) and one or more third parties.

Article 2

Exemption

1. Pursuant to Article 101(3) of the Treaty and subject to the provisions of this Regulation, Article 101(1) of the Treaty shall not apply to technology transfer agreements.
2. The exemption provided for in paragraph 1 shall apply to the extent that technology transfer agreements contain restrictions of competition falling within the scope of Article 101(1) of the Treaty. The exemption shall apply for as long as the licensed technology rights have not expired, lapsed or been declared invalid or, in the case of know-how, for as long as the know-how remains secret. However, where know-how becomes publicly known as a result of action by the licensee, the exemption shall apply for the duration of the agreement.
3. The exemption provided for in paragraph 1 shall also apply to provisions, in technology transfer agreements, which relate to the purchase of products by the licensee or which relate to the licensing or assignment of other intellectual property rights or know-how to the licensee, if, and to the extent that, those provisions are directly related to the production or sale of the contract products.

Article 3

Market-share thresholds

1. Where the undertakings party to the agreement are competing undertakings, the exemption provided for in

Article 2 shall apply on condition that the combined market share of the parties does not exceed 20 % on the relevant market(s).

2. Where the undertakings party to the agreement are not competing undertakings, the exemption provided for in Article 2 shall apply on condition that the market share of each of the parties does not exceed 30 % on the relevant market(s).

Article 4

Hardcore restrictions

1. Where the undertakings party to the agreement are competing undertakings, the exemption provided for in Article 2 shall not apply to agreements which, directly or indirectly, in isolation or in combination with other factors under the control of the parties, have as their object any of the following:

- (a) the restriction of a party's ability to determine its prices when selling products to third parties;

- (b) the limitation of output, except limitations on the output of contract products imposed on the licensee in a non-reciprocal agreement or imposed on only one of the licensees in a reciprocal agreement;

- (c) the allocation of markets or customers except:

- (i) the obligation on the licensor and/or the licensee, in a non-reciprocal agreement, not to produce with the licensed technology rights within the exclusive territory reserved for the other party and/or not to sell actively and/or passively into the exclusive territory or to the exclusive customer group reserved for the other party,

- (ii) the restriction, in a non-reciprocal agreement, of active sales by the licensee into the exclusive territory or to the exclusive customer group allocated by the licensor to another licensee provided the latter was not a competing undertaking of the licensor at the time of the conclusion of its own licence,

- (iii) the obligation on the licensee to produce the contract products only for its own use provided that the licensee is not restricted in selling the contract products actively and passively as spare parts for its own products,

- (iv) the obligation on the licensee, in a non-reciprocal agreement, to produce the contract products only for a particular customer, where the licence was granted in order to create an alternative source of supply for that customer;

(d) the restriction of the licensee's ability to exploit its own technology rights or the restriction of the ability of any of the parties to the agreement to carry out research and development, unless such latter restriction is indispensable to prevent the disclosure of the licensed know-how to third parties.

2. Where the undertakings party to the agreement are not competing undertakings, the exemption provided for in Article 2 shall not apply to agreements which, directly or indirectly, in isolation or in combination with other factors under the control of the parties, have as their object any of the following:

- (a) the restriction of a party's ability to determine its prices when selling products to third parties, without prejudice to the possibility of imposing a maximum sale price or recommending a sale price, provided that it does not amount to a fixed or minimum sale price as a result of pressure from, or incentives offered by, any of the parties;
- (b) the restriction of the territory into which, or of the customers to whom, the licensee may passively sell the contract products, except:
 - (i) the restriction of passive sales into an exclusive territory or to an exclusive customer group reserved for the licensor,
 - (ii) the obligation to produce the contract products only for its own use provided that the licensee is not restricted in selling the contract products actively and passively as spare parts for its own products,
 - (iii) the obligation to produce the contract products only for a particular customer, where the licence was granted in order to create an alternative source of supply for that customer,
 - (iv) the restriction of sales to end-users by a licensee operating at the wholesale level of trade,
 - (v) the restriction of sales to unauthorised distributors by the members of a selective distribution system;
- (c) the restriction of active or passive sales to end-users by a licensee which is a member of a selective distribution system and which operates at the retail level, without prejudice to the possibility of prohibiting a member of the system from operating out of an unauthorised place of establishment.

3. Where the undertakings party to the agreement are not competing undertakings at the time of the conclusion of the agreement but become competing undertakings afterwards, paragraph 2 and not paragraph 1 shall apply for the full life of the agreement unless the agreement is subsequently amended

in any material respect. Such an amendment includes the conclusion of a new technology transfer agreement between the parties concerning competing technology rights.

Article 5

Excluded restrictions

1. The exemption provided for in Article 2 shall not apply to any of the following obligations contained in technology transfer agreements:

- (a) any direct or indirect obligation on the licensee to grant an exclusive licence or to assign rights, in whole or in part, to the licensor or to a third party designated by the licensor in respect of its own improvements to, or its own new applications of, the licensed technology;
- (b) any direct or indirect obligation on a party not to challenge the validity of intellectual property rights which the other party holds in the Union, without prejudice to the possibility, in the case of an exclusive licence, of providing for termination of the technology transfer agreement in the event that the licensee challenges the validity of any of the licensed technology rights.

2. Where the undertakings party to the agreement are not competing undertakings, the exemption provided for in Article 2 shall not apply to any direct or indirect obligation limiting the licensee's ability to exploit its own technology rights or limiting the ability of any of the parties to the agreement to carry out research and development, unless such latter restriction is indispensable to prevent the disclosure of the licensed know-how to third parties.

Article 6

Withdrawal in individual cases

1. The Commission may withdraw the benefit of this Regulation, pursuant to Article 29(1) of Regulation (EC) No 1/2003, where it finds in any particular case that a technology transfer agreement to which the exemption provided for in Article 2 of this Regulation applies nevertheless has effects which are incompatible with Article 101(3) of the Treaty, and in particular where:

- (a) access of third parties' technologies to the market is restricted, for instance by the cumulative effect of parallel networks of similar restrictive agreements prohibiting licensees from using third parties' technologies;
- (b) access of potential licensees to the market is restricted, for instance by the cumulative effect of parallel networks of similar restrictive agreements prohibiting licensors from licensing to other licensees or because the only technology owner licensing out relevant technology rights concludes an exclusive license with a licensee who is already active on the product market on the basis of substitutable technology rights.

2. Where, in any particular case, a technology transfer agreement to which the exemption provided for in Article 2 of this Regulation applies has effects which are incompatible with Article 101(3) of the Treaty in the territory of a Member State, or in a part thereof, which has all the characteristics of a distinct geographic market, the competition authority of that Member State may withdraw the benefit of this Regulation, pursuant to Article 29(2) of Regulation (EC) No 1/2003, in respect of that territory, under the same circumstances as those set out in paragraph 1 of this Article.

Article 7

Non-application of this Regulation

1. Pursuant to Article 1a of Regulation (EC) No 19/65/EEC, the Commission may by regulation declare that, where parallel networks of similar technology transfer agreements cover more than 50 % of a relevant market, this Regulation is not to apply to technology transfer agreements containing specific restrictions relating to that market.

2. A regulation pursuant to paragraph 1 shall not become applicable earlier than six months following its adoption.

Article 8

Application of the market-share thresholds

For the purposes of applying the market-share thresholds laid down in Article 3 the following rules shall apply:

- (a) the market share shall be calculated on the basis of market sales value data; if market sales value data are not available, estimates based on other reliable market information, including market sales volumes, may be used to establish the market share of the undertaking concerned;
- (b) the market share shall be calculated on the basis of data relating to the preceding calendar year;
- (c) the market share held by the undertakings referred to in point (e) of the second subparagraph of Article 1(2) shall be apportioned equally to each undertaking having the rights or the powers listed in point (a) of the second subparagraph of Article 1(2);

(d) the market share of a licensor on a relevant market for the licensed technology rights shall be calculated on the basis of the presence of the licensed technology rights on the relevant market(s) (that is the product market(s) and the geographic market(s)) where the contract products are sold, that is on the basis of the sales data relating to the contract products produced by the licensor and its licensees combined;

(e) if the market share referred to in Article 3(1) or (2) is initially not more than 20 % or 30 % respectively, but subsequently rises above those levels, the exemption provided for in Article 2 shall continue to apply for a period of two consecutive calendar years following the year in which the 20 % threshold or 30 % threshold was first exceeded.

Article 9

Relationship with other block exemption regulations

This Regulation shall not apply to licensing arrangements in research and development agreements which fall within the scope of Regulation (EU) No 1217/2010 or in specialisation agreements which fall within the scope of Regulation (EU) No 1218/2010.

Article 10

Transitional period

The prohibition laid down in Article 101(1) of the Treaty shall not apply from 1 May 2014 until 30 April 2015 to agreements already in force on 30 April 2014 which do not satisfy the conditions for exemption provided for in this Regulation but which, on 30 April 2014, satisfied the conditions for exemption provided for in Regulation (EC) No 772/2004.

Article 11

Period of validity

This Regulation shall enter into force on 1 May 2014.

It shall expire on 30 April 2026.

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

Done at Brussels, 21 March 2014.

*For the Commission,
On behalf of the President,
Joaquín ALMUNIA
Vice-President*

COMMISSION REGULATION (EU) No 317/2014

of 27 March 2014

amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex XVII (CMR substances)

(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 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC⁽¹⁾, and in particular Article 68(2) thereof,

Whereas:

- (1) Annex XVII to Regulation (EC) No 1907/2006, in its entries 28 to 30, prohibits the sale to the general public of substances that are classified as carcinogenic, mutagenic or reproductive toxicant (CMR), categories 1A or 1B or of mixtures containing them in concentration above specified concentration limits. The substances concerned are listed in Appendices 1 to 6 to Annex XVII.
- (2) Regulation (EC) No 1272/2008 of the European Parliament and of the Council⁽²⁾ was amended by Commission Regulations (EU) No 618/2012⁽³⁾ and (EU) No 944/2013⁽⁴⁾ for the purposes of its adaptation to technical and scientific progress, in order to update or include a number of new harmonised classifications of CMR substances.
- (3) Regulation (EU) No 618/2012 establishes a new harmonised classification for the following substances:

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁽³⁾ Commission Regulation (EU) No 618/2012 of 10 July 2012 amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (OJ L 179, 11.7.2012, p. 3).

⁽⁴⁾ Commission Regulation (EU) No 944/2013 of 2 October 2013 amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (OJ L 261, 3.10.2013, p. 5).

indium phosphide has been classified as carcinogenic 1B, trixylyl phosphate and 4-*tert*-butylbenzoic acid have been classified as reproductive toxicant 1B.

- (4) Regulation (EU) No 944/2013 establishes a new harmonised classification for the following substances: [pitch, coal tar, high-temp.] has been classified as carcinogenic 1A; gallium arsenide has been classified as carcinogenic 1B; [pitch, coal tar, high-temp.] has been classified as mutagenic 1B; [pitch, coal tar, high-temp.], epoxiconazole (ISO), nitrobenzene, dihexyl phthalate, N-ethyl-2-pyrrolidone, ammoniumpentadecafluorooctanoate, perfluorooctanoic acid and 2-ethylhexyl 10-ethyl-4,4-dioctyl-7-oxo-8-oxa-3,5-dithia-4-stannatetradecanoate have been classified as reproductive toxicant 1B.
- (5) As operators may apply the harmonised classifications set out in Part 3 of Annex VI to Regulation (EC) No 1272/2008 at an earlier date, they should be able to apply the provisions of this Regulation earlier, on a voluntary basis.
- (6) Appendices 1 to 6 to Annex XVII to Regulation (EC) No 1907/2006 should be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XVII to Regulation (EC) No 1907/2006 is amended in accordance with Annexes I, II and III to this Regulation.

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*.

Annex I to this Regulation shall apply from 1 April 2014.

Annex II to this Regulation shall apply from 1 January 2015.

Annex III to this Regulation shall apply from 1 April 2016.

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

Done at Brussels, 27 March 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Annex XVII to Regulation (EC) No 1907/2006 is amended as follows:

- (1) In Appendix 2, the following entry is inserted in the table in accordance with the order of the entries set out therein:

'indium phosphide	015-200-00-3	244-959-5	22398-80-7'	
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- (2) In Appendix 6, the following entries are inserted in the table in accordance with the order of the entries set out therein:

'trixyl phosphate	015-201-00-9	246-677-8	25155-23-1	
4- <i>tert</i> -butylbenzoic acid	607-698-00-1	202-696-3	98-73-7'	

ANNEX II

Annex XVII to Regulation (EC) No 1907/2006 is amended as follows:

- (1) In Appendix 2, the following entry is inserted in the table in accordance with the order of the entries set out therein:

'gallium arsenide	031-001-00-4	215-114-8	1303-00-0'	
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- (2) In Appendix 6, the following entries are inserted in the table in accordance with the order of the entries set out therein:

'epoxiconazole (ISO); (2RS,3SR)-3-(2-chlorophenyl)-2-(4-fluorophenyl)-[(1 <i>H</i> -1,2,4-triazol-1-yl)methyl]oxirane	613-175-00-9	406-850-2	133855-98-8	
nitrobenzene	609-003-00-7	202-716-0	98-95-3	
dihexyl phthalate	607-702-00-1	201-559-5	84-75-3	
N-ethyl-2-pyrrolidone; 1-ethylpyrrolidin-2-one	616-208-00-5	220-250-6	2687-91-4	
ammoniumpentadecafluorooctanoate	607-703-00-7	223-320-4	3825-26-1	
perfluorooctanoic acid	607-704-00-2	206-397-9	335-67-1	
2-ethylhexyl 10-ethyl-4,4-dioctyl-7-oxo-8-oxa-3,5-dithia-4-stannatetradecanoate	050-027-00-7	239-622-4	15571-58-1'	

ANNEX III

Annex XVII to Regulation (EC) No 1907/2006 is amended as follows:

- (1) In Appendix 1, the following entry is inserted in the table in accordance with the order of the entries set out therein:

'pitch, coal tar, high-temp.; (The residue from the distillation of high temperature coal tar. A black solid with an approximate softening point from 30 °C to 180 °C (86 °F to 356 °F). Composed primarily of a complex mixture of three or more membered condensed ring aromatic hydrocarbons.)	648-055-00-5	266-028-2	65996-93-2'	
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- (2) In Appendix 2, the following entry is deleted:

'pitch, coal tar, high-temp.; (The residue from the distillation of high temperature coal tar. A black solid with an approximate softening point from 30 °C to 180 °C (86 °F to 356 °F). Composed primarily of a complex mixture of three or more membered condensed ring aromatic hydrocarbons.)	648-055-00-5	266-028-2	65996-93-2'	
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- (3) In Appendix 4, the following entry is inserted in the table in accordance with the order of the entries set out therein:

'pitch, coal tar, high-temp.; (The residue from the distillation of high temperature coal tar. A black solid with an approximate softening point from 30 °C to 180 °C (86 °F to 356 °F). Composed primarily of a complex mixture of three or more membered condensed ring aromatic hydrocarbons.)	648-055-00-5	266-028-2	65996-93-2'	
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- (4) In Appendix 6, the following entry is inserted in the table in accordance with the order of the entries set out therein:

'pitch, coal tar, high-temp.; (The residue from the distillation of high temperature coal tar. A black solid with an approximate softening point from 30 °C to 180 °C (86 °F to 356 °F). Composed primarily of a complex mixture of three or more membered condensed ring aromatic hydrocarbons.)	648-055-00-5	266-028-2	65996-93-2'	
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COMMISSION REGULATION (EU) No 318/2014**of 27 March 2014****amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for fenarimol, metaflumizone and teflubenzuron in or on certain products****(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 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC⁽¹⁾, and in particular Article 14(1)(a) and Article 49(2) thereof,

Whereas:

- (1) For fenarimol maximum residue levels (MRLs) were set in Annex II and Part B of Annex III to Regulation (EC) No 396/2005. For metaflumizone and teflubenzuron MRLs were set in Part A of Annex III to Regulation (EC) No 396/2005.
- (2) In the context of a procedure for the authorisation of the use of a plant protection product containing the active substance metaflumizone on cucurbits (edible peel), melons, watermelons, broccoli, cauliflower, Chinese cabbage, lettuce and other salad plants, herbs, beans (with pods), peas (with pods), globe artichokes and cotton seed, an application was made in accordance with Article 6(1) of Regulation (EC) No 396/2005 for modification of the existing MRLs.
- (3) As regards teflubenzuron, such an application was made for crops belonging to the Solanaceae group and cucurbits (edible peel).
- (4) In accordance with Article 6(2) and (4) of Regulation (EC) No 396/2005 an application was submitted for fenarimol on apples, cherries, peaches, grapes strawberries, bananas, tomatoes, cucumbers, melons, pumpkins and watermelons. The applicant claims that the authorised uses of fenarimol on such crops in several third countries lead to residues exceeding the MRLs in Regulation (EC) No 396/2005 and that higher MRLs are necessary to avoid trade barriers for the importation of these crops.

(5) In accordance with Article 8 of Regulation (EC) No 396/2005, these applications were evaluated by the Member States concerned and the evaluation reports were forwarded to the Commission.

(6) The European Food Safety Authority, hereinafter 'the Authority' assessed the applications and the evaluation reports, examining in particular the risks to the consumer and, where relevant, to animals and gave reasoned opinions on the proposed MRLs⁽²⁾. It forwarded these opinions to the Commission and the Member States and made them available to the public.

(7) The Authority concluded in its reasoned opinions that, as regards the use of fenarimol on peaches, grapes, strawberries, bananas, tomatoes and watermelons and the use of metaflumizone on melons, watermelons, herbs and salad plants (except lettuce), the submitted data are not sufficient to set new MRLs. As regards the use of metaflumizone on scarole, the Authority does not recommend setting the proposed MRL since a risk for consumers cannot be excluded. The existing MRLs should therefore remain unchanged.

(8) As regards the use of metaflumizone on broccoli and lettuce, the Authority recommends setting lower MRLs than the ones proposed by the applicant.

(9) As regards the use of teflubenzuron on Solanaceae crops and cucurbits (edible peel), the Authority identified chronic consumer intake concerns. However, the main contributor to the total exposure is apple. The Authority recommends lowering the MRL set for apples when increasing the MRLs for the above crops. Since such MRL was set to accommodate an import tolerance request based on authorised uses in Brazil, the applicant has been contacted in order to avoid trade barriers. The applicant proposed a fall-back MRL of 0,5 mg/kg, which is sufficient to accommodate

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ EFSA scientific reports available online: <http://www.efsa.europa.eu>
Reasoned opinion of EFSA on the modification of the existing MRLs for fenarimol in various crops. EFSA Journal 2011; 9(9):2350 [32 pp.]. doi:10.2903/j.efsa.2011.2350.
Reasoned opinion on the modification of the existing MRLs for metaflumizone in various commodities. EFSA Journal 2013; 11(7):3316 [50 pp.]. doi:10.2903/j.efsa.2013.3316.
Reasoned opinion on the modification of the existing MRLs for teflubenzuron in various fruiting vegetables. EFSA Journal 2012; 10(3):2633 [27 pp.]. doi:10.2903/j.efsa.2012.2633.

the uses authorised in Brazil. As a high level of consumer protection is maintained, it is appropriate to set that MRL to 0,5 mg/kg.

