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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2015/17**of 23 December 2014****establishing a prohibition of fishing for ling in IIIa; Union waters of IIIbcd by vessels flying the flag of Denmark**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2014 ⁽²⁾, lays down quotas for 2014.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2014.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2014 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

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

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ 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).

*Article 3***Entry into force**

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

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

Done at Brussels, 23 December 2014.

*For the Commission,
On behalf of the President,
Lowri EVANS
Director-General for Maritime Affairs and Fisheries*

ANNEX

No	80/TQ43
Member State	Denmark
Stock	LIN/3A/BCD
Species	Ling (<i>Molva molva</i>)
Zone	IIIa; Union waters of IIIbcd
Closing date	11.12.2014

COMMISSION REGULATION (EU) 2015/18
of 23 December 2014
establishing a prohibition of fishing for cod in Skagerrak by vessels flying the flag of Germany

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2014 ⁽²⁾ lays down quotas for 2014.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2014.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

Article 1

Quota exhaustion

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2014 shall be deemed to be exhausted from the date set out in that Annex.

Article 2

Prohibitions

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

Article 3

Entry into force

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

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

Done at Brussels, 23 December 2014.

For the Commission,
On behalf of the President,
Lowri EVANS
Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ 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).

ANNEX

No	81/TQ43
Member State	Germany
Stock	COD/03AN.
Species	Cod (<i>Gadus Morhua</i>)
Zone	Skagerrak
Closing date	14.12.2014

COMMISSION REGULATION (EU) 2015/19**of 23 December 2014****establishing a prohibition of fishing for haddock in area IIIa, Union waters of Subdivisions 22-32
by vessels flying the flag of Germany**

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Council Regulation (EU) No 43/2014 ⁽²⁾ lays down quotas for 2014.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2014.
- (3) It is therefore necessary to prohibit fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2014 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

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

*Article 3***Entry into force**

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

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

Done at Brussels, 23 December 2014.

For the Commission,

On behalf of the President,

Lowri EVANS

Director-General for Maritime Affairs and Fisheries

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ 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).

ANNEX

No	82/TQ43
Member State	Germany
Stock	HAD/3A/BCD
Species	Haddock (<i>Melanogrammus aeglefinus</i>)
Zone	IIIa, Union waters of Subdivisions 22-32
Closing date	14.12.2014

COMMISSION IMPLEMENTING REGULATION (EU) 2015/20
of 5 January 2015
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

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*.

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

Done at Brussels, 5 January 2015.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
An electronic apparatus (so-called 'media server') comprising a built-in flash memory of 2 TB, a hard disk with a storage capacity of 4 TB and a MPEG processor for various video, picture and audio formats. The apparatus is equipped with, amongst others, the following interfaces: — two 1Gbe (GigaBit ethernet) copper ingest ports, used for reception, — two 10Gbe SFP type, (Small Form-factor Pluggable) streaming ports, used for transmission, — two 1Gbe copper management ports for the management of the apparatus, — two USB ports. The apparatus uses the following media formats: — MPEG-2 TS and MPEG-4 (H.264), — Variable Bitrate (VBR) and Constant Bitrate (CBR), — High-Definition (HD) and Standard-Definition (SD). The apparatus is able to provide up to 2 500 streams with a speed of 3,75 Mbps. The apparatus is used by cable or internet television providers for distributing on demand multimedia products to consumers. Multimedia products, such as video sequences, pictures, data and sound are exchanged (received and transmitted) among media servers, installed within the providers' network. The apparatus records the received content and transmits it on demand via OTT (Over the Top Technology) streaming to the clients' terminal equipment, for example, television sets, automatic data-processing machines, game consoles or mobile phones.	8525 60 00	Classification is determined by general rules 1, 3(c) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8525 and 8525 60 00. The apparatus is designed for performing two or more alternative functions (telecommunication of heading 8517, video recording or reproduction of heading 8521 and transmission of heading 8525). It is not possible to determine the apparatus' principal function within the meaning of note 3 to Section XVI as each function is equally important for the use of the apparatus. Consequently, classification is to be done under the heading which occurs last in numerical order among those which equally merit consideration. Classification under headings 8517 or 8521 is therefore excluded. As the apparatus is not only able to transmit, but also to receive, within the providers' network, video content (television signals) from other media servers, classification under sub-heading 8525 50 00 is excluded. The apparatus is therefore to be classified under CN code 8525 60 00 as transmission apparatus incorporating reception apparatus.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/21
of 5 January 2015
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

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*.