- (10) As regards all other applications, the Authority concluded that all requirements with respect to data were met and that the modifications to the MRLs requested by the applicants were acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. It took into account the most recent information on the toxicological properties of the substances. Neither the lifetime exposure to those substances via consumption of all food products that may contain them, nor the short-term exposure due to high consumption of the relevant crops and products showed that there is a risk that the acceptable daily intake (ADI) or the acute reference dose (ARfD) is exceeded.
- (11) Based on the reasoned opinions of the Authority and taking into account the factors relevant to the matter under consideration, the appropriate modifications to the MRLs fulfil the requirements of Article 14(2) of Regulation (EC) No 396/2005.
- (12) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.
- (13) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (14) In order to allow for the normal marketing, processing and consumption of products, this Regulation should provide for a transitional arrangement for products

which have been lawfully produced before the modification of the MRLs and for which information shows that a high level of consumer protection is maintained.

- (15) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.
- (16) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II and III to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

Article 2

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were lawfully produced before 17 October 2014.

Article 3

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

It shall apply from 17 October 2014.

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

Done at Brussels, 27 March 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

Annexes II and III to Regulation (EC) No 396/2005 are amended as follows:

(1) In Annex II, the column for fenarimol is replaced by the following:

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply (*)	Fenarimol
(1)	(2)	(3)
0100000	1. FRUIT FRESH OR FROZEN NUTS	
0110000	(i) Citrus fruit	0,02 (*)
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)	
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)	
0110030	Lemons (Citron, lemon, Buddha's hand (<i>Citrus medica</i> var. <i>sarcodactylis</i>))	
0110040	Limes	
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids tangor (<i>Citrus reticulata</i> x <i>sinensis</i>))	
0110990	Others	
0120000	(ii) Tree nuts	0,02 (*)
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts (Filbert)	
0120070	Macadamia	
0120080	Pecans	
0120090	Pine nuts	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others	
0130000	(iii) Pome fruit	0,1
0130010	Apples (Crab apple)	
0130020	Pears (Oriental pear)	
0130030	Quinces	
0130040	Medlar	(**)
0130050	Loquat	(**)
0130990	Others	
0140000	(iv) Stone fruit	
0140010	Apricots	0,5

(1)	(2)	(3)
0140020	Cherries (Sweet cherries, sour cherries)	1,5
0140030	Peaches (Nectarines and similar hybrids)	0,5
0140040	Plums (Damson, greengage, mirabelle, sloe, red date/Chinese date/Chinese jujube (<i>Ziziphus zizyphus</i>))	0,02 (*)
0140990	Others	0,02 (*)
0150000	(v) Berries & small fruit	
0151000	(a) <i>Table and wine grapes</i>	0,3
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) <i>Strawberries</i>	0,3
0153000	(c) <i>Cane fruit</i>	
0153010	Blackberries	0,02 (*)
0153020	Dewberries (Loganberries, tayberries, boysenberries, cloudberrries and other <i>Rubus</i> hybrids)	0,02 (*)
0153030	Raspberries (Wineberries, arctic bramble/raspberry, (<i>Rubus arcticus</i>), nectar raspberries (<i>Rubus arcticus</i> x <i>Rubus idaeus</i>))	0,1
0153990	Others	0,02 (*)
0154000	(d) <i>Other small fruit & berries</i>	
0154010	Blueberries (Bilberries)	0,02 (*)
0154020	Cranberries (Cowberries/red bilberries (<i>V. vitis-idaea</i>))	0,02 (*)
0154030	Currants (red, black and white)	1
0154040	Gooseberries (Including hybrids with other <i>Ribes</i> species)	1
0154050	Rose hips	(**)
0154060	Mulberries (<i>Arbutus</i> berry)	(**)
0154070	Azardole (mediteranean medlar) (Kiwiberry (<i>Actinidia arguta</i>))	(**)
0154080	Elderberries (Black chokeberry/appleberry, mountain ash, buckthorn/sea sallowthorn, hawthorn, service-berries, and other treeberries)	(**)
0154990	Others	0,02 (*)
0160000	(vi) Miscellaneous fruit	
0161000	(a) <i>Edible peel</i>	0,02 (*)
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (<i>Citrus aurantifolia</i> x <i>Fortunella</i> spp.))	
0161050	Carambola (Bilimbi)	(**)
0161060	Persimmon	(**)
0161070	Jambolan (java plum) (Java apple/water apple, pomerac, rose apple, Brazilian cherry, Surinam cherry/grumichama (<i>Eugenia uniflora</i>))	(**)

(1)	(2)	(3)
0161990	Others	
0162000	(b) <i>Inedible peel, small</i>	0,02 (*)
0162010	Kiwi	
0162020	Lychee (Litchi) (Pulasan, rambutan/hairy litchi, longan, mangosteen, langsung, salak)	
0162030	Passion fruit	
0162040	Prickly pear (cactus fruit)	(**)
0162050	Star apple	(**)
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel/yellow sapote, mammy sapote)	(**)
0162990	Others	
0163000	(c) <i>Inedible peel, large</i>	
0163010	Avocados	0,02 (*)
0163020	Bananas (Dwarf banana, plantain, apple banana)	0,2
0163030	Mangoes	0,02 (*)
0163040	Papaya	0,02 (*)
0163050	Pomegranate	0,02 (*)
0163060	Cherimoya (Custard apple, sugar apple/sweetsop, ilama (<i>Annona diversifolia</i>) and other medium sized <i>Annonaceae</i> fruits)	(**)
0163070	Guava (Red pitaya/dragon fruit (<i>Hylocereus undatus</i>))	(**)
0163080	Pineapples	0,02 (*)
0163090	Bread fruit (Jackfruit)	(**)
0163100	Durian	(**)
0163110	Soursop (guanabana)	(**)
0163990	Others	0,02 (*)
0200000	2. VEGETABLES FRESH OR FROZEN	
0210000	(i) Root and tuber vegetables	0,02 (*)
0211000	(a) <i>Potatoes</i>	
0212000	(b) <i>Tropical root and tuber vegetables</i>	
0212010	Cassava (Dasheen, eddoe/Japanese taro, tannia)	
0212020	Sweet potatoes	
0212030	Yams (Potato bean/yam bean, Mexican yam bean)	
0212040	Arrowroot	(**)
0212990	Others	
0213000	(c) <i>Other root and tuber vegetables except sugar beet</i>	
0213010	Beetroot	
0213020	Carrots	

(1)	(2)	(3)
0213030	Celeriac	
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots)	
0213050	Jerusalem artichokes (Crosne)	
0213060	Parsnips	
0213070	Parsley root	
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (<i>Cyperus esculentus</i>))	
0213090	Salsify (Scorzonera, Spanish salsify/Spanish oysterplant, edible burdock)	
0213100	Swedes	
0213110	Turnips	
0213990	Others	
0220000	(ii) Bulb vegetables	0,02 (*)
0220010	Garlic	
0220020	Onions (Other bulb onions, silverskin onions)	
0220030	Shallots	
0220040	Spring onions and welsh onions (Other green onions and similar varieties)	
0220990	Others	
0230000	(iii) Fruiting vegetables	
0231000	(a) <i>Solanacea</i>	0,02 (*)
0231010	Tomatoes (Cherry tomatoes, <i>Physalis</i> spp., gojiberry, wolfberry (<i>Lycium barbarum</i> and <i>L. chinense</i>), tree tomato)	
0231020	Peppers (Chilli peppers)	
0231030	Aubergines (egg plants) (Pepino, antroewa/white eggplant (<i>S. macrocarpon</i>))	
0231040	Okra (lady's fingers)	
0231990	Others	
0232000	(b) <i>Cucurbits — edible peel</i>	0,2
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes (Summer squash, marrow (patisson), lauki (<i>Lagenaria siceraria</i>), chayote, sopropo/bitter melon, snake gourd, angled luffa/teroi)	
0232990	Others	
0233000	(c) <i>Cucurbits-inedible peel</i>	
0233010	Melons (Kiwano)	0,2
0233020	Pumpkins (Winter squash, marrow (late variety))	0,2
0233030	Watermelons	0,05
0233990	Others	0,05
0234000	(d) <i>Sweet corn (Baby corn)</i>	0,02 (*)

(1)	(2)	(3)
0239000	(e) <i>Other fruiting vegetables</i>	0,02 (*)
0240000	(iv) Brassica vegetables	0,02 (*)
0241000	(a) <i>Flowering brassica</i>	
0241010	Broccoli (Calabrese, Broccoli raab, Chinese broccoli)	
0241020	Cauliflower	
0241990	Others	
0242000	(b) <i>Head brassica</i>	
0242010	Brussels sprouts	
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)	
0242990	Others	
0243000	(c) <i>Leafy brassica</i>	
0243010	Chinese cabbage (Indian or Chinese) mustard, pak choi, Chinese flat cabbage/ai goo choi, choi sum, Peking cabbage/pe-tsai)	
0243020	Kale (Borecole/curly kale, collards, Portuguese Kale, Portuguese cabbage, cow cabbage)	
0243990	Others	
0244000	(d) <i>Kohlrabi</i>	
0250000	(v) Leaf vegetables & fresh herbs	0,02 (*)
0251000	(a) <i>Lettuce and other salad plants including Brassicaceae</i>	
0251010	Lamb's lettuce (Italian corn salad)	
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)	
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curly leaf endive, sugar loaf (<i>C. endivia</i> var. <i>crispum</i> / <i>C. intybus</i> var. <i>foliosum</i>), dandelion greens)	
0251040	Cress (Mung bean sprouts, alfalfa sprouts)	
0251050	Land cress	(**)
0251060	Rocket, Rucola (Wild rocket (<i>Diplotaxis</i> spp.))	
0251070	Red mustard	(**)
0251080	Leaves and sprouts of <i>Brassica</i> spp, including turnip greens (Mizuna, leaves of peas and radish and other babyleaf crops, including brassica crops (crops harvested up to 8 true leaf stage), kohlrabi leaves)	
0251990	Others	
0252000	(b) <i>Spinach & similar (leaves)</i>	
0252010	Spinach (New Zealand spinach, amaranthus spinach (pak-khom, tampara), tajer leaves, bitterblad/bitawiri)	
0252020	Purslane (Winter purslane/miner's lettuce, garden purslane, common purslane, sorrel, glassworth, agretti (<i>Salsola soda</i>))	(**)
0252030	Beet leaves (chard) (Leaves of beetroot)	
0252990	Others	
0253000	(c) <i>Vine leaves (grape leaves) (Malabar nightshade, banana leaves, climbing wattle (<i>Acacia pennata</i>))</i>	(**)

(1)	(2)	(3)
0254000	(d) <i>Water cress (Morning glory/Chinese convolvulus/water convolvulus/water spinach/kangkung (Ipomea aquatica), water clover, water mimosa)</i>	
0255000	(e) <i>Witloof</i>	
0256000	(f) <i>Herbs</i>	
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves (Fennel leaves, coriander leaves, dill leaves, caraway leaves, lovage, angelica, sweet cisel and other <i>Apiacea</i> leaves, culantro/stinking/long coriander/stink weed (<i>Eryngium foetidum</i>))	
0256040	Parsley (leaves of root parsley)	
0256050	Sage (Winter savory, summer savory, <i>Borago officinalis</i> leaves)	(**)
0256060	Rosemary	(**)
0256070	Thyme (Marjoram, oregano)	(**)
0256080	Basil (Balm leaves, mint, peppermint, holy basil, sweet basil, hairy basil, edible flowers (marigold flower and others), pennywort, wild betel leaf, curry leaves)	(**)
0256090	Bay leaves (laurel) (Lemon grass)	(**)
0256100	Tarragon (Hyssop)	(**)
0256990	Others	
0260000	(vi) Legume vegetables (fresh)	0,02 (*)
0260010	Beans (with pods) (Green bean/French beans/snap beans, scarlet runner bean, slicing bean, yard long beans, guar beans, soya beans)	
0260020	Beans (without pods) (Broad beans, flageolets, jack bean, lima bean, cowpea)	
0260030	Peas (with pods) (Mangetout/sugar peas/snow peas)	
0260040	Peas (without pods) (Garden pea, green pea, chickpea)	
0260050	Lentils	
0260990	Others	
0270000	(vii) Stem vegetables (fresh)	0,02 (*)
0270010	Asparagus	
0270020	Cardoons (<i>Borago officinalis</i> stems)	
0270030	Celery	
0270040	Fennel	
0270050	Globe artichokes (Banana flower)	
0270060	Leek	
0270070	Rhubarb	
0270080	Bamboo shoots	(**)
0270090	Palm hearts	(**)
0270990	Others	
0280000	(viii) Fungi	0,02 (*)

(1)	(2)	(3)
0280010	Cultivated fungi (Common mushroom, oyster mushroom, shiitake, fungus mycelium (vegetative parts))	
0280020	Wild fungi (Chanterelle, truffle, morel, cep)	
0280990	Others	
0290000	(ix) Sea weeds	(**)
0300000	3. PULSES, DRY	0,02 (*)
0300010	Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)	
0300020	Lentils	
0300030	Peas (Chickpeas, field peas, chickling vetch)	
0300040	Lupins	
0300990	Others	
0400000	4. OILSEEDS AND OILFRUITS	0,02 (*)
0401000	(i) Oilseeds	
0401010	Linseed	
0401020	Peanuts	
0401030	Poppy seed	
0401040	Sesame seed	
0401050	Sunflower seed	
0401060	Rape seed (Bird rapeseed, turnip rape)	
0401070	Soya bean	
0401080	Mustard seed	
0401090	Cotton seed	
0401100	Pumpkin seeds (Other seeds of Cucurbitaceae)	
0401110	Safflower	(**)
0401120	Borage (Purple viper's bugloss/Canary flower (<i>Echium plantagineum</i>), Corn Gromwell (<i>Buglossoides arvensis</i>))	(**)
0401130	Gold of pleasure	(**)
0401140	Hempseed	
0401150	Castor bean	(**)
0401990	Others	
0402000	(ii) Oilfruits	
0402010	Olives for oil production	
0402020	Palm nuts (palmoil kernels)	(**)
0402030	Palmfruit	(**)
0402040	Kapok	(**)
0402990	Others	
0500000	5. CEREALS	0,02 (*)

(1)	(2)	(3)
0500010	Barley	
0500020	Buckwheat (<i>Amaranthus</i> , quinoa)	
0500030	Maize	
0500040	Millet (Foxtail millet, teff, finger millet, pearl millet)	
0500050	Oats	
0500060	Rice (Indian/wild rice (<i>Zizania aquatica</i>))	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat (Spelt, triticale)	
0500990	Others (Canary grass seeds (<i>Phalaris canariensis</i>))	
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	0,05 (*)
0610000	(i) Tea	
0620000	(ii) Coffee beans	(**)
0630000	(iii) Herbal infusions (dried)	(**)
0631000	(a) <i>Flowers</i>	(**)
0631010	Camomille flowers	(**)
0631020	Hybiscus flowers	(**)
0631030	Rose petals	(**)
0631040	Jasmine flowers (Elderflowers (<i>Sambucus nigra</i>))	(**)
0631050	Lime (linden)	(**)
0631990	Others	(**)
0632000	(b) <i>Leaves</i>	(**)
0632010	Strawberry leaves	(**)
0632020	Rooibos leaves (Ginkgo leaves)	(**)
0632030	Maté	(**)
0632990	Others	(**)
0633000	(c) <i>Roots</i>	(**)
0633010	Valerian root	(**)
0633020	Ginseng root	(**)
0633990	Others	(**)
0639000	(d) <i>Other herbal infusions</i>	(**)
0640000	(iv) Cocoabeans (fermented or dried)	(**)
0650000	(v) Carob (st johns bread)	(**)
0700000	7. HOPS (dried)	5
0800000	8. SPICES	(**)

(1)	(2)	(3)
0810000	(i) Seeds	(**)
0810010	Anise	(**)
0810020	Black caraway	(**)
0810030	Celery seed (Lovage seed)	(**)
0810040	Coriander seed	(**)
0810050	Cumin seed	(**)
0810060	Dill seed	(**)
0810070	Fennel seed	(**)
0810080	Fenugreek	(**)
0810090	Nutmeg	(**)
0810990	Others	(**)
0820000	(ii) Fruits and berries	(**)
0820010	Allspice	(**)
0820020	Sichuan pepper (Anise pepper, Japan pepper)	(**)
0820030	Caraway	(**)
0820040	Cardamom	(**)
0820050	Juniper berries	(**)
0820060	Pepper, black, green and white (Long pepper, pink pepper)	(**)
0820070	Vanilla pods	(**)
0820080	Tamarind	(**)
0820990	Others	(**)
0830000	(iii) Bark	(**)
0830010	Cinnamon (<i>Cassia</i>)	(**)
0830990	Others	(**)
0840000	(iv) Roots or rhizome	(**)
0840010	Liquorice	(**)
0840020	Ginger	(**)
0840030	Turmeric (<i>Curcuma</i>)	(**)
0840040	Horseradish	(**)
0840990	Others	(**)
0850000	(v) Buds	(**)
0850010	Cloves	(**)
0850020	Capers	(**)
0850990	Others	(**)
0860000	(vi) Flower stigma	(**)

(1)	(2)	(3)
0860010	Saffron	(**)
0860990	Others	(**)
0870000	(vii) Aril	(**)
0870010	Mace	(**)
0870990	Others	(**)
0900000	9. SUGAR PLANTS	(**)
0900010	Sugar beet (root)	(**)
0900020	Sugar cane	(**)
0900030	Chicory roots	(**)
0900990	Others	(**)
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS	
1010000	(i) Tissue	0,02 (*)
1011000	(a) <i>Swine</i>	
1011010	Muscle	
1011020	Fat	
1011030	Liver	
1011040	Kidney	
1011050	Edible offal	
1011990	Others	
1012000	(b) <i>Bovine</i>	
1012010	Muscle	
1012020	Fat	
1012030	Liver	
1012040	Kidney	
1012050	Edible offal	
1012990	Others	
1013000	(c) <i>Sheep</i>	
1013010	Muscle	
1013020	Fat	
1013030	Liver	
1013040	Kidney	
1013050	Edible offal	
1013990	Others	
1014000	(d) <i>Goat</i>	
1014010	Muscle	

(1)	(2)	(3)
1014020	Fat	
1014030	Liver	
1014040	Kidney	
1014050	Edible offal	
1014990	Others	
1015000	(e) <i>Horses, asses, mules or hinnies</i>	(**)
1015010	Muscle	(**)
1015020	Fat	(**)
1015030	Liver	(**)
1015040	Kidney	(**)
1015050	Edible offal	(**)
1015990	Others	(**)
1016000	(f) <i>Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>	
1016010	Muscle	
1016020	Fat	
1016030	Liver	
1016040	Kidney	
1016050	Edible offal	
1016990	Others	
1017000	(g) <i>Other farm animals (Rabbit, kangaroo, deer)</i>	(**)
1017010	Muscle	(**)
1017020	Fat	(**)
1017030	Liver	(**)
1017040	Kidney	(**)
1017050	Edible offal	(**)
1017990	Others	(**)
1020000	(ii) Milk	0,02 (*)
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others	
1030000	(iii) Bird eggs	0,02 (*)
1030010	Chicken	
1030020	Duck	(**)

(1)	(2)	(3)
1030030	Goose	(**)
1030040	Quail	(**)
1030990	Others	(**)
1040000	(iv) Honey (Royal jelly, pollen, honey comb with honey (comb honey))	(**)
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)	(**)
1060000	(vi) Snails	(**)
1070000	(vii) Other terrestrial animal products (Wild game)	(**)

(^a) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

(*) Indicates lower limit of analytical determination

(**) Pesticide-code combination for which the MRL as set in Annex III Part B applies.

(2) Annex III is amended as follows:

(a) In Part A, the columns for metaflumizone and teflubenzuron are replaced by the following:

'Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply (^a)	Metaflumizone (sum of E- and Z- isomers)	Teflubenzuron
(1)	(2)	(3)	(4)
0100000	1. FRUIT FRESH OR FROZEN NUTS	0,05 (*)	
0110000	(i) Citrus fruit		0,05 (*)
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)		
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)		
0110030	Lemons (Citron, lemon, Buddha's hand (<i>Citrus medica</i> var. <i>sarcodactylis</i>))		
0110040	Limes		
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids tangor (<i>Citrus reticulata</i> x <i>sinensis</i>))		
0110990	Others		
0120000	(ii) Tree nuts		0,05 (*)
0120010	Almonds		
0120020	Brazil nuts		
0120030	Cashew nuts		
0120040	Chestnuts		
0120050	Coconuts		
0120060	Hazelnuts (Filbert)		

(1)	(2)	(3)	(4)
0120070	Macadamia		
0120080	Pecans		
0120090	Pine nuts		
0120100	Pistachios		
0120110	Walnuts		
0120990	Others		
0130000	(iii) Pome fruit		0,5
0130010	Apples (Crab apple)		
0130020	Pears (Oriental pear)		
0130030	Quinces		
0130040	Medlar		
0130050	Loquat		
0130990	Others		
0140000	(iv) Stone fruit		1
0140010	Apricots		
0140020	Cherries (Sweet cherries, sour cherries)		
0140030	Peaches (Nectarines and similar hybrids)		
0140040	Plums (Damson, greengage, mirabelle, sloe, red date/Chinese date/Chinese jujube (<i>Ziziphus zizyphus</i>))		
0140990	Others		
0150000	(v) Berries & small fruit		
0151000	(a) <i>Table and wine grapes</i>		1
0151010	Table grapes		
0151020	Wine grapes		
0152000	(b) <i>Strawberries</i>		0,2
0153000	(c) <i>Cane fruit</i>		0,2
0153010	Blackberries		
0153020	Dewberries (Loganberries, tayberries, boysenberries, cloudberrries and other <i>Rubus</i> hybrids)		
0153030	Raspberries (Wineberries, arctic bramble/raspberry, (<i>Rubus arcticus</i>), nectar raspberries (<i>Rubus arcticus</i> x <i>Rubus idaeus</i>))		
0153990	Others		
0154000	(d) <i>Other small fruit & berries</i>		0,2
0154010	Blueberries (Bilberries)		
0154020	Cranberries (Cowberries/red bilberries (<i>V. vitis-idaea</i>))		

(1)	(2)	(3)	(4)
0154030	Currants (red, black and white)		
0154040	Gooseberries (Including hybrids with other <i>Ribes</i> species)		
0154050	Rose hips		
0154060	Mulberries (<i>Arbutus</i> berry)		
0154070	Azarole (mediteranean medlar) (<i>Kiwiberry</i> (<i>Actinidia arguta</i>))		
0154080	Elderberries (Black chokeberry/appleberry, mountain ash, buckthorn/sea sallowthorn, hawthorn, serviceberries, and other treeberries)		
0154990	Others		
0160000	(vi) Miscellaneous fruit		
0161000	(a) <i>Edible peel</i>		
0161010	Dates		2
0161020	Figs		0,05 (*)
0161030	Table olives		0,05 (*)
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (<i>Citrus aurantifolia</i> x <i>Fortunella</i> spp.))		0,05 (*)
0161050	Carambola (Bilimbi)		0,05 (*)
0161060	Persimmon		0,05 (*)
0161070	Jambolan (java plum) (Java apple/water apple, pomerac, rose apple, Brazilian cherry, Surinam cherry/grumichama (<i>Eugenia uniflora</i>))		0,05 (*)
0161990	Others		0,05 (*)
0162000	(b) <i>Inedible peel, small</i>		0,05 (*)
0162010	Kiwi		
0162020	Lychee (Litchi) (Pulasan, rambutan/hairy litchi, longan, mangosteen, langsung, salak)		
0162030	Passion fruit		
0162040	Prickly pear (cactus fruit)		
0162050	Star apple		
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel/yellow sapote, mammey sapote)		
0162990	Others		
0163000	(c) <i>Inedible peel, large</i>		0,05 (*)
0163010	Avocados		
0163020	Bananas (Dwarf banana, plantain, apple banana)		
0163030	Mangoes		
0163040	Papaya		
0163050	Pomegranate		

(1)	(2)	(3)	(4)
0163060	Cherimoya (Custard apple, sugar apple/sweetsop, ilama (<i>Annona diversifolia</i>) and other medium sized <i>Annonaceae</i> fruits)		
0163070	Guava (Red pitaya/dragon fruit (<i>Hylocereus undatus</i>))		
0163080	Pineapples		
0163090	Bread fruit (Jackfruit)		
0163100	Durian		
0163110	Soursop (guanabana)		
0163990	Others		
0200000	2. VEGETABLES FRESH OR FROZEN		
0210000	(i) Root and tuber vegetables	0,05 (*)	
0211000	(a) Potatoes		0,1
0212000	(b) Tropical root and tuber vegetables		
0212010	Cassava (Dasheen, eddoe/Japanese taro, tannia)		0,05 (*)
0212020	Sweet potatoes		0,1
0212030	Yams (Potato bean/yam bean, Mexican yam bean)		0,05 (*)
0212040	Arrowroot		0,05 (*)
0212990	Others		0,05 (*)
0213000	(c) Other root and tuber vegetables except sugar beet		0,05 (*)
0213010	Beetroot		
0213020	Carrots		
0213030	Celeriac		
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots)		
0213050	Jerusalem artichokes (Crosne)		
0213060	Parsnips		
0213070	Parsley root		
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (<i>Cyperus esculentus</i>))		
0213090	Salsify (Scorzonera, Spanish salsify/Spanish oysterplant, edible burdock)		
0213100	Swedes		
0213110	Turnips		
0213990	Others		
0220000	(ii) Bulb vegetables	0,05 (*)	0,05 (*)
0220010	Garlic		
0220020	Onions (Other bulb onions, silverskin onions)		
0220030	Shallots		

(1)	(2)	(3)	(4)
0220040	Spring onions and welsh onions (Other green onions and similar varieties)		
0220990	Others		
0230000	(iii) Fruiting vegetables		
0231000	(a) <i>Solanacea</i>		1,5
0231010	Tomatoes (Cherry tomatoes, <i>Physalis</i> spp., gojiberry, wolfberry (<i>Lycium barbarum</i> and <i>L. chinense</i>), tree tomato)	0,6	
0231020	Peppers (Chilli peppers)	1	
0231030	Aubergines (egg plants) (Pepino, antroewa/white eggplant (<i>S. macrocarpon</i>))	0,6	
0231040	Okra (lady's fingers)	0,05 (*)	
0231990	Others	0,05 (*)	
0232000	(b) <i>Cucurbits — edible peel</i>	0,4	
0232010	Cucumbers		0,5
0232020	Gherkins		1,5
0232030	Courgettes (Summer squash, marrow (patisson), lauki (<i>Lagenaria siceraria</i>), chayote, sopropo/bitter melon, snake gourd, angled luffa/teroi)		0,5
0232990	Others		0,5
0233000	(c) <i>Cucurbits-inedible peel</i>	0,05 (*)	
0233010	Melons (Kiwano)		0,2
0233020	Pumpkins (Winter squash, marrow (late variety))		0,05 (*)
0233030	Watermelons		0,05 (*)
0233990	Others		0,05 (*)
0234000	(d) <i>Sweet corn (Baby corn)</i>	0,05 (*)	0,2
0239000	(e) <i>Other fruiting vegetables</i>	0,05 (*)	0,05 (*)
0240000	(iv) Brassica vegetables		0,5
0241000	(a) <i>Flowering brassica</i>		
0241010	Broccoli (Calabrese, Broccoli raab, Chinese broccoli)	3	
0241020	Cauliflower	1,5	
0241990	Others	0,05 (*)	
0242000	(b) <i>Head brassica</i>		
0242010	Brussels sprouts	1	
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)	1	
0242990	Others	0,05 (*)	
0243000	(c) <i>Leafy brassica</i>		
0243010	Chinese cabbage (Indian or Chinese) mustard, pak choi, Chinese flat cabbage/ai goo choi, choy sum, Peking cabbage/pe-tsai)	7	

(1)	(2)	(3)	(4)
0243020	Kale (Borecole/curly kale, collards, Portuguese Kale, Portuguese cabbage, cow cabbage)	0,05 (*)	
0243990	Others	0,05 (*)	
0244000	(d) <i>Kohlrabi</i>	0,05 (*)	
0250000	(v) Leaf vegetables & fresh herbs		
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>		0,05 (*)
0251010	Lamb's lettuce (Italian corn salad)	10	
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)	5	
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curly leaf endive, sugar loaf (<i>C. endivia</i> var. <i>crispum</i> / <i>C. intybus</i> var. <i>foliosum</i>), dandelion greens)	0,05 (*)	
0251040	Cress (Mung bean sprouts, alfalfa sprouts)	10	
0251050	Land cress	10	
0251060	Rocket, Rucola (Wild rocket (<i>Diplotaxis</i> spp.))	10	
0251070	Red mustard	10	
0251080	Leaves and sprouts of <i>Brassica</i> spp, including turnip greens (<i>Mizuna</i> , leaves of peas and radish and other babyleaf crops, including <i>brassica</i> crops (crops harvested up to 8 true leaf stage), kohlrabi leaves)	10	
0251990	Others	10	
0252000	(b) <i>Spinach & similar (leaves)</i>	0,05 (*)	0,05 (*)
0252010	Spinach (New Zealand spinach, amaranthus spinach (pak-khom, tampara), tajar leaves, bitterblad/bitawiri)		
0252020	Purslane (Winter purslane/miner's lettuce, garden purslane, common purslane, sorrel, glass-worth, agretti (<i>Salsola soda</i>))		
0252030	Beet leaves (chard) (Leaves of beetroot)		
0252990	Others		
0253000	(c) <i>Vine leaves (grape leaves) (Malabar nightshade, banana leaves, climbing wattle (Acacia pennata))</i>	0,05 (*)	0,05 (*)
0254000	(d) <i>Water cress (Morning glory/Chinese convolvulus/water convolvulus/water spinach/kangkung (Ipomea aquatica), water clover, water mimosa)</i>	0,05 (*)	0,05 (*)
0255000	(e) <i>Witloof</i>	0,05 (*)	0,05 (*)
0256000	(f) <i>Herbs</i>	0,05 (*)	2
0256010	Chervil		
0256020	Chives		
0256030	Celery leaves (Fennel leaves, coriander leaves, dill leaves, caraway leaves, lovage, angelica, sweet cicely and other <i>Apiacea</i> leaves, culantro/stinking/long coriander/stink weed (<i>Eryngium foetidum</i>))		
0256040	Parsley (leaves of root parsley)		
0256050	Sage (Winter savory, summer savory, <i>Borago officinalis</i> leaves)		
0256060	Rosemary		
0256070	Thyme (Marjoram, oregano)		

(1)	(2)	(3)	(4)
0256080	Basil (Balm leaves, mint, peppermint, holy basil, sweet basil, hairy basil, edible flowers (marigold flower and others), pennywort, wild betel leaf, curry leaves)		
0256090	Bay leaves (laurel) (Lemon grass)		
0256100	Tarragon (Hyssop)		
0256990	Others		
0260000	(vi) Legume vegetables (fresh)		0,05 (*)
0260010	Beans (with pods) (Green bean/French beans/snap beans, scarlet runner bean, slicing bean, yard long beans, guar beans, soya beans)	0,9	
0260020	Beans (without pods) (Broad beans, flageolets, jack bean, lima bean, cowpea)	0,05 (*)	
0260030	Peas (with pods) (Mangetout/sugar peas/snow peas)	1,5	
0260040	Peas (without pods) (Garden pea, green pea, chickpea)	0,05 (*)	
0260050	Lentils	0,05 (*)	
0260990	Others	0,05 (*)	
0270000	(vii) Stem vegetables (fresh)		
0270010	Asparagus	0,05 (*)	0,05 (*)
0270020	Cardoons (<i>Borago officinalis</i> stems)	0,05 (*)	0,05 (*)
0270030	Celery	0,05 (*)	0,5
0270040	Fennel	0,05 (*)	0,05 (*)
0270050	Globe artichokes (Banana flower)	0,9	0,05 (*)
0270060	Leek	0,05 (*)	0,05 (*)
0270070	Rhubarb	0,05 (*)	0,05 (*)
0270080	Bamboo shoots	0,05 (*)	0,05 (*)
0270090	Palm hearts	0,05 (*)	0,05 (*)
0270990	Others	0,05 (*)	0,05 (*)
0280000	(viii) Fungi	0,05 (*)	
0280010	Cultivated fungi (Common mushroom, oyster mushroom, shiitake, fungus mycelium (vegetative parts))		0,05 (*)
0280020	Wild fungi (Chanterelle, truffle, morel, cep)		0,2
0280990	Others		0,05 (*)
0290000	(ix) Sea weeds	0,05 (*)	0,05 (*)
0300000	3. PULSES, DRY	0,05 (*)	0,05 (*)
0300010	Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)		
0300020	Lentils		
0300030	Peas (Chickpeas, field peas, chickling vetch)		
0300040	Lupins		

(1)	(2)	(3)	(4)
0300990	Others		
0400000	4. OILSEEDS AND OILFRUITS		0,05 (*)
0401000	(i) Oilseeds		
0401010	Linseed	0,05 (*)	
0401020	Peanuts	0,05 (*)	
0401030	Poppy seed	0,05 (*)	
0401040	Sesame seed	0,05 (*)	
0401050	Sunflower seed	0,05 (*)	
0401060	Rape seed (Bird rapeseed, turnip rape)	0,05 (*)	
0401070	Soya bean	0,05 (*)	
0401080	Mustard seed	0,05 (*)	
0401090	Cotton seed	0,07	
0401100	Pumpkin seeds (Other seeds of <i>Cucurbitaceae</i>)	0,05 (*)	
0401110	Safflower	0,05 (*)	
0401120	Borage (Purple viper's bugloss/Canary flower (<i>Echium plantagineum</i>), Corn Gromwell (<i>Buglossoides arvensis</i>))	0,05 (*)	
0401130	Gold of pleasure	0,05 (*)	
0401140	Hempseed	0,05 (*)	
0401150	Castor bean	0,05 (*)	
0401990	Others	0,05 (*)	
0402000	(ii) Oilfruits	0,05 (*)	
0402010	Olives for oil production		
0402020	Palm nuts (palmoil kernels)		
0402030	Palmfruit		
0402040	Kapok		
0402990	Others		
0500000	5. CEREALS	0,05 (*)	
0500010	Barley		0,1
0500020	Buckwheat (<i>Amaranthus</i> , quinoa)		0,05 (*)
0500030	Maize		0,1
0500040	Millet (Foxtail millet, teff, finger millet, pearl millet)		0,05 (*)
0500050	Oats		0,1
0500060	Rice (Indian/wild rice (<i>Zizania aquatica</i>))		0,05 (*)
0500070	Rye		0,1

(1)	(2)	(3)	(4)
0500080	Sorghum		0,05 (*)
0500090	Wheat (Spelt, triticale)		0,1
0500990	Others (Canary grass seeds (<i>Phalaris canariensis</i>))		0,05 (*)
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	0,1 (*)	0,05 (*)
0610000	(i) Tea		
0620000	(ii) Coffee beans		
0630000	(iii) Herbal infusions (dried)		
0631000	(a) <i>Flowers</i>		
0631010	Camomille flowers		
0631020	Hybiscus flowers		
0631030	Rose petals		
0631040	Jasmine flowers (Elderflowers (<i>Sambucus nigra</i>))		
0631050	Lime (linden)		
0631990	Others		
0632000	(b) <i>Leaves</i>		
0632010	Strawberry leaves		
0632020	Rooibos leaves (Ginkgo leaves)		
0632030	Maté		
0632990	Others		
0633000	(c) <i>Roots</i>		
0633010	Valerian root		
0633020	Ginseng root		
0633990	Others		
0639000	(d) <i>Other herbal infusions</i>		
0640000	(iv) Cocoabeans (fermented or dried)		
0650000	(v) Carob (st johns bread)		
0700000	7. HOPS (dried)	0,1 (*)	0,05 (*)
0800000	8. SPICES		
0810000	(i) Seeds	0,05 (*)	0,05 (*)
0810010	Anise		
0810020	Black caraway		
0810030	Celery seed (Lovage seed)		
0810040	Coriander seed		

(1)	(2)	(3)	(4)
0810050	Cumin seed		
0810060	Dill seed		
0810070	Fennel seed		
0810080	Fenugreek		
0810090	Nutmeg		
0810990	Others		
0820000	(ii) Fruits and berries	0,05 (*)	0,05 (*)
0820010	Allspice		
0820020	Sichuan pepper (Anise pepper, Japan pepper)		
0820030	Caraway		
0820040	Cardamom		
0820050	Juniper berries		
0820060	Pepper, black, green and white (Long pepper, pink pepper)		
0820070	Vanilla pods		
0820080	Tamarind		
0820990	Others		
0830000	(iii) Bark	0,05 (*)	0,05 (*)
0830010	Cinnamon (<i>Cassia</i>)		
0830990	Others		
0840000	(iv) Roots or rhizome		
0840010	Liquorice	0,05 (*)	0,05 (*)
0840020	Ginger	0,05 (*)	0,05 (*)
0840030	Turmeric (<i>Curcuma</i>)	0,05 (*)	0,05 (*)
0840040	Horseradish	(+)	(+)
0840990	Others	0,05 (*)	0,05 (*)
0850000	(v) Buds	0,05 (*)	0,05 (*)
0850010	Cloves		
0850020	Capers		
0850990	Others		
0860000	(vi) Flower stigma	0,05 (*)	0,05 (*)
0860010	Saffron		
0860990	Others		
0870000	(vii) Aril	0,05 (*)	0,05 (*)