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

Done at Brussels, 5 January 2015.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
An electronic component contained in a rectangular plastic housing (so-called 'game cartridge') with dimensions of 35 × 33 × 4 mm. The game cartridge consists of a printed circuit board with integrated circuits (read-only memory (ROM) and flash memory), passive elements (capacitors, resistors) and several contact pins. The ROM comprises an application program (a video game) and cannot be changed or upgraded by the user. The flash memory is used for storing data created when the game is played, such as preferences or reached levels and scores. Due to its special shape and specifically configured contact pins, the cartridge can only be used in a specific brand and type of video game consoles of heading 9504. See image (*).	9504 50 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 3 to Chapter 95 and by the wording of CN codes 9504 and 9504 50 00. The cartridge contains not only a flash memory, but also a ROM comprising the game. The flash memory only stores information needed for playing the game, such as the players' preferences, reached levels and scores. The cartridge can only be used for playing video games in conjunction with a game console. Consequently, classification as media for the recording of sound or other phenomena of heading 8523 is excluded (see also the Harmonized System Explanatory Notes (HSEN) to heading 8523, sixth paragraph, point (f)). As the cartridge is a part or accessory suitable for use solely or principally with a game console of subheading 9504 50, it is to be classified under CN code 9504 50 00 (see also the HSEN to heading 9504 (2), third paragraph).

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2015/22
of 5 January 2015
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

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*.

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

Done at Brussels, 5 January 2015.

For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A used, four-wheel drive compact sport utility motor vehicle (SUV) with a diesel engine of a cylinder capacity of 2 000 cm³, a five-speed manual gearbox and one reverse gear. Its total gross weight is approximately 2 330 kg; its total load capacity is approximately 700 kg. It has a single integrated space for the transport of both persons and goods. The cabin has one row of two seats (including the driver's seat) and five doors with window panels (the back door being of a swing-out type). The floor of the cargo area is equipped with carpeting; the entire interior of the vehicle has side and roof upholstery. It is equipped with a mechanism for raising and lowering both the front and rear side windows. The vehicle is adapted to the transport of goods by having the second row of seats removed, the anchor points for fixing the rear seats and the security belts covered and the cabin separated by a net barrier. The anchor points for fixing the rear seats and the safety belts were not removed or rendered permanently unusable.	8703 32 90	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8703, 8703 32 and 8703 32 90. Classification under heading 8704 as vehicles for the transport of goods is excluded, as the objective characteristics and the general appearance of the vehicle are those of a vehicle principally designed for the transport of persons (presence of five windows, side and roof upholstery, carpet) The changes made for the purposes of transporting goods (removing of the rear seats installation of the net barrier) are easily reversible. The vehicle is therefore to be classified under CN code 8703 32 90 as used motor vehicles principally designed for the transport of persons.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/23
of 5 January 2015
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 12(6) of Council Regulation (EEC) No 2913/92 ⁽²⁾. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months from the date of entry into force of this Regulation.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1).

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*.

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

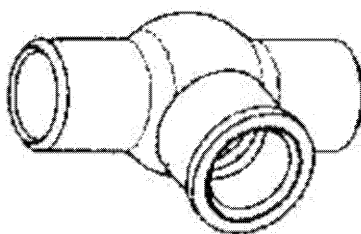
Done at Brussels, 5 January 2015.