(1)	(2)	(3)	(4)
0870010	Mace		
0870990	Others		
0900000	9. SUGAR PLANTS	0,05 (*)	0,05 (*)
0900010	Sugar beet (root)		
0900020	Sugar cane		
0900030	Chicory roots		
0900990	Others		
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS		0,05 (*)
1010000	(i) Tissue		
1011000	(a) Swine	0,02	
1011010	Muscle		
1011020	Fat		
1011030	Liver		
1011040	Kidney		
1011050	Edible offal		
1011990	Others		
1012000	(b) Bovine	0,02	
1012010	Muscle		
1012020	Fat		
1012030	Liver		
1012040	Kidney		
1012050	Edible offal		
1012990	Others		
1013000	(c) Sheep	0,02	
1013010	Muscle		
1013020	Fat		
1013030	Liver		
1013040	Kidney		
1013050	Edible offal		
1013990	Others		
1014000	(d) Goat	0,02	
1014010	Muscle		
1014020	Fat		

(1)	(2)	(3)	(4)
1014030	Liver		
1014040	Kidney		
1014050	Edible offal		
1014990	Others		
1015000	(e) <i>Horses, asses, mules or hinnies</i>	0,02	
1015010	Muscle		
1015020	Fat		
1015030	Liver		
1015040	Kidney		
1015050	Edible offal		
1015990	Others		
1016000	(f) <i>Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>		
1016010	Muscle	0,02	
1016020	Fat	0,1	
1016030	Liver	0,02	
1016040	Kidney	0,02	
1016050	Edible offal	0,02	
1016990	Others	0,02	
1017000	(g) <i>Other farm animals (Rabbit, kangaroo, deer)</i>	0,02	
1017010	Muscle		
1017020	Fat		
1017030	Liver		
1017040	Kidney		
1017050	Edible offal		
1017990	Others		
1020000	(ii) Milk	0,02	
1020010	Cattle		
1020020	Sheep		
1020030	Goat		
1020040	Horse		
1020990	Others		
1030000	(iii) Bird eggs	0,02	
1030010	Chicken		

(1)	(2)	(3)	(4)
1030020	Duck		
1030030	Goose		
1030040	Quail		
1030990	Others		
1040000	(iv) Honey (Royal jelly, pollen, honey comb with honey (comb honey))	0,05 (*)	
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)	0,02	
1060000	(vi) Snails	0,02	
1070000	(vii) Other terrestrial animal products (Wild game)	0,02	

(*) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

(*) Indicates lower limit of analytical determination

Metaflumizone (sum of E- and Z- isomers)

(+) The applicable maximum residue level for horseradish (*Armoracia rusticana*) in the spice group (code 0840040) is the one set for horseradish (*Armoracia rusticana*) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

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Teflubenzuron

(+) The applicable maximum residue level for horseradish (*Armoracia rusticana*) in the spice group (code 0840040) is the one set for horseradish (*Armoracia rusticana*) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

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(b) In Part B, the column for fenarimol is replaced by the following:

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply (*)	Fenarimol
(1)	(2)	(3)
0130040	Medlar	0,1
0130050	Loquat	0,1
0154050	Rose hips	0,02 (*)
0154060	Mulberries (<i>Arbutus</i> berry)	0,02 (*)
0154070	Azarole (mediteranean medlar) (<i>Kiwiberry (Actinidia arguta)</i>)	0,02 (*)
0154080	Elderberries (Black chokeberry/appleberry, mountain ash, buckthorn/sea sallowthorn, hawthorn, service-berries, and other treeberries)	0,02 (*)
0161050	Carambola (Bilimbi)	0,02 (*)
0161060	Persimmon	0,02 (*)
0161070	Jambolan (java plum) (Java apple/water apple, pomerac, rose apple, Brazilian cherry, Surinam cherry/grumichama (<i>Eugenia uniflora</i>))	0,02 (*)
0162040	Prickly pear (cactus fruit)	0,02 (*)
0162050	Star apple	0,02 (*)

(1)	(2)	(3)
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel/yellow sapote, mamme sapote)	0,02 (*)
0163060	Cherimoya (Custard apple, sugar apple/sweetsop, ilama (<i>Annona diversifolia</i>) and other medium sized <i>Annonaceae</i> fruits)	0,02 (*)
0163070	Guava (Red pitaya/dragon fruit (<i>Hylocereus undatus</i>))	0,02 (*)
0163090	Bread fruit (Jackfruit)	0,02 (*)
0163100	Durian	0,02 (*)
0163110	Soursop (guanabana)	0,02 (*)
0212040	Arrowroot	0,02 (*)
0251050	Land cress	0,02 (*)
0251070	Red mustard	0,02 (*)
0252020	Purslane (Winter purslane/miner's lettuce, garden purslane, common purslane, sorrel, glassworth, agretti (<i>Salsola soda</i>))	0,02 (*)
0253000	(c) Vine leaves (grape leaves) (Malabar nightshade, banana leaves, climbing wattle (<i>Acacia pennata</i>))	0,02 (*)
0256050	Sage (Winter savory, summer savory, <i>Borago officinalis</i> leaves)	0,02 (*)
0256060	Rosemary	0,02 (*)
0256070	Thyme (Marjoram, oregano)	0,02 (*)
0256080	Basil (Balm leaves, mint, peppermint, holy basil, sweet basil, hairy basil, edible flowers (marigold flower and others), pennywort, wild betel leaf, curry leaves)	0,02 (*)
0256090	Bay leaves (laurel) (Lemon grass)	0,02 (*)
0256100	Tarragon (Hyssop)	0,02 (*)
0270080	Bamboo shoots	0,02 (*)
0270090	Palm hearts	0,02 (*)
0290000	(ix) Sea weeds	0,02 (*)
0401110	Safflower	0,02 (*)
0401120	Borage (Purple viper's bugloss/Canary flower (<i>Echium plantagineum</i>), Corn Gromwell (<i>Buglossoides arvensis</i>))	0,02 (*)
0401130	Gold of pleasure	0,02 (*)
0401150	Castor bean	0,02 (*)
0402020	Palm nuts (palmoil kernels)	0,02 (*)
0402030	Palmfruit	0,02 (*)
0402040	Kapok	0,02 (*)
0620000	(ii) Coffee beans	0,05 (*)
0630000	(iii) Herbal infusions (dried)	0,05 (*)
0631000	(a) <i>Flowers</i>	0,05 (*)
0631010	Camomille flowers	0,05 (*)
0631020	Hybiscus flowers	0,05 (*)

(1)	(2)	(3)
0631030	Rose petals	0,05 (*)
0631040	Jasmine flowers (Elderflowers (<i>Sambucus nigra</i>))	0,05 (*)
0631050	Lime (linden)	0,05 (*)
0631990	Others	0,05 (*)
0632000	(b) <i>Leaves</i>	0,05 (*)
0632010	Strawberry leaves	0,05 (*)
0632020	Rooibos leaves (Ginkgo leaves)	0,05 (*)
0632030	Maté	0,05 (*)
0632990	Others	0,05 (*)
0633000	(c) <i>Roots</i>	0,05 (*)
0633010	Valerian root	0,05 (*)
0633020	Ginseng root	0,05 (*)
0633990	Others	0,05 (*)
0639000	(d) <i>Other herbal infusions</i>	0,05 (*)
0640000	(iv) Cocoabeans (fermented or dried)	0,05 (*)
0650000	(v) Carob (st johns bread)	0,05 (*)
0800000	8. SPICES	
0810000	(i) Seeds	0,05 (*)
0810010	Anise	0,05 (*)
0810020	Black caraway	0,05 (*)
0810030	Celery seed (Lovage seed)	0,05 (*)
0810040	Coriander seed	0,05 (*)
0810050	Cumin seed	0,05 (*)
0810060	Dill seed	0,05 (*)
0810070	Fennel seed	0,05 (*)
0810080	Fenugreek	0,05 (*)
0810090	Nutmeg	0,05 (*)
0810990	Others	0,05 (*)
0820000	(ii) Fruits and berries	0,05 (*)
0820010	Allspice	0,05 (*)
0820020	Sichuan pepper (Anise pepper, Japan pepper)	0,05 (*)
0820030	Caraway	0,05 (*)
0820040	Cardamom	0,05 (*)

(1)	(2)	(3)
0820050	Juniper berries	0,05 (*)
0820060	Pepper, black, green and white (Long pepper, pink pepper)	0,05 (*)
0820070	Vanilla pods	0,05 (*)
0820080	Tamarind	0,05 (*)
0820990	Others	0,05 (*)
0830000	(iii) Bark	0,05 (*)
0830010	Cinnamon (<i>Cassia</i>)	0,05 (*)
0830990	Others	0,05 (*)
0840000	(iv) Roots or rhizome	
0840010	Liquorice	0,05 (*)
0840020	Ginger	0,05 (*)
0840030	Turmeric (<i>Curcuma</i>)	0,05 (*)
0840040	Horseradish	(+)
0840990	Others	0,05 (*)
0850000	(v) Buds	0,05 (*)
0850010	Cloves	0,05 (*)
0850020	Capers	0,05 (*)
0850990	Others	0,05 (*)
0860000	(vi) Flower stigma	0,05 (*)
0860010	Saffron	0,05 (*)
0860990	Others	0,05 (*)
0870000	(vii) Aril	0,05 (*)
0870010	Mace	0,05 (*)
0870990	Others	0,05 (*)
0900000	9. SUGAR PLANTS	0,02 (*)
0900010	Sugar beet (root)	0,02 (*)
0900020	Sugar cane	0,02 (*)
0900030	Chicory roots	0,02 (*)
0900990	Others	0,02 (*)
1015000	(e) <i>Horses, asses, mules or hinnies</i>	0,02 (*)
1015010	Muscle	0,02 (*)
1015020	Fat	0,02 (*)
1015030	Liver	0,02 (*)

(1)	(2)	(3)
1015040	Kidney	0,02 (*)
1015050	Edible offal	0,02 (*)
1015990	Others	0,02 (*)
1017000	(g) <i>Other farm animals (Rabbit, kangaroo, deer)</i>	0,02 (*)
1017010	Muscle	0,02 (*)
1017020	Fat	0,02 (*)
1017030	Liver	0,02 (*)
1017040	Kidney	0,02 (*)
1017050	Edible offal	0,02 (*)
1017990	Others	0,02 (*)
1030020	Duck	0,02 (*)
1030030	Goose	0,02 (*)
1030040	Quail	0,02 (*)
1030990	Others	0,02 (*)
1040000	(iv) Honey (Royal jelly, pollen, honey comb with honey (comb honey))	0,05 (*)
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)	0,02 (*)
1060000	(vi) Snails	0,02 (*)
1070000	(vii) Other terrestrial animal products (Wild game)	0,02 (*)

(+) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

(*) Indicates lower limit of analytical determination

Fenarimol

(+) The applicable maximum residue level for horseradish (*Armoracia rusticana*) in the spice group (code 0840040) is the one set for horseradish (*Armoracia rusticana*) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

0840040 **Horseradish'**

COMMISSION REGULATION (EU) No 319/2014**of 27 March 2014****on the fees and charges levied by the European Aviation Safety Agency, and repealing Regulation (EC) No 593/2007****(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 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC ⁽¹⁾, in particular Article 64(1) thereof,

After consulting the Management Board of the European Aviation Safety Agency,

Whereas:

- (1) The revenues of the European Aviation Safety Agency (hereinafter 'the Agency'), consist of a contribution from the Union and from any European third country which has entered into the agreements referred to in Article 66 of Regulation (EC) No 216/2008, of the fees paid by applicants for certificates and approvals issued, maintained or amended by the Agency, and of charges for publications, handling of appeals, training and any other service provided by the Agency.
- (2) Commission Regulation (EC) No 593/2007 ⁽²⁾ established the fees and charges to be levied by the Agency. However, the tariffs need to be adjusted in order to ensure a balance between the costs incurred by the Agency for related certification tasks and services provided, and the revenues to cover said costs.
- (3) Fees and charges provided for in this Regulation should be set in a transparent, fair and uniform manner.
- (4) The fees levied by the Agency should not jeopardize the competitiveness of the European industries concerned. Furthermore, they should be established on a basis which takes due account of the ability of small undertakings to pay.
- (5) While civil aviation safety should be the prime concern, the Agency should nevertheless take full account of cost efficiency when conducting the tasks incumbent on it.

- (6) The geographical location of the undertakings in the territories of the Member States should not be a discriminatory factor. Consequently, the travel costs related to the certification tasks carried out on behalf of such undertakings should be aggregated and divided between the applicants.
- (7) This Regulation foresees the possibility for the Agency to charge fees for certification tasks which are not mentioned in the Annex to this Regulation, but which fall within the remits of Regulation (EC) No 216/2008.
- (8) The applicant should have the choice to request a financial quote of the estimated amount to be paid for the certification task or service. The criteria for determining the amount to be paid should be clear, uniform and public. Where it is not possible to accurately determine this amount in advance, transparent principles for assessing the amount to be paid during the provision of the certification task or service should be established by the Agency.
- (9) Deadlines for the payment of fees and charges levied under this Regulation should be fixed.
- (10) Appropriate remedies in cases of non-payment should be laid down such as the termination of the related application processes, invalidation of related approvals, prevention of any further provision of certification tasks or services to the same applicant, and recovery of the outstanding amount through available means.
- (11) The industry should enjoy good financial visibility and be able to anticipate the cost of the fees and charges it will be required to pay. At the same time, it is necessary to ensure a balance between overall expenditure incurred by the Agency in carrying out certification tasks and services provided, and overall income from the fees and charges it levies. In accordance with provisions of the Framework Financial Regulation ⁽³⁾, fees and charges should be set at the level such to avoid a deficit or a significant accumulation of surplus. It should therefore be mandatory to review the levels of fees and charges if a significant deficit or surplus becomes recurrent on the basis of the Agency's financial results and forecasts.

⁽¹⁾ OJ L 79, 19.3.2008, p. 1.

⁽²⁾ Commission Regulation (EC) No 593/2007 of 31 May 2007 on the fees and charges levied by the European Aviation Safety Agency (OJ L 140, 1.6.2007, p. 3).

⁽³⁾ Draft Commission delegated Regulation on the framework Financial Regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, expected to enter into force as of 1 January 2014.

- (12) Interested parties should be consulted prior to any change of fees. Moreover, the Agency should regularly provide interested parties with information on how and on what basis the fees are calculated. Such information should provide interested parties with an insight into the costs incurred by the Agency and its productivity.
- (13) The tariffs set out in this Regulation should be based on Agency's forecasts as regards its workload and related costs. The revision of the tariffs should follow a procedure that permits amendment without undue delay based on the Agency's experience gained from the application of this Regulation, continuous resource and working methodology monitoring and associated efficiency gains, and the continuous assessment of the financial needs. In this context it should be noted that the Agency will, no later than January 2016, be obliged to cover, from the fees and charges income, contributions to the pension schemes of its staff financed through the Agency's fees and charges. The fees and charges will need to be adjusted to meet that financial requirement.
- (14) The costs related to services provided by the Agency in the field of air traffic management and air navigation services (ATM/ANS) will need to become eligible to be financed by charges imposed on users of air navigation services in accordance with Article 6 of Commission Implementing Regulation (EU) No 391/2013 ⁽¹⁾.
- (15) It is reasonable that the full payment of the charges for an appeal against decisions of the Agency is a prerequisite for the appeal to be admissible.
- (16) Agreements referred to in Article 12(1) of Regulation (EC) No 216/2008 should provide a basis for the evaluation of the actual workload involved in the certification of third countries' products. In principle, the process for validation by the Agency of certificates issued by a third country with which the Union has an appropriate agreement is described in these agreements and should result in a different workload from the process required for certification activities by the Agency.
- (17) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 65(1) of Regulation (EC) No 216/2008.
- (18) Regulation (EC) No 593/2007 should therefore be repealed,

⁽¹⁾ Commission Implementing Regulation (EU) No 391/2013 of 3 May 2013 laying down a common charging scheme for air navigation services (OJ L 128, 9.5.2013, p. 31).

HAS ADOPTED THIS REGULATION:

CHAPTER 1

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation determines the matters for which fees and charges are due, establishes the amount of the fees and charges and the way in which they are to be paid.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'fees' means the amounts levied by the Agency and payable by applicants for certification tasks;
- (b) 'charges' means the amounts levied by the Agency and payable by applicants for services provided by the Agency other than certification or, in the case of an appeal, by the natural or legal person lodging the appeal;
- (c) 'certification task' means all activities carried out by the Agency directly or indirectly for the purposes of issuing, maintaining or amending certificates pursuant to Regulation (EC) No 216/2008 and its implementing rules;
- (d) 'service' means all activities carried out by the Agency other than certification task, including supply of goods;
- (e) 'applicant' means any natural or legal person requesting to benefit from a certification task or a service provided by the Agency;

Article 3

Determination of fees and charges

1. The fees and charges shall be demanded and levied by the Agency only in accordance with this Regulation.
2. Member States shall not levy fees for certification tasks, even if they carry out those tasks on behalf of the Agency. The Agency shall reimburse the Member States for the certification tasks they provide on its behalf.
3. Fees and charges shall be denominated and payable in euros.
4. The amounts referred to in Parts I and II of the Annex shall be annually indexed to the inflation rate in accordance with the method set out in Part IV of the Annex.
5. By way of derogation from the fees referred to in the Annex, fees for certification tasks performed in the context of a bilateral agreement between the Union and a third country may be subject to dedicated provisions stipulated in the respective bilateral agreement.

Article 4

Payment of fees or charges

1. The Agency shall establish the terms of payment of fees and charges, outlining under which conditions the Agency charges for certification tasks and services. The Agency shall publish the terms on the Agency's website.

2. The applicant shall pay the amount due in full, including possible bank charges related to the payment, within 30 calendar days from the date on which the invoice is notified to the applicant.

3. Where payment of an invoice has not been received by the Agency after the time period referred to in paragraph 2, the Agency may charge interest for each delayed calendar day.

4. The interest rate shall be the rate applied by the European Central Bank to its principal refinancing operations, as published in the C series of the *Official Journal of the European Union*, in force on the first calendar day of the month in which the due date falls, increased by eight percentage points.

5. Where the Agency has evidence that the applicant's financial ability is at risk, it may reject an application unless the applicant provides a bank guarantee or secured deposit.

6. The Agency may reject an application, where the applicant has not fulfilled its payment obligations arising out of certification tasks or services performed by the Agency, unless the applicant pays for the outstanding amounts due for those certification tasks or services provided.

Article 5

Travel expenses

1. Where a certification task or service, as referred to in Part I and Part II point 1 of the Annex, is conducted, fully or in part, outside the territories of the Member States, the applicant shall pay the travel expenses according to the formula:

$$d = v + a + h_1 - e$$

2. For the services referred to in Part II point 2 the applicant shall pay, irrespective of the geographical location where the service is conducted, the travel expenses according to the formula:

$$d = v + a + h_2$$

3. For the purpose of the formulas referred to in paragraphs 1 and 2, the following shall apply:

d = travel expenses due;

v = transport costs;

a = Official Commission standard rates for 'Per Diems' covering accommodation, meals, local travel within the place of mission and sundry expenses ⁽¹⁾;

h_1 = travel time (hours spent by experts proportionate to the travel involved), charged at the hourly rate set out in Part II point 1 of the Annex;

h_2 = travel time (hours spent by experts proportionate to the travel involved), charged at the hourly rate set out in Part II point 2 of the Annex;

e = average travel costs inside the territories of the Member States, including the average transport costs and average travel time inside the territories of the Member States, multiplied by the hourly rate set out in Part II point 1 of the Annex. It is subject to annual review and indexation.

Article 6

Financial Quote

1. The applicant may request a financial estimate for amounts to be paid.

2. Where the applicant requests a financial estimate or its amendment, activities shall be suspended until the relevant estimate has been provided by the Agency and accepted by the applicant.

3. The financial estimate shall be amended by the Agency if it appears that the task is simpler or can be carried faster than initially foreseen or, on the contrary, if it is more complex and takes longer to carry out than the Agency could reasonably have foreseen.

CHAPTER II

FEES

Article 7

General provisions as regards payment of the fees

1. The certification task is subject to prior payment of the full amount of the fee due, unless the Agency decides otherwise after due consideration of the financial risks. The Agency may invoice the fee in one instalment after having received the application or at the start of the annual or surveillance period.

⁽¹⁾ See 'Current per diems rates' as communicated on the Commission's EuropeAid website (http://ec.europa.eu/europeaid/work/procedures/implementation/per_diems/index_en.htm), latest update 5 July 2013.

2. The fee to be paid by the applicant for a given certification task shall consist of:

- (a) a flat fee set out in Part I of the Annex; or
- (b) a variable fee.

3. The variable fee referred to in point (b) of paragraph 2 shall be established by multiplying the actual number of working hours and the hourly rate set out in Part II point 1 of the Annex.

4. Upon application of future Regulations pertaining to certification tasks to be carried out by the Agency in accordance with the relevant provisions contained in Regulation (EC) No 216/2008, the Agency may levy fees according to Part II point 1 of the Annex for certification tasks other than those referred to in the Annex until such time that specific provisions on the relevant fees to be levied by the Agency can be incorporated in this Regulation.

Article 8

Payment periods

1. Fees referred to in tables 1 to 4 of Part I of the Annex shall be levied per application and per period of 12 months. For the period after the first 12 months, the fees shall be 1/365th of the relevant annual fee per day.

2. Fees referred to in table 5 of Part I of the Annex, shall be levied per application.

3. Fees referred to in table 6 of Part I of the Annex, shall be levied per period of 12 months.

4. The fees related to organisations referred to in Tables 7 to 11 of Part I of the Annex shall be levied as follows:

- (a) approval fees shall be levied per application;
- (b) surveillance fees shall be levied per period of 12 months;
- (c) any changes to the organisation that affect its approval have the effect of a recalculation of the surveillance fee due as of the next 12 months period.

Article 9

Termination of application

1. The application may be rejected if the fees due for a certification task have not been received upon the expiry of the time period provided for in Article 4(2) and after the Agency has consulted the applicant.

2. The balance of any fees due, calculated on an hourly basis for the ongoing period of 12 months but not exceeding the applicable flat fee, shall be payable in full at the time the Agency stops working on the certification task, together with travel expenses and any other amounts due, in the following cases:

- (a) if the Agency rejects the application; or
- (b) a certification task has to be terminated by the Agency because the applicant:
 - (i) has insufficient resources;
 - (ii) fails to comply with the applicable requirements; or
 - (iii) decides to abandon its application or to postpone its project.

3. When, on demand of the applicant, the Agency starts previously stopped certification task again, the Agency shall levy a new fee, irrespective of the fees already paid for the stopped tasks.

Article 10

Suspension or revocation of certificate

1. If the outstanding fees have not been received upon the expiry of the time period provided for in Article 4(2), the Agency may suspend or revoke the relevant certificate after having consulted the applicant.

2. If the Agency suspends the certificate due to non-payment of the annual fee or surveillance fee or because the applicant fails to comply with the applicable requirements, the respective fee period shall continue and the applicant shall pay for the period of suspension.

3. If the Agency revokes the certificate, the balance of fees due, calculated on an hourly basis for the ongoing period of 12 months but not exceeding the applicable flat fee, shall be payable in full together with any other amounts due at that time.

Article 11

Surrender or transfer of certificates

If the certificate holder surrenders or transfers the corresponding certificate, the balance of any fees due, calculated on an hourly basis for the ongoing period of 12 months but not exceeding the applicable flat fee, shall be payable in full on the date the surrender or transfer takes effect, together with travel expenses and any other amounts due at that time.

Article 12

Certification tasks on exceptional basis

An exceptional increase shall be applied to the fee levied in order to cover all of the costs incurred by the Agency in meeting the special request of the applicant, if due to that request a certification task is exceptionally carried out as follows:

- (a) by assigning categories of staff, which the Agency would not normally assign under its standard procedures, or
- (b) by assigning such number of staff that the operation is performed faster than under the Agency's standard procedures.

CHAPTER III

CHARGES

Article 13

Charges

1. The amount of the charges levied by the Agency for services listed in Part II, point 1 of the Annex shall be equal to the real costs of the service provided. To that end the time spent by the Agency shall be invoiced at the hourly rate mentioned in that list.

2. The amount of the charges levied by the Agency for services other than those listed in Part II point 1 of the Annex shall be equal to the real cost of the service provided. To that end, the time spent by the Agency to provide the service shall be invoiced at the hourly rate referred to in Part II point 2 of the Annex.

3. Costs that the Agency may incur in order to perform particular services that cannot be adequately determined and charged using the hourly rate shall be charged in accordance with internal administrative procedures.

Article 14

Time of Levying the Charges

Unless otherwise decided by the Agency, after due consideration of the financial risks, the charges shall be levied before the service is provided.

CHAPTER IV

APPEALS

Article 15

Processing appeals

1. Charges shall be levied for processing an appeal lodged pursuant to Article 44 of Regulation (EC) No 216/2008. The amounts of charges shall be calculated in accordance with the method set out in Part III of the Annex. The appeal shall be admissible only when the charge for appeal has been paid within the time period referred to in paragraph 3.

2. A legal person lodging the appeal shall submit to the Agency a certificate signed by an authorised officer specifying the turnover of the appellant. That certificate shall be submitted together with the appeal.

3. Appeal charges shall be paid according to the applicable procedure established by the Agency within 60 calendar days from the date on which the appeal was filed at the Agency.

4. If the appeal is concluded in favour of the appellant, the appeal charges paid shall be reimbursed by the Agency.

CHAPTER V

PROCEDURES OF THE AGENCY

Article 16

General provisions

1. The Agency shall distinguish revenue and expenditure which are attributable to certification tasks and services provided.

In order to distinguish revenue and expenditure as provided for in the first subparagraph:

(a) the fees and charges levied by the Agency shall be kept in a separate account and shall be the subject of a separate accounting procedure;

(b) the Agency shall draw up and use analytical accounting for its revenue and expenditure.

2. The fees and charges shall be subject of an overall provisional estimate by the beginning of each financial year. This estimate shall be based on the Agency's previous financial results, its estimate of expenditure and revenue and its forward working plan.

3. If at the end of a financial year the overall revenue from fees, which constitute an assigned revenue in accordance with Article 64(5) of Regulation (EC) No 216/2008, exceeds the overall cost of certification tasks, the excess shall be used to finance certification tasks in accordance with Article 19(1)(a) of the Agency's Financial Regulation.

Article 17

Evaluation and Revision

1. The Agency shall provide the Commission, the Management Board and the advisory body of interested parties established in accordance with Article 33(4) of Regulation (EC) No 216/2008 annually with information on the components serving as a basis for determining the amount of the fees. That information shall notably consist in a cost breakdown related to previous and next years.

2. The Annex to this Regulation shall be reviewed periodically by the Agency to ensure that significant information related to the underlying assumptions for anticipated income and expenditure of the Agency is duly reflected in the amounts of fees or charges levied by the Agency.

Where necessary, this Regulation may be revised at the latest five years after its entry into force. When necessary, it shall be amended taking into account in particular the income of the Agency and its related costs.

3. The Agency shall consult the advisory body of interested parties referred to in paragraph 1 before giving an opinion on any proposed change in the amounts referred to in the Annex. During that consultation, the Agency shall explain the reasons for the proposed change.

CHAPTER VI

TRANSITIONAL AND FINAL PROVISIONS

Article 18

Repeal

Regulation (EC) No 593/2007 is repealed.

Article 19

Transitional provisions

1. This Regulation shall apply as follows:

(a) the application fees set out in Part I and Part II of the Annex shall apply to any application that has been filed after the entry into force of this Regulation;

- (b) the annual and surveillance fees set out in Tables 1 to 4 and 6 to 12 of Part I of the Annex shall apply to any ongoing certification task as from the next annual instalment due after the entry into force of this Regulation;
- (c) the hourly rates set out in Part II of the Annex shall apply as of the entry into force of this Regulation to any ongoing tasks chargeable on an hourly basis;
- (d) the indexation referred to in Article 3(4) shall take place each year on 1 January following the entry into force of this Regulation, starting January 2015.

2. Notwithstanding Article 18, provisions of Commission Regulations (EC) No 488/2005 ⁽¹⁾ and (EC) No 593/2007 shall continue to apply with respect to any fees and charges that are outside the scope of application of this Regulation in accordance with Article 20.

Article 20

Entry into force

This Regulation shall enter into force on the first day of the month following 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, 27 March 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ Commission Regulation (EC) No 488/2005 of 21 March 2005 on the fees and charges levied by the European Aviation Safety Agency (OJ L 81, 30.3.2005, p. 7).

ANNEX

CONTENTS:

Part I: Tasks charged a flat rate fee

Part II: Tasks charged on an hourly basis

Part III: Charges for appeals

Part IV: Annual inflation rate

Part V: Explanatory Note

PART I

Tasks charged a flat fee

Table 1

Type Certificates and Restricted Type Certificates(referred to in subpart B and subpart O in Section A of the Annex I to Commission Regulation (EU) No 748/2012) ⁽¹⁾

	Flat fee (EUR)
Fixed wing aircraft	
Over 150 000 kg	1 785 000
Over 50 000 kg up to 150 000 kg	1 530 000
Over 22 000 kg up to 50 000 kg	510 000
Over 5 700 kg up to 22 000 kg (including High-Performance Aircraft)	382 500
Over 2 000 kg up to 5 700 kg (except for High-Performance Aircraft)	263 800
Up to 2 000 kg (except for High-Performance Aircraft)	13 940
Very Light Aeroplanes, Powered Sailplanes, Sailplanes	6 970
Light Sport Aeroplanes	5 230
Rotorcraft	
Large	464 000
Medium	185 600
Small	23 240
Very light rotorcraft	23 240
Other	
Balloons	6 970
Airships Large	38 630

⁽¹⁾ Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).

	Flat fee (EUR)
Airships Medium	15 450
Airships Small	7 730
Propulsion	
Turbine engines with take-off thrust over 25 kN or take-off power output over 2 000 kW	395 000
Turbine engines with take-off thrust up-to 25 kN or take-off power output up to 2 000 kW	263 300
Non turbine engines	34 860
CS-22.H, CS-VLR App. B engines	17 430
Propeller for use on aircraft over 5 700 kg MTOW	11 910
Propeller for use on aircraft up to 5 700 kg MTOW	3 400
CS-22J Class Propeller	1 700
Parts and Appliances	
Value above EUR 20 000	8 780
Value between EUR 2 000 and 20 000	5 020
Value below EUR 2 000	2 910
Auxiliary Power Unit (APU)	208 800

Table 2

Derivatives to Type Certificates or Restricted Type Certificates

	Flat fee ⁽¹⁾ (EUR)
Fixed wing aircraft	
Over 150 000 kg	614 100
Over 50 000 kg up to 150 000 kg	368 500
Over 22 000 kg up to 50 000 kg	245 600
Over 5 700 kg up to 22 000 kg (including High-Performance Aircraft)	196 500
Over 2 000 kg up to 5 700 kg (except for High-Performance Aircraft)	93 000

	Flat fee ⁽¹⁾ (EUR)
Up to 2 000 kg (except for High-Performance Aircraft)	3 250
Very Light Aeroplanes, Powered Sailplanes, Sailplanes	2 790
Light Sport Aeroplanes	2 090
Rotorcraft	
Large	185 600
Medium	116 000
Small	11 600
Very light rotorcraft	6 970
Other	
Balloons	2 790
Airships Large	23 200
Airships Medium	9 280
Airships Small	4 640
Propulsion	
Turbine engines with take-off thrust over 25 kN or take-off power output over 2 000 kW	80 800
Turbine engines with take-off thrust up-to 25 kN or take-off power output up to 2 000 kW	69 600
Non turbine engines	11 620
CS-22.H, CS-VLR App. B engines	5 810
Propeller for use on aircraft over 5 700 kg MTOW	2 910
Propeller for use on aircraft up to 5 700 kg MTOW	890
CS-22J Class Propeller	450
Parts and Appliances	
Value above EUR 20 000	
Value between EUR 2 000 and 20 000	
Value below EUR 2 000	
Auxiliary Power Unit (APU)	53 900

⁽¹⁾ For Derivatives involving Substantial Changes(s) to the Type Design, as described in Subpart B in Section A of the Annex I to Regulation (EC) No 748/2012, the respective Type Certificate or Restricted Type Certificate fee, as defined in Table 1, shall apply.

Table 3

Supplemental Type Certificates

(referred to in subpart E in Section A of the Annex I to Regulation (EC) No 748/2012)

	Flat fee ⁽¹⁾ (EUR)		
	Complex	Standard	Simple
Fixed wing aircraft			
Over 150 000 kg	60 200	12 850	3 660
Over 50 000 kg up to 150 000 kg	36 130	10 280	2 880
Over 22 000 kg up to 50 000 kg	24 090	7 710	2 620
Over 5 700 kg up to 22 000 kg (including High-Performance Aircraft)	14 450	5 140	2 620
Over 2 000 kg up to 5 700 kg (except for High-Performance Aircraft)	4 420	2 030	1 020
Up to 2 000 kg (except for High-Performance Aircraft)	1 860	1 160	580
Very Light Aeroplanes, Powered Sailplanes, Sailplanes	290	290	290
Light Sport Aeroplanes	220	220	220
Rotorcraft			
Large	46 400	6 960	2 320
Medium	23 200	4 640	1 860
Small	9 280	3 480	1 160
Very light rotorcraft	1 050	460	290
Other			
Balloons	990	460	290
Airships Large	11 600	9 280	4 640
Airships Medium	4 640	3 710	1 860
Airships Small	2 320	1 860	930
Propulsion			
Turbine engines with take-off thrust over 25 kN or take-off power output over 2 000 kW	11 600	6 960	4 640
Turbine engines with take-off thrust up-to 25 kN or take-off power output up to 2 000 kW	6 960	5 460	3 640

	Flat fee ⁽¹⁾ (EUR)		
	Complex	Standard	Simple
Non turbine engines	3 250	1 450	730
CS-22.H, CS-VLR App. B engines	1 630	730	350
Propeller for use on aircraft over 5 700 kg MTOW	2 320	1 160	580
Propeller for use on aircraft up to 5 700 kg MTOW	1 740	870	440
CS-22J Class Propeller	870	440	220

Parts and Appliances

Value above EUR 20 000			
Value between EUR 2 000 and 20 000			
Value below EUR 2 000			
Auxiliary Power Unit (APU)	6 960	4 640	2 320

⁽¹⁾ For Supplemental Type Certificates involving Substantial Changes (s) as defined in Subpart B in Section A of the Annex I to Regulation (EC) No 748/2012, the respective Type Certificate or Restricted Type Certificate fee, as defined in Table 1, shall apply.

Table 4

Major changes and major repairs

(referred to in subparts D and M in Section A of the Annex I to Regulation (EC) No 748/2012)

	Flat fee ⁽¹⁾ (EUR)		
	Complex	Standard	Simple
Fixed wing aircraft			
Over 150 000 kg	50 800	9 330	3 330
Over 50 000 kg up to 150 000 kg	25 420	7 000	2 140
Over 22 000 kg up to 50 000 kg	20 340	4 670	1 670
Over 5 700 kg up to 22 000 kg (including High-Performance Aircraft)	12 710	2 330	1 670
Over 2 000 kg up to 5 700 kg (except for High-Performance Aircraft)	3 490	1 630	810
Up to 2 000 kg (except for High-Performance Aircraft)	1 280	580	290
Very Light Aeroplanes, Powered Sailplanes, Sailplanes	290	290	290
Light Sport Aeroplanes	220	220	220

	Flat fee ⁽¹⁾ (EUR)		
	Complex	Standard	Simple
Rotorcraft			
Large	34 800	6 960	2 320
Medium	18 560	4 640	1 620
Small	7 430	3 480	930
Very light rotorcraft	990	460	290
Other			
Balloons	990	460	290
Airships Large	9 280	6 960	4 640
Airships Medium	3 710	2 780	1 860
Airships Small	1 860	1 390	930
Propulsion			
Turbine engines with take-off thrust over 25 kN or take-off power output over 2 000 kW	6 410	2 360	1 420
Turbine engines with take-off thrust up-to 25 kN or take-off power output up to 2 000 kW	3 480	1 180	710
Non turbine engines	1 510	700	350
CS-22.H, CS-VLR App. B engines	700	350	290
Propeller for use on aircraft over 5 700 kg MTOW	1 250	290	290
Propeller for use on aircraft up to 5 700 kg MTOW	940	290	290
CS-22J Class Propeller	470	150	150
Parts and Appliances			
Value above EUR 20 000			
Value between EUR 2 000 and 20 000			
Value below EUR 2 000			
Auxiliary Power Unit (APU)	3 480	1 160	700

⁽¹⁾ For significant Major Changes, involving Substantial Change(s) as defined in Subpart B in Section A of the Annex I to Regulation (EC) No 748/2012, the respective Type Certificate or Restricted Type Certificate fee, as defined in Table 1, shall apply.

Table 5

Minor changes and minor repairs

(referred to in subparts D and M in Section A of the Annex I to Regulation (EC) No 748/2012)

	Flat fee ⁽¹⁾ (EUR)
Fixed wing aircraft	
Over 150 000 kg	890
Over 50 000 kg up to 150 000 kg	890
Over 22 000 kg up to 50 000 kg	890
Over 5 700 kg up to 22 000 kg (including High-Performance Aircraft)	890
Over 2 000 kg up to 5 700 kg (except for High-Performance Aircraft)	290
Up to 2 000 kg (except for High-Performance Aircraft)	290
Very Light Aeroplanes, Powered Sailplanes, Sailplanes	290
Light Sport Aeroplanes	220
Rotorcraft	
Large	460
Medium	460
Small	460
Very light rotorcraft	290
Other	
Balloons	290
Airships Large	810
Airships Medium	460
Airships Small	460
Propulsion	
Turbine engines with take-off thrust over 25 kN or take-off power output over 2 000 kW	600
Turbine engines with take-off thrust up-to 25 kN or take-off power output up to 2 000 kW	600
Non turbine engines	290

	Flat fee ⁽¹⁾ (EUR)
CS-22.H, CS-VLR App. B engines	290
Propeller for use on aircraft over 5 700 kg MTOW	290
Propeller for use on aircraft up to 5 700 kg MTOW	290
CS-22J Class Propeller	150

Parts and Appliances

Value above EUR 20 000	
Value between EUR 2 000 and 20 000	
Value below EUR 2 000	
Auxiliary Power Unit (APU)	460

⁽¹⁾ The fees set out in this Table shall not apply to minor Changes and Repairs carried out by Design Organisations in accordance with Part 21A.263(c)(2) of Subpart J in Section A of the Annex I to Regulation (EC) No 748/2012.

Table 6

Annual fee for holders of EASA Type Certificates and Restricted Type Certificates and other Type Certificates deemed to be accepted under Regulation (EC) No 216/2008

(referred to in subpart B and subpart O in Section A of the Annex I to Regulation (EC) No 748/2012)

	Flat fee ⁽¹⁾ ⁽²⁾ ⁽³⁾ (EUR)	
	EU Design	Non EU Design
Fixed wing aircraft		
Over 150 000 kg	1 078 000	385 400
Over 50 000 kg up to 150 000 kg	852 900	252 600
Over 22 000 kg up to 50 000 kg	257 000	96 300
Over 5 700 kg up to 22 000 kg (including High-Performance Aircraft)	42 010	14 270
Over 2 000 kg up to 5 700 kg (except for High-Performance Aircraft)	4 650	1 630
Up to 2 000 kg (except for High-Performance Aircraft)	2 320	780
Very Light Aeroplanes, Powered Sailplanes, Sailplanes	1 050	350
Light Sport Aeroplanes	780	260

	Flat fee ⁽¹⁾ ⁽²⁾ ⁽³⁾ (EUR)	
	EU Design	Non EU Design
Rotorcraft		
Large	105 600	33 780
Medium	52 800	18 610
Small	20 880	7 710
Very light rotorcraft	3 490	1 160
Other		
Balloons	1 050	350
Airships Large	3 480	1 160
Airships Medium	2 320	770
Airships Small	1 860	620
Propulsion		
Turbine engines with take-off thrust over 25 kN or take-off power output over 2 000 kW	107 100	31 870
Turbine engines with take-off thrust up-to 25 kN or take-off power output up to 2 000 kW	53 550	26 650
Non turbine engines	1 160	410
CS-22.H, CS-VLR App. B engines	580	290
Propeller for use on aircraft over 5 700 kg MTOW	870	290
Propeller for use on aircraft up to 5 700 kg MTOW	440	150
CS-22J Class Propeller	220	70
Parts and Appliances		
Value above EUR 20 000	4 500	1 500
Value between EUR 2 000 and 20 000	2 250	750

	Flat fee ⁽¹⁾ ⁽²⁾ ⁽³⁾ (EUR)	
	EU Design	Non EU Design
Value below EUR 2 000	1 130	540
Auxiliary Power Unit (APU)	85 000	26 000

⁽¹⁾ For freighter versions of an aircraft having their own type certificate, a coefficient of 0,85 is applied to the fee for the equivalent passenger version.

⁽²⁾ For holders of multiple Type Certificates and/or multiple Restricted Type Certificates, a reduction to the annual fee is applied to the second and subsequent Type Certificates, or Restricted Type Certificates, in the same category as defined by MTOW or by value of parts and appliances as shown in the following table:

Product in identical category	Reduction applied to flat fee
1st	0 %
2nd	10 %
3rd	20 %
4th	30 %
5th	40 %
6th	50 %
7th	60 %
8th	70 %
9th	80 %
10th	90 %
11th and subsequent products	100 %

⁽³⁾ For aircraft of which less than 50 examples are registered worldwide, continued airworthiness activities shall be charged on an hourly basis, at the hourly rate set out in Part II (1) of Annex I, up to the level of the fee for the relevant category as defined by MTOW or by value of parts and appliances. The annual flat fee is applicable unless the certificate holder provides evidence that less than 50 samples are registered worldwide. For products, parts and appliances which are not aircraft, the limitation concerns the number of aircraft on which the product, part or appliance in question is installed.

Table 7A

Design Organisation Approval

(referred to in subpart J in Section A of the Annex I to Regulation (EC) No 748/2012)

(EUR)

Approval fee					
	DOA 1A	DOA 1B DOA 2A	DOA 1C DOA 2B DOA 3A	DOA 2C DOA 3B	DOA 3C
Staff related below 10	13 600	10 700	8 000	5 400	4 180
10 to 49	38 250	27 320	16 390	10 930	

(EUR)

Approval fee					
	DOA 1A	DOA 1B DOA 2A	DOA 1C DOA 2B DOA 3A	DOA 2C DOA 3B	DOA 3C
50 to 399	109 300	82 000	54 600	41 830	
400 to 999	218 600	163 900	136 600	115 000	
1 000 to 2 499	437 200				
2 500 to 5 000	655 700				
Over 5 000	3 643 000				
Surveillance fee					
Staff related below 10	6 800	5 350	4 000	2 700	2 090
10 to 49	19 130	13 660	8 200	5 460	
50 to 399	54 600	40 980	27 320	21 860	
400 to 999	109 300	82 000	68 300	60 100	
1 000 to 2 499	218 600				
2 500 to 5 000	327 900				
Over 5 000	1 822 000				

Table 7B

Alternative Procedures of Design Organisation Approval

(referred to in subpart J in Section A of the Annex I to Regulation (EC) No 748/2012)

(EUR)

Category	Description	Alternative Procedure to Design Organisation Approval
1A	Type certification	7 500
1B	Type certification – Continued airworthiness only	3 000
2A	Supplemental type certificates (STC) and/or major repairs	6 000
2B	STC and/or major repairs – Continued airworthiness only	2 500
3A	ETSOA	6 000
3B	ETSOA – Continued airworthiness only	3 000

Table 8

Production Organisation Approval

(referred to in subpart G in Section A of the Annex I to Regulation (EC) No 748/2012)

	(EUR)	
	Approval fee	Surveillance fee
Turnover ⁽¹⁾ below 1 million euros	10 460	7 550
Between 1 000 000 and 4 999 999	58 000	36 790
Between 5 000 000 and 9 999 999	206 400	49 050
Between 10 000 000 and 49 999 999	309 600	73 600
Between 50 000 000 and 99 999 999	358 000	174 000
Between 100 000 000 and 499 999 999	417 600	232 000
Between 500 000 000 and 999 999 999	732 100	464 000
Over 999 999 999	2 784 000	2 207 000

⁽¹⁾ The turnover taken into account is the turnover related to activities under the scope of the agreement.

Table 9

Maintenance Organisation Approval(referred to in Annex I, subpart F, and Annex II to Commission Regulation (EC) No 2042/2003 ⁽¹⁾)

	(EUR)	
	Approval fee ⁽¹⁾	Surveillance fee ⁽¹⁾
Staff related below 5	3 490	2 670
Between 5 and 9	5 810	4 650
Between 10 and 49	15 000	12 000
Between 50 and 99	24 000	24 000
Between 100 and 499	32 080	32 080
Between 500 and 999	44 300	44 300
Over 999	62 200	62 200
Technical Ratings	Flat fee based on technical rating ⁽²⁾	Flat fee based on technical rating ⁽²⁾
A 1	12 780	12 780
A 2	2 910	2 910
A 3	5 810	5 810

⁽¹⁾ Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks (OJ L 315, 28.11.2003, p. 1.).

Technical Ratings	Flat fee based on technical rating ⁽²⁾	Flat fee based on technical rating ⁽²⁾
A 4	580	580
B 1	5 810	5 810
B 2	2 910	2 910
B 3	580	580
C	580	580

⁽¹⁾ The fee to be paid shall be composed of the flat fee based on the number of staff related plus the flat fee(s) based on technical rating.

⁽²⁾ For organisations holding several A and/or B ratings, only the highest fee shall be charged. For organisations holding one or several C and/or D ratings, every rating shall be charged the 'C rating' fee.

Table 10

Maintenance Training Organisation Approval

(referred to in Annex IV to Regulation (EC) No 2042/2003)

	Approval fee (EUR)	Surveillance fee (EUR)
Staff related below 5	3 490	2 670
Between 5 and 9	9 880	7 670
Between 10 and 49	21 260	19 660
Between 50 and 99	41 310	32 730
Over 99	54 400	50 000
Fee for the second and subsequent additional facility	3 330	2 500
Fee for second and subsequent additional training course	3 330	
Fee for training course approval		3 330

Table 11

Continuing Airworthiness Management Organisation Approval

(referred to in Part M Subpart G of Annex I to Regulation (EC) No 2042/2003)

	Flat fee ⁽¹⁾ (EUR)	
Approval fee	50 000	
Surveillance fee	50 000	
Technical Ratings	Flat fee based on technical rating ⁽²⁾ (EUR) – Initial Approval	Flat fee based on technical rating ⁽²⁾ (EUR) – Surveillance
A1 = airplanes above 5,7 ton	12 500	12 500

Technical Ratings	Flat fee based on technical rating ⁽¹⁾ (EUR) – Initial Approval	Flat fee based on technical rating ⁽²⁾ (EUR) – Surveillance
A2 = airplanes below 5,7 ton	6 250	6 250
A3 = helicopters	6 250	6 250
A4: all others	6 250	6 250

⁽¹⁾ The fee to be paid shall be composed of the flat fee plus the flat fee(s) based on technical rating.

⁽²⁾ For organisations holding several A ratings, only the highest fee shall be charged.

Table 12

Acceptance of approvals equivalent to 'Part 145' and 'Part 147' approvals in accordance with applicable bilateral agreements

	(EUR)
New approvals, per application and per period of first 12 months	1 700
Continuation of existing approvals, per period of 12 months	850

PART II

Certification tasks or services charged on an hourly basis

1. Hourly rate

Applicable hourly rate [EUR/h]	233 (*)
(*) including travel costs within the Member States	

Hourly basis according to the tasks concerned ⁽¹⁾:

Production without approval	Actual number of hours
Alternative Methods of Compliance to AD's	Actual number of hours
Validation support (acceptance of EASA certification by foreign authorities)	Actual number of hours
EASA acceptance of Maintenance Review Board reports	Actual number of hours
Transfer of certificates	Actual number of hours
Approved Training Organisation certificate	Actual number of hours
Aero-medical Centre certificate	Actual number of hours
ATM-ANS organisation certificate	Actual number of hours
Air Traffic Controller Training Organisation certificate	Actual number of hours

Operational Data related to Type Certificate, changes to Type Certificate and Supplemental Type Certificate	Actual number of hours
EASA Acceptance of Operational Evaluation Board Reports	Actual number of hours
Qualification Certificate for Flight Simulation Training Devices	Actual number of hours
Approval of flight conditions for Permit to fly	3 hours
Administrative reissuance of document	1 hour
Export certificate of airworthiness (E-CoA) for CS 25 aircraft	6 hours
Export certificate of airworthiness (E-CoA) for other aircraft	2 hours

(1) This is a non-exhaustive list of tasks. The list of tasks in this Part is subject to periodical revision. Non-inclusion of a task to this Part should not be automatically construed as indicating that the task cannot be performed by the European Aviation Safety Agency.

2. Hourly rate for services, other than listed in point 1

Applicable hourly rate [EUR/h]	221 (*)
(*) Excluding travel costs	

PART III

Charges for appeals

Charges for appeals shall be calculated as follows: fixed charge shall be multiplied by the coefficient indicated for the corresponding charge category for the person or organisation in question.

Fixed charge	10 000 EUR
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Charge category for natural persons	Coefficient
	0,1

Charge category for legal persons, according to financial turnover of the appellant in euro	Coefficient
less than 100 001	0,25
between 100 001 and 1 200 000	0,5
between 1 200 001 and 2 500 000	0,75
between 2 500 001 and 5 000 000	1
between 5 000 001 and 50 000 000	2,5

Charge category for legal persons, according to financial turnover of the appellant in euro	Coefficient
between 50 000 001 and 500 000 000	5
between 500 000 001 and 1 000 000 000	7,5
over 1 000 000 000	10

PART IV

Annual inflation rate

Annual inflation rate to be used:	Eurostat HICP (All items) – EU 27 (2005 = 100) Percentage change/12 months average
Value of the rate to be taken into account:	Value of the rate 3 months prior the implementation of the indexation

PART V

Explanatory Note

- (1) 'Certification specifications' (CS) referred to in this Annex are those adopted pursuant to Article 19(2) of Regulation (EC) No 216/2008 and published in the Agency's official publication in accordance with EASA Decision 2003/8/EC of 30 October 2003 (www.easa.europa.eu).
- (2) 'Large Rotorcraft' refers to CS 29 and CS 27 cat A; 'Small Rotorcraft' refers to CS 27 with Maximum Take Off Weight (MTOW) below 3 175 Kg and limited to 4 seats, including pilot; 'Medium Rotorcraft' refers to other CS 27.
- (3) In Tables 1, 2 and 6 of Part I, the values of the 'parts and appliances' refer to the relevant manufacturer's list prices.
- (4) The MTOW of the initial Type Certificates and subsequently of the majority (more than 50 %) of the related models covered by this Type Certificate determines the applicable MTOW category.
- (5) High Performance Aircraft in the weight category up to 5 700 kg [12 500 lbs] are those aeroplanes having a Mmo greater than 0,6 and/or a maximum operating altitude above 25 000 ft. They shall be charged as defined in the categories 'over 5 700 kg[12 500 lbs] up to 22 000 kg'.
- (6) 'derivative' means an amended Type Certificate as defined and applied for by the Type Certificate holder.
- (7) In Tables 3 and 4 of Part I, 'Simple', 'Standard' and 'Complex' refer to the following:

	Simple	Standard	Complex
EASA Supplemental Type Certificate (STC)	STC, major design change, or repair, only involving current and well-proven justification methods, for which a complete set of data (description, compliance check-list and compliance documents) can be communicated at time of application, and for which the applicant has demonstrated experience, and which can be assessed by the project certification manager alone, or with a limited involvement of a single discipline specialist	All other STC, major design changes or repairs	Significant (*) STC or major design change
EASA major design changes			
EASA major repairs			

	Simple	Standard	Complex
Validated STC under a bilateral arrangement	Basic (**)	Non-basic (**)	Non-basic STC (**) when the Certifying Authority (**) has classified the change as 'significant' (*)
Validated major design change under a bilateral arrangement	Level 2 (**) major design changes when not automatically accepted (***)	Level 1 (**) major design change when the Certifying Authority (**) has classified the change as 'significant' (*)	
Validated major repair under a bilateral arrangement	N/A (automatic acceptance)	Repairs on critical component (**)	N/A

(*) 'Significant' is defined in paragraph 21A.101 (b) of the Annex I to Regulation (EC) No 748/2012 (and similarly in FAA 14CFR 21.101 (b)).

(**) For the definitions of 'basic', 'non-basic', 'level 1', 'level 2', 'critical component' and 'Certifying Authority', see the applicable bilateral agreement under which the validation takes place.

(***) Automatic acceptance criteria by EASA for level 2 major changes are defined in the applicable bilateral agreement under which the validation takes place.

(8) In Table 7A of Part I, Design Organisations are categorised as follows:

Design Organisation Agreement Scope	Group A	Group B	Group C
DOA 1 Type certificates holders	Highly complex/Large	Complex/Small-Medium	Less complex/Very small
DOA 2 STC/Changes/Repairs	Unrestricted	Restricted (technical fields)	Restricted (aircraft size)
DOA 3 Minor Changes/Repairs			

(9) In Tables 7, 9 and 10 of Part I, the number of staff taken into account is the number of staff related to activities under the scope of the agreement.

(10) Certification of products pursuant to Specific Airworthiness Specifications, the related modifications, repairs and their continuing airworthiness, shall be charged as defined in tables 1 to 6.

(11) Stand-alone revisions and/or amendments to Aircraft Flight Manual shall be charged like a change to the corresponding product.

(12) 'Small Airships' refer to

— all Hot Air Airships independent of their size,

— Gas Airships up to a volume 2 000 m³;

'Medium Airships' refer to Gas Airships with a volume of more than 2 000 m³ up to 15 000 m³;

'Large Airships' refer to Gas Airships with a volume of more than 15 000 m³.

COMMISSION IMPLEMENTING REGULATION (EU) No 320/2014**of 27 March 2014****amending Annex VIII to Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 ⁽¹⁾, and in particular Article 57a(7) thereof,

Whereas:

- (1) In accordance with Article 57a(9) of Regulation (EC) No 73/2009, Croatia has notified by 31 January 2014 the Commission of the area of land which has been demined and returned to use for agricultural activities in 2013. The notification also included the corresponding budgetary envelope for the claim year 2014 and

onwards. On the basis of the schedule of increments referred to in Article 121 of Regulation (EC) No 73/2009, Annex VIII to that Regulation should be amended accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VIII to Regulation (EC) No 73/2009 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 27 March 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 30, 31.1.2009, p. 16.

ANNEX

Annex VIII to Regulation (EC) No 73/2009 is amended as follows:

- (1) In table 2, in the column for the year 2014, the entry for Croatia is replaced by the following:

<i>(thousand EUR)</i>	
	2014
'Croatia	114 180'

- (2) In table 3, in the column for the year 2014, the entry for Croatia is replaced by the following:

<i>(thousand EUR)</i>	
	2014
'Croatia	114 180'

COMMISSION IMPLEMENTING REGULATION (EU) No 321/2014**of 27 March 2014****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, 27 March 2014.

*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	219,4
	MA	57,7
	TN	74,1
	TR	94,4
	ZZ	111,4
0707 00 05	MA	44,0
	TR	139,3
	ZZ	91,7
0709 93 10	MA	32,5
	TR	78,9
	ZZ	55,7
0805 10 20	EG	45,2
	IL	68,0
	MA	56,0
	TN	47,3
	TR	58,4
	ZA	60,4
	ZZ	55,9
0805 50 10	MA	35,6
	TR	85,5
	ZZ	60,6
0808 10 80	AR	89,5
	BR	114,7
	CL	95,3
	CN	117,4
	MK	23,6
	US	170,5
	ZA	68,9
	ZZ	97,1
0808 30 90	AR	89,4
	CL	134,1
	CN	52,7
	TR	127,0
	ZA	82,1
	ZZ	97,1

⁽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'.

CORRIGENDA**Corrigendum to Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010**

(Official Journal of the European Union L 88 of 24 March 2012)

On page 3, the following recital is inserted:

- ‘(27a) The power to amend the lists in Annexes VIII and IX to this Regulation should be exercised by the Council, in view of the specific threat to international peace and security posed by Iran's nuclear programme, and to ensure consistency with the process for amending and reviewing Annexes I and II to Decision 2010/413/CFSP.’
-

Corrigendum to Regulation No 72 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of motor cycle headlamps emitting an asymmetrical passing beam and a driving beam and equipped with halogen lamps (HS₁ lamps)

(Official Journal of the European Union L 75 of 14 March 2014)

On page 8, point 8.1:

for: ‘ $y \Rightarrow 0,138 + 0,58 x$,

read: ‘ $y \geq 0,138 + 0,58 x$,

for: ‘ $y \Rightarrow -x + 0,966$,

read: ‘ $y \geq -x + 0,966$ ’.

Corrigendum to Commission Implementing Regulation (EU) No 1081/2012 of 9 November 2012 for the purposes of Council Regulation (EC) No 116/2009 on the export of cultural goods

(Official Journal of the European Union L 324 of 22 November 2012)

Implementing Regulation (EU) No 1081/2012 shall read as follows:

**'COMMISSION IMPLEMENTING REGULATION (EU) No 1081/2012
of 9 November 2012
for the purposes of Council Regulation (EC) No 116/2009 on the export of cultural goods
(codification)**

THE EUROPEAN COMMISSION,

cultural goods by responsible persons or organisations for use and/or for exhibition in third countries is required.

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

Having regard to Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods ⁽¹⁾, and in particular Article 7 thereof,

- (5) Member States that wish to take advantage of such facilities should be able to do so in relation to their own cultural goods, persons and organisations. The conditions to be fulfilled will differ from Member State to Member State. The Member States should be able to opt for the use of open licences or not and lay down the conditions to be met for their issue.

Whereas:

- (6) Export licences should be made out in one of the official languages of the Union.

- (1) Commission Regulation (EEC) No 752/93 of 30 March 1993 laying down provisions for the implementation of Council Regulation (EEC) No 3911/92 on the export of cultural goods ⁽²⁾ has been substantially amended several times ⁽³⁾. In the interests of clarity and rationality the said Regulation should be codified.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 8 of Regulation (EC) No 116/2009,

HAS ADOPTED THIS REGULATION:

- (2) Provisions are required for the implementation of Regulation (EC) No 116/2009, which provides, inter alia, for the establishment of an export licensing system for certain categories of cultural goods listed in Annex I to that Regulation.

SECTION I

FORM OF LICENCE

Article 1

- (3) In order to ensure that the export licences provided for by the said Regulation are uniform, rules governing the drawing up, issuing and use of the form are necessary. To that end a specimen licence should be made available.
- (4) In order to eliminate unnecessary administrative work, a concept of open licences for the temporary export of

1. There shall be three types of licences for the export of cultural goods which shall be issued and used in accordance with Regulation (EC) No 116/2009 and with this Regulation:

- (a) the standard licence;
- (b) the specific open licence;
- (c) the general open licence.

⁽¹⁾ OJ L 39, 10.2.2009, p. 1.

⁽²⁾ OJ L 77, 31.3.1993, p. 24.

⁽³⁾ See Annex IV.

2. The use of export licences shall in no way affect obligations connected with export formalities or related documents.

3. Export licence forms shall be provided on request by the competent authority or authorities referred to in Article 2(2) of Regulation (EC) No 116/2009.

Article 2

1. A standard licence shall normally be used for each export subject to Regulation (EC) No 116/2009.

However, each individual Member State concerned may decide whether or not it wishes to issue any specific or general open licences which may be used instead if the specific conditions relating to them are fulfilled as set out in Articles 10 and 13.

2. A specific open licence shall cover the repeated temporary export of a specific cultural good by a particular person or organisation as set out in Article 10.

3. A general open licence shall cover any temporary export of any of those cultural goods that form part of the permanent collection of a museum or other institution, as set out in Article 13.

4. A Member State may revoke any specific or general open licence at any time if the conditions under which it was issued are no longer met. It shall inform the Commission immediately if the licence issued is not recovered and could be used irregularly. The Commission shall immediately inform the other Member States.

5. Member States may introduce whatever reasonable measures they deem necessary in their national territory to monitor the use of their own open licences.

SECTION II

THE STANDARD LICENCE

Article 3

1. Standard licences shall be issued on the form, a model of which is set out in Annex I. The form shall be printed on white paper without mechanical pulp, dressed for writing purposes and weighing not less than 55 g/m².

2. Forms shall measure 210 × 297 mm.

3. Forms shall be produced in printed or electronic form and filled out in an official language of the Union designated by the competent authorities of the issuing Member State.

The competent authorities of the Member State in which the form is presented may ask for it to be translated into the language, or one of the official languages, of that Member State. In this case, the translation costs shall be met by the licence holder.

4. Member States shall be responsible:

(a) for having the forms printed, bearing the printer's name and address or identifying mark;

(b) for taking any measure necessary in order to avoid the forging of forms. The means of identification adopted by Member States for this purpose shall be notified to the Commission, for communication to the competent authorities of the other Member States.

5. Forms shall preferably be filled in by mechanical or electronic means. However, the application may be filled in legibly by hand; in the latter case it shall be written in ink and in block capitals.

Whatever the process used, forms shall not contain erasures, overwritten words or other alterations.

Article 4

1. Without prejudice to paragraph 3, a separate export licence shall be issued for each consignment of cultural goods.

2. For the purposes of paragraph 1, a consignment shall mean either a single cultural object or a number of cultural objects.

3. Where a consignment consists of a number of cultural objects, it is for the competent authorities to determine whether one or several export licences should be issued for the consignment in question.

Article 5

The form shall comprise three sheets:

(a) one sheet, marked as No 1, which shall constitute the application;

(b) one sheet, marked as No 2, for the holder;

(c) one sheet, marked as No 3, which shall be returned to the issuing authority.

Article 6

1. The applicant shall complete boxes 1, 3, 6 to 21, 24 and, if necessary, 25 of the application and the other sheets, except where pre-printing of the box or boxes is authorised.

However, Member States may provide that only the application need be completed.

2. The application shall be accompanied by:

- (a) documentation providing all relevant information on the cultural object(s) and its (their) legal status at the time when the application is made, by means of any supporting documents (invoices, expert appraisals, etc.) where appropriate;
- (b) a duly authenticated photograph or, where appropriate and at the discretion of the competent authorities, photographs in black and white or in colour (measuring at least 8 cm by 12 cm) of the cultural goods in question.

This requirement may be replaced, where appropriate and at the discretion of the competent authorities, by a detailed list of the cultural goods.

3. The competent authorities may require, for the purposes of issuing an export licence, the physical presentation of the cultural goods to be exported.

4. Any costs incurred by the application of paragraphs 2 and 3 shall be met by the applicant requesting the export licence.

5. In order that an export licence may be granted, the duly completed form shall be presented to the competent authorities designated by the Member States pursuant to Article 2(2) of Regulation (EC) No 116/2009. When the authority has granted the export licence, sheet 1 shall be kept by that authority and the remaining sheets shall be returned to the holder of the export licence or to his authorised representative.

Article 7

The following shall be presented in support of the export declaration:

- (a) the sheet for the holder;
- (b) the sheet to be returned to the issuing authority.

Article 8

1. The customs office responsible for handling the export declaration shall ensure that the entries on the export declaration or, if applicable, the ATA carnet, correspond to the entries on the export licence and that a reference to the export licence is entered in box 44 of the export declaration or on the counterfoil of the ATA carnet.

It shall take suitable measures for identification purposes. The measures may consist in the affixation of a seal or stamp of the customs office. The sheet of the export licence form which is to be returned to the issuing authority shall be attached to copy 3 of the single administrative document.

2. After completing box 23 in sheets 2 and 3, the customs office authorised to accept the export declaration shall return to the declarant or to his/her authorised representative the sheet intended for the holder.

3. The sheet of the licence form, which is to be returned to the issuing authority, must accompany the consignment to the customs office at the point of exit from the customs territory of the Union.

The customs office shall affix its stamp to box 26 of the form and return it to the issuing authority.

Article 9

1. The period of validity of export licences shall not exceed 12 months from the date of issue.

2. In the case of an application for temporary exportation, the competent authorities may specify the time limit within which the cultural goods must be reimported into the issuing Member State.

3. Where an export licence expires without having been used, the holder shall immediately return to the issuing authority the sheets in his possession.

SECTION III

SPECIFIC OPEN LICENCES*Article 10*

1. Specific open licences may be issued for a specific cultural good which is liable to be temporarily exported from the Union on a regular basis for use and/or exhibition in a third country. The cultural good must be owned by, or be in the legitimate possession of, the particular person or organisation that uses and/or exhibits the good.

2. A licence may only be issued provided the authorities are convinced that the person or organisation concerned offers all the guarantees considered necessary for the good to be returned in good condition to the Union and that the good can be so described or marked that there will be no doubt at the moment of temporary export that the good being exported is that described in the specific open licence.

3. A licence may not be valid for a period that exceeds five years.

Article 11

The licence shall be presented in support of a written export declaration or be available in other cases for production with the cultural goods for examination upon request.

The competent authorities of the Member State in which the licence is presented may ask for it to be translated into the language, or one of the official languages, of that Member State. In that case, the translation costs shall be met by the licence holder.

Article 12

1. The customs office authorised to accept the export declaration shall ensure that the goods presented are those described on the export licence and that a reference is made to that licence in box 44 of the export declaration if a written declaration is required.

2. If a written declaration is required then the licence must be attached to copy 3 of the single administrative document and accompany the good to the customs office at the point of exit from the customs territory of the Union. Where copy 3 of the single administrative document is made available to the exporter or his representative, the licence shall also be made available to him for use on a subsequent occasion.

SECTION IV

GENERAL OPEN LICENCES

Article 13

1. General open licences may be issued to museums or other institutions to cover the temporary export of any of the goods that belong to their permanent collection that are liable to be temporarily exported from the Union on a regular basis for exhibition in a third country.

2. A licence may only be issued if the competent authorities are convinced that the institution offers all the guarantees considered necessary for the good to be returned in good condition to the Union. The licence may be used to cover any combination of goods in the permanent collection at any

one occasion of temporary export. It may be used to cover a series of different combinations of goods either consecutively or concurrently.

3. A licence may not be valid for a period that exceeds five years.

Article 14

The licence shall be presented in support of the export declaration.

The competent authorities of the Member State in which the licence is presented may ask for it to be translated into the language, or one of the official languages, of that Member State. In that case, the translation costs shall be met by the licence holder.

Article 15

1. The customs office authorised to accept the export declaration shall ensure that the licence is presented together with a list of the goods being exported and which are also described in the export declaration. The list shall be on the headed paper of the institution and each page shall be signed by one of the persons from the institution and named on the licence. Each page shall also be stamped with the stamp of the institution as placed on the licence. A reference to the licence must be made in box 44 of the export declaration.

2. The licence shall be attached to copy 3 of the single administrative document and must accompany the consignment to the customs office at the point of exit from the customs territory of the Union. Where copy 3 of the single administrative document is made available to the exporter or his representative the licence shall also be made available to him for use on a subsequent occasion.

SECTION V

FORMS FOR THE OPEN LICENCES

Article 16

1. Specific open licences shall be issued on the form, a model of which is set out in Annex II.

2. General open licences shall be issued on the form, a model of which is set out in Annex III.

3. The licence form shall be produced in printed or electronic form in one or more of the official languages of the Union.

4. The licence shall measure 210 × 297 mm. A tolerance of up to minus 5 mm or plus 8 mm in the length shall be allowed.

The paper used shall be white, free of mechanical pulp, dressed for writing purposes and weigh at least 55 g/m². It shall have a printed guilloche pattern background in light blue such as to reveal any falsification by mechanical or chemical means.

5. The second sheet of the licence, which shall not have a guilloche pattern background, is for the exporter's own use or records only.

The application form to be used shall be prescribed by the Member State concerned.

6. Member States may reserve the right to print the licence forms or may have them printed by approved printers. In the latter case, each form must bear a reference to such approval.

Each form must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or stamped, by which it can be identified.

7. Member States shall be responsible for taking any measure necessary in order to avoid the forging of licences.

The means of identification adopted by Member States for this purpose shall be notified to the Commission, for communication to the competent authorities of the other Member States.

8. Licences shall be made out by mechanical or electronic means. In exceptional circumstances they may be made out by black ball point pen in block capitals.

They shall not contain erasures, overwritten words or other alterations.

SECTION VI

FINAL PROVISIONS

Article 17

Regulation (EEC) No 752/93 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex V.

Article 18

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, 9 November 2012.

For the Commission

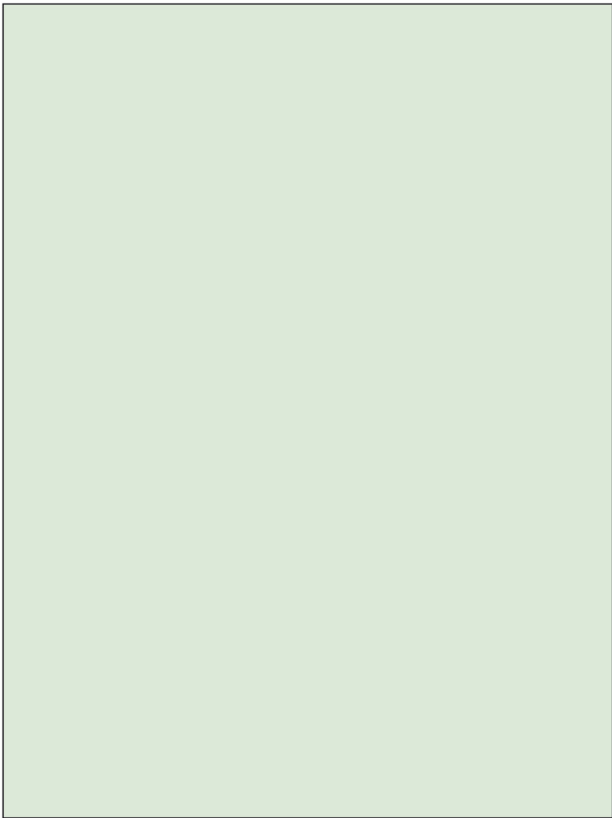
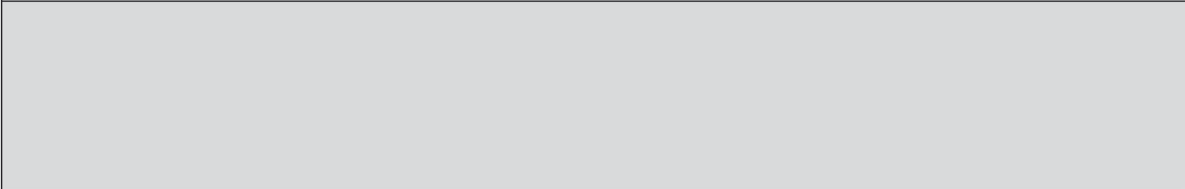
The President

José Manuel BARROSO

*ANNEX I***Model standard export licence form**

CULTURAL GOODS

APPLICATION	1 Applicant (name and address)		2 Export licence No Valid until	
	3 Consignee (address and country of destination)		4 ☐ PERMANENT ☐ TEMPORARY Date for reimportation	
	6 Applicant's representative (name and address)		5 Issuing authority (name, address and Member State)	
	7 Owner of the object(s) (name and address)		8 Description in terms of Annex I to Regulation (EC) No 116/2009 Category(ies) of the cultural good(s)	
1	9 Description of the cultural good(s)		10 CN code	
				11 Number/quantity
				12 Value in national currency
(If this space is insufficient you may continue on one or more supplementary pages which should be copied in triplicate and should contain the information in boxes 9 to 20)				
13 Purpose of export of the cultural good(s) / reason for which the licence is requested				
Criteria to be used for identification				
14 Title or subject				
15 Measurements		16 Dating		17 Other characteristics
18 Documents submitted / specific indications relating to identification ☐ Photograph (in colour) ☐ Bibliography ☐ List ☐ Catalogue ☐ Identification marks ☐ Proof of value			19 Artist, period, workshop and/or style	
			20 Medium or technique	
21 Application I hereby apply for an export licence in respect of the cultural object or objects described above and declare that the information in this application and the supporting documents is true Place and date Signature (Quality and name of signatory)			22 Signature and stamp of issuing authority Place and date	

1	24 Photograph(s) of the cultural good(s)
APPLICATION	(minimum 9 x 12 cm)
	
1	
(To be validated by the signature and the stamp of issuing authority)	
25 Supplementary pages	
This form is accompanied by supplementary pages	
Note: Any unused space in box 9 or on accompanying supplementary pages shall be duly barred by the competent authorities	
	

EUROPEAN UNION

CULTURAL GOODS

2 HOLDERS SHEET	1 Applicant (name and address) ☐		2 Export licence No Valid until	
	3 Consignee (address and country of destination)		4 ☐ PERMANENT ☐ TEMPORARY Date for reimportation	
	6 Applicant's representative (name and address)		5 Issuing authority (name, address and Member State)	
	7 Owner of the object(s) (name and address)		8 Description in terms of Annex I to Regulation (EC) No 116/2009 Category(ies) of the cultural good(s)	
	2			
9 Description of the cultural good(s)			10 CN code	
			11 Number/quantity	
			12 Value in national currency	
(If this space is insufficient you may continue on one or more supplementary pages which should be copied in triplicate and should contain the information in boxes 9 to 20)				
13 Purpose of export of the cultural good(s) / reason for which the licence is requested				
Criteria to be used for identification				
14 Title or subject				
15 Measurements		16 Dating		17 Other characteristics
18 Documents submitted / specific indications relating to identification ☐ Photograph (in colour) ☐ Bibliography ☐ List ☐ Catalogue ☐ Identification marks ☐ Proof of value			19 Artist, period, workshop and/or style	
			20 Medium or technique	
23 FOR COMPLETION BY CUSTOMS OFFICE OF EXPORT Signature and stamp Customs office Member State Export Declaration No of			22 Signature and stamp of issuing authority Place and date	

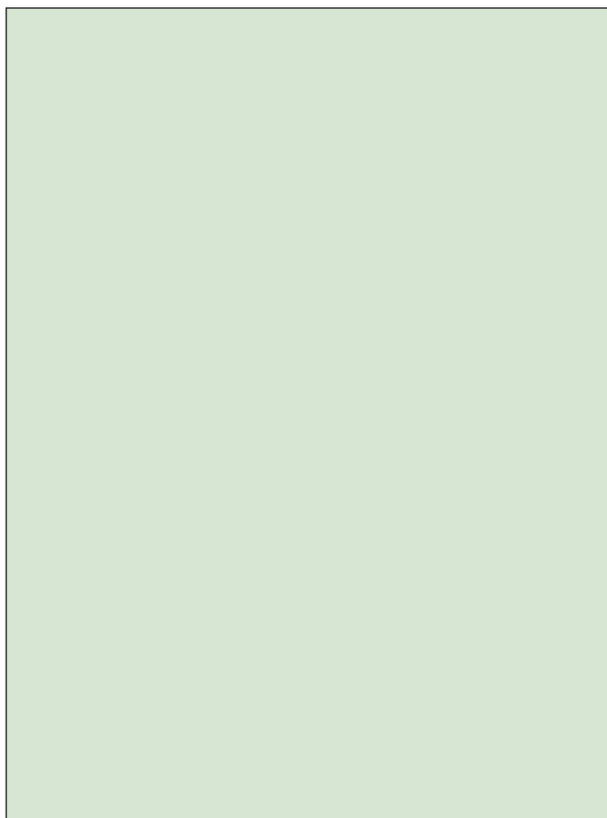
2

24 Photograph(s) of the cultural good(s)

(minimum 9 x 12 cm)

HOLDER'S SHEET

2



(To be validated by the signature and the stamp of issuing authority)

25 Supplementary pages

This form is accompanied by supplementary pages

Note: Any unused space in box 9 or on accompanying supplementary pages shall be duly barred by the competent authorities

26 Customs office of exit

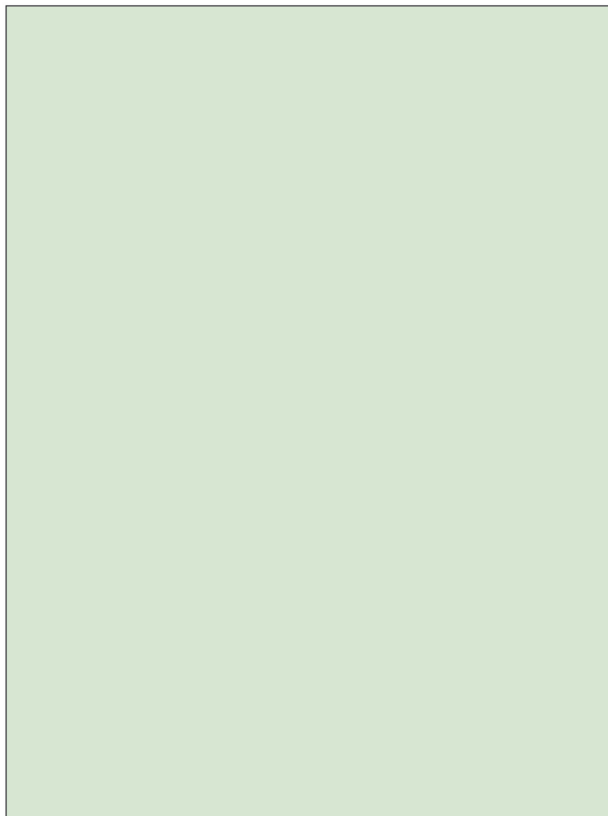
Stamp

SHEET TO RETURN TO ISSUING AUTHORITY	3	1 Applicant (name and address)		2 Export licence	
		☐		No Valid until _____	
		3 Consignee (address and country of destination)		4	
		6 Applicant's representative (name and address)		☐ PERMANENT ☐ TEMPORARY Date for reimportation _____	
		7 Owner of the object(s) (name and address)		5 Issuing authority (name, address and Member State)	
	3			8 Description in terms of Annex I to Regulation (EC) No 116/2009 Category(ies) of the cultural good(s)	
		9 Description of the cultural good(s)		10 CN code	
				11 Number/quantity	
				12 Value in national currency	
(If this space is insufficient you may continue on one or more supplementary pages which should be copied in triplicate and should contain the information in boxes 9 to 20)					
13 Purpose of export of the cultural good(s) / reason for which the licence is requested					
Criteria to be used for identification					
14 Title or subject					
15 Measurements		16 Dating		17 Other characteristics	
18 Documents submitted / specific indications relating to identification				19 Artist, period, workshop and/or style	
☐ Photograph (in colour) ☐ Bibliography ☐ List ☐ Catalogue ☐ Identification marks ☐ Proof of value				20 Medium or technique	
23 FOR COMPLETION BY CUSTOMS OFFICE OF EXPORT				22 Signature and stamp of issuing authority	
Customs office Member State Export Declaration No of				Signature and stamp Place and date	

3

24 Photograph(s) of the cultural good(s)

(minimum 9 x 12 cm)



SHEET TO RETURN TO ISSUING AUTHORITY

3

(To be validated by the signature and the stamp of issuing authority)

25 Supplementary pages

This form is accompanied by supplementary pages

Note: Any unused space in box 9 or on accompanying supplementary pages shall be duly barred by the competent authorities

26 Customs office of exit

Stamp

EXPLANATORY NOTES

1. General

- 1.1. Licences are required for the export of cultural goods to protect the cultural heritage of the Member States pursuant to Regulation (EC) No 116/2009.

Implementing Regulation (EU) No 1081/2012 sets out the form in which standard export licences are to be drawn up. It is intended to guarantee standardised checks on the export of cultural goods outside the borders of the Union.

Two other types of export licence are provided for, namely:

- specific open licences, to be issued for specific cultural goods which are liable to be temporarily exported from the Union on a regular basis for use and/or exhibition in a third country,
- general open licences, to be issued to museums or other institutions to cover the temporary export of any of the goods that belong to their permanent collections that are liable to be temporarily exported from the Union on a regular basis for exhibition in a third country.

- 1.2. The three sheets of the standard export licence form must be completed legibly and indelibly, preferably by mechanical or electronic means. If they are handwritten, they must be completed in ink and in capital letters. They must under no circumstances contain erasures, overwritten words or other alterations.

- 1.3. Any unused box must be lined crossed out so that nothing can be added.

The sheets can be identified by their numbering and function, indicated in the left-hand margin. Their order in the set is as follows:

- Sheet No 1: application to be kept by the issuing authority (indicate in each Member State the identity of that authority); in the case of additional lists, as many sheets No 1 as necessary must be used; it is up to the competent issuing authorities to establish whether more than one export licence should be issued,
- Sheet No 2: to be presented in support of the export declaration at the competent customs office of export and kept by the licence holder after it has been stamped by that office,
- Sheet No 3: to be presented at the competent customs office of export and to accompany the consignment thereafter until its arrival at the customs office of exit from the customs territory of the Union; the customs office of exit stamps this sheet and then returns it to the issuing authority.

2. Headings

Box 1: Applicant: Name of individual or company and full residential address or address of company headquarters

Box 2: Export licence: For completion by competent authorities

Box 3: Consignee: Name and full address of consignee, including the third country to which the good is being permanently or temporarily exported

Box 4: Indicate whether export is permanent or temporary

Box 5: Issuing authority: Name of the competent authority and the Member State issuing the authorisation

Box 6: Applicant's representative: To be completed only where the applicant is using an authorised representative

Box 7: Owner of the object(s): Name and address

Box 8: Description in terms of Annex I to Regulation (EC) No 116/2009. Category(ies) of cultural good(s): These goods are classified in categories numbered 1 to 15. Enter only the corresponding number.

Box 9: Description of the cultural good(s): State the exact nature of the good(s) (for example painting, sculpture, bas-relief, negative matrix or positive copy in the case of films, furniture or objects, musical instruments) and give an objective description of the appearance of the good(s).

— For category 13 objects: state the type of collection and/or geographical origin.

— For scientific collections and specimens: give the scientific name.

— For archaeological collections composed of a large number of objects: it is enough to give a generic description, which should be accompanied by an attestation or certificate issued by the scientific or archaeological body or institution and a list of the objects.

If there is not enough room to describe all the objects, the applicant must add any extra pages needed.

Box 10: CN code: As an indicator, state Combined Nomenclature code.

Box 11: Number/quantity: State the number of items, particularly where they form a set.

In the case of films, indicate the number of reels, format and length.

Box 12: Value in national currency: State the value of the good(s) in national currency.

Box 13: Purpose of export of the cultural good(s)/reason for which the licence is requested: State whether the good to be exported has been sold or is intended to be sold, exhibited, valued, repaired or put to any other use, and whether its return is compulsory.

Box 14: Title or subject: If the work does not have an exact name, indicate its subject with a summary of the appearance of the object or, in the case of films, the subject.

For scientific instruments or other objects for which it is not possible to specify a title or subject, it is sufficient to complete box 9.

Box 15: Measurements: Measurements (in centimetres) of the good(s) and any supports.

In the case of complex or unusual shapes, indicate the measurements in this order: H x L x D (height, width, depth).

Box 16: Dating: Where no precise date is known, indicate the century and part of the century (first quarter, first half) or millennium (categories 1 to 7).

For antique goods to which age specifications apply (more than 50 or 100 years old or between 50 and 100 years old), and for which it is not sufficient to indicate the century, specify a year, even if approximate (for example around 1890, approximately 1950).

For films, if date not known, specify decade.

In the case of sets (archives and libraries), indicate earliest and latest dates.

Box 17: Other characteristics: Give any other information on formal aspects that could be useful for identification, for example historical antecedents, conditions of execution, former owners, state of preservation and restoration, bibliography, electronic code or marking.

Box 18: Documents submitted/specific indications relating to identification: Indicate with crosses in the appropriate squares.

Box 19: Artist, period, workshop and/or style: Give the artist's name if known and recorded. If the works are collaborative products or copies, indicate the artists or the artist copied, if known. If the work is only attributed to a single artist, enter 'Attributed to [...]'.

If the artist is not known, state the workshop, school or style (for example workshop of Velazquez, Venetian school, Ming period, Louis XV-style or Victorian-style).

In the case of printed matter, state the name of the publisher, the place and the year of publication.

Box 20: Medium or technique: The information given in this box must be as precise as possible. Indicate the materials used and specify the technique employed (for example oil painting, woodcuts, charcoal or pencil drawing, lost wax casting, nitrate film, etc.).

Box 21 (sheet 1): Application: Must be completed by the applicant or his/her representative, who must vouch for the correctness of the information supplied in the application and supporting documents.

Box 22: Signature and stamp of issuing authority: To be entered by the competent authority, with place and date, on the three sheets of the licence.

Box 23 (sheets 2 and 3): For completion by customs office of export: To be entered by the customs office where the export transactions are carried out and the export licence is presented.

'Customs office of export' means the office where the export declaration is submitted and export formalities are carried out.

Box 24: Photograph(s) of the cultural good(s): A colour photograph (at least 9 x 12 cm) must be attached with glue. To facilitate the identification of three-dimensional objects, photographs may be required of the different facets.

The competent authority must endorse the photograph with a signature and the stamp of the issuing authority.

The competent authorities may require other photographs.

Box 25: Supplementary pages: State the number of additional pages used, if any.

Box 26 (sheets 2 and 3): Customs office of exit: To be completed by the customs office of exit.

‘Customs office of exit’ means the last customs office before the goods leave the customs territory of the Union.

ANNEX II

Model of form for specific open licences and sheets thereof

EUROPEAN UNION		EXPORT OF CULTURAL GOODS (Regulation (EC) No 116/2009)	
1	1. Exporter	A. Identification number	B. Expiry date
SPECIFIC OPEN LICENCE		This space should be used for pre-printing the name and address of the issuing authority. A national symbol or logo can also be placed here	
1	2. Description of the goods	3. Commodity code	
		4. Photograph of cultural good (not more than 8 cm × 12 cm)	
	This space is available for pre-printed information at the discretion of the Member States, including any conditions		
		C. For completion by issuing authority Signature:Stamp Position: Place: Date:	

2	1. Exporter	A. Identification number	B. Expiry date
		This space should be used for pre-printing the name and address of the issuing authority. A national symbol or logo can also be placed here	
2	2. Description of the goods	3. Commodity code	
		4. Photograph of cultural good (not more than 8 cm × 12 cm)	
	This space is available for pre-printed information at the discretion of the Member States, including any conditions	C. For completion by issuing authority Signature:Stamp Position: Place: Date:	

ANNEX III

Model of form for general open licences and sheets thereof

1	1. Exporter	A. Identification number	B. Expiry date										
GENERAL OPEN LICENCE		This space should be used for pre-printing the name and address of the issuing authority. A national symbol or logo can also be placed here											
1	This is a general open licence which allows for the temporary export of cultural goods which are part of the permanent collection of It may be used to cover a number of different export consignments to different destinations during the period to It is only valid provided that it is presented together with a list of the cultural goods to be temporarily exported in a particular shipment made out on their headed notepaper and marked with this stamp and signed by one of the following. <table><tr><td>Name</td><td>Signature</td></tr></table>			Name	Signature								
Name	Signature												
	This space is available for pre-printed information at the discretion of the Member States, including any conditions <table><tr><td colspan="2">C. For completion by issuing authority</td></tr><tr><td>Signature:</td><td>Stamp</td></tr><tr><td>Position:</td><td></td></tr><tr><td>Place:</td><td></td></tr><tr><td>Date:</td><td></td></tr></table>			C. For completion by issuing authority		Signature:	Stamp	Position:		Place:		Date:	
C. For completion by issuing authority													
Signature:	Stamp												
Position:													
Place:													
Date:													

2

1. Exporter

A. Identification number

B. Expiry date

This space should be used for pre-printing the name and address of the issuing authority.
A national symbol or logo can also be placed here

2

This is a general open licence which allows for the temporary export of cultural goods which are part of the permanent collection of

It may be used to cover a number of different export consignments to different destinations during the period

..... to

It is only valid provided that it is presented together with a list of the cultural goods to be temporarily exported in a particular shipment made out on their headed notepaper and marked with this stamp

and signed by one of the following.

Name

Signature

This space is available for pre-printed information at the discretion of the Member States, including any conditions

C. For completion by issuing authority

Signature:

Stamp

Position:

Place:

Date:

ANNEX IV

Repealed Regulation with list of its successive amendments

Commission Regulation (EEC) No 752/93	(OJ L 77, 31.3.1993, p. 24).
Commission Regulation (EC) No 1526/98	(OJ L 201, 17.7.1998, p. 47).
Commission Regulation (EC) No 656/2004	(OJ L 104, 8.4.2004, p. 50).

ANNEX V

Correlation Table

Regulation (EEC) No 752/93	This Regulation
Article 1(1) introductory phrase	Article 1(1) introductory phrase
Article 1(1), first, second and third indent	Article 1(1) points (a), (b) and (c)
Article 1(2) and (3)	Article 1(2) and (3)
Article 2(1) first sentence	Article 2(1) first subparagraph
Article 2(1) second sentence	Article 2(1) second subparagraph
Article 2(2) to (5)	Article 2(2) to (5)
Article 3(1) and (2)	Article 3(1) and (2)
Article 3(3) first sentence	Article 3(3) first subparagraph
Article 3(3) second and third sentence	Article 3(3) second subparagraph
Article 3(4) introductory words	Article 3(4) introductory words
Article 3(4) first and second indent	Article 3(4) points (a) and (b)
Article 3(5) first and second sentence	Article 3(5) first subparagraph
Article 3(5) third sentence	Article 3(5) second subparagraph
Article 4	Article 4
Article 5 introductory words	Article 5 introductory words
Article 5 first, second and third indent	Article 5 points (a), (b) and (c)
Article 6(1) first sentence	Article 6(1) first subparagraph
Article 6(1) second sentence	Article 6(1) second subparagraph
Article 6(2) introductory words	Article 6(2) introductory words
Article 6(2) first and second indent	Article 6(2) points (a) and (b)
Article 6(3), (4) and (5)	Article 6(3), (4) and (5)
Article 7 introductory phrase	Article 7 introductory phrase
Article 7 first and second indent	Article 7 points (a) and (b)
Article 8(1) and (2)	Article 8(1) and (2)
Article 8(3) first sentence	Article 8(3) first subparagraph
Article 8(3) second sentence	Article 8(3) second subparagraph
Article 9	Article 9
Articles 10 to 15	Articles 10 to 15
Article 16(1), (2) and (3)	Article 16(1), (2) and (3)

Regulation (EEC) No 752/93	This Regulation
Article 16(4) first and second sentence	Article 16(4) first subparagraph
Article 16(4) third and fourth sentence	Article 16(4) second subparagraph
Article 16(5)	Article 16(5)
Article 16(6) first and second sentence	Article 16(6) first subparagraph
Article 16(6) third and fourth sentence	Article 16(6) second subparagraph
Article 16(7) first sentence	Article 16(7) first subparagraph
Article 16(7) second sentence	Article 16(7) second subparagraph
Article 16(8) first and second sentence	Article 16(8) first subparagraph
Article 16(8) third sentence	Article 16(8) second subparagraph
—	Article 17
Article 17	Article 18
Annexes I, II and III	Annexes I, II and III
—	Annex IV
—	Annex V'

Corrigendum to Commission Implementing Regulation (EU) No 1280/2013 of 9 December 2013 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Cítricos Valencianos/Cítrics Valencians (PDO)]

(Official Journal of the European Union L 332 of 11 December 2013)

In the title, in the table of contents and on page 3:

for: 'Cítricos Valencianos/Cítrics Valencians (PDO)';

read: 'Cítricos Valencianos/Cítrics Valencians (PGI)';

on page 3, in recital 1:

for: 'By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Spain's application for the approval of amendments to the specification for the protected designation of origin "Cítricos Valencianos/Cítrics Valencians", registered under Commission Regulation (EC) No 865/2003 ⁽²⁾.';

read: 'By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Spain's application for the approval of amendments to the specification for the protected geographical indication "Cítricos Valencianos/Cítrics Valencians", registered under Commission Regulation (EC) No 865/2003 ⁽²⁾.';

on page 4, in the Annex:

for: 'Cítricos Valencianos/Cítrics Valencians (PDO)',

read: 'Cítricos Valencianos/Cítrics Valencians (PGI)'.



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

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