*For the Commission,
On behalf of the President,
Heinz ZOUREK
Director-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
'T' shaped article of steel. The external diameter of the shoulders is 23 mm and the largest diameter of the central part of the article is 40 mm. Its lateral endings are bevelled, suitable for butt welding, and its third ending is threaded on the inside. The lateral endings are to be welded in between the panels of the radiator. The third ending is used for installing either a vent valve or a regulating valve, or for connecting the radiator with a pipe that connects it to, for example, a boiler. See the image (*).	7307 93 19	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(a) to Section XV, and by the wording of CN codes 7307, 7307 93 and 7307 93 19. The article has the objective characteristics of tube and pipe fittings classified under heading 7307. Articles of heading 7307 are, in accordance with note 2(a) to Section XV, parts of general use. As references to parts, inter alia, in Chapter 73 do not include references to parts of general use as defined in that note, classification of the article under heading 7322 as a part of radiators for central heating is excluded (see also the Harmonised System Explanatory Notes to heading 7322, point (2)(a)). The article is therefore to be classified under CN code 7307 93 19 as other butt welding tube or pipe fittings of steel with the greatest external diameter not exceeding 609,6 mm.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2015/24**of 7 January 2015****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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

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 multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 7 January 2015.

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

Jerzy PLEWA
Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽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	AL	69,6
	IL	104,4
	MA	89,1
	TN	130,5
	TR	108,0
	ZZ	100,3
0707 00 05	TR	160,8
	ZZ	160,8
0709 93 10	MA	96,9
	SN	80,8
	TR	157,6
	ZZ	111,8
0805 10 20	EG	41,2
	MA	68,6
	TR	74,1
	ZA	40,1
	ZW	32,9
	ZZ	51,4
0805 20 10	MA	58,8
	ZZ	58,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	89,3
	JM	106,8
	TR	80,9
	ZZ	92,3
0805 50 10	TR	53,0
	ZZ	53,0
0808 10 80	AR	164,5
	BR	62,9
	CL	82,5
	MK	39,8
	US	145,8
	ZA	147,0
	ZZ	107,1
	US	171,4
0808 30 90	ZZ	171,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/25**of 7 January 2015****establishing the allocation coefficient to be applied to the quantities covered by the applications for import licences lodged from 1 to 2 January 2015 in the context of the tariff quota for maize opened by Regulation (EC) No 969/2006**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(1) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 969/2006 ⁽²⁾ opened an annual import tariff quota of 277 988 tonnes of maize (order number 09.4131).
- (2) Article 2(1) of Regulation (EC) No 969/2006 fixes a quantity of 138 994 tonnes for subperiod 1 from 1 January to 30 June 2015.
- (3) The quantities covered by the applications for import licences lodged from 1 to 2 January 2015 at 13.00 (Brussels time) exceed those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (4) Import licences should no longer be issued under Regulation (EC) No 969/2006 for the current quota subperiod.
- (5) In order to ensure the efficiency of the measure, 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

1. The quantities covered by the applications for import licences in respect of the quota referred to in Article 2(1) of Regulation (EC) No 969/2006 (order number 09.4131) lodged from 1 to 2 January 2015 at 13.00 (Brussels time) shall be multiplied by an allocation coefficient of 8,496090 %.
2. The submission of new import licence applications in respect of the quota referred to in Article 2(1) of Regulation (EC) No 969/2006 (order number 09.4131) is suspended as from 2 January 2015 at 13.00 (Brussels time) for the current quota subperiod.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 969/2006 of 29 June 2006 opening and providing for the administration of a Community tariff quota for imports of maize from third countries (OJ L 176, 30.6.2006, p. 44).

⁽³⁾ Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

Article 2

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

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

Done at Brussels, 7 January 2015.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

COMMISSION IMPLEMENTING REGULATION (EU) 2015/26**of 7 January 2015****laying down the allocation coefficient to be applied to the quantities covered by the applications for import licences lodged from 1 to 2 January 2015 under the tariff quotas opened by Implementing Regulation (EU) No 416/2014 for certain cereals originating in Ukraine**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 188(1) and (3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 416/2014 ⁽²⁾ has opened tariff quotas for the import of certain cereals originating in Ukraine.
- (2) Article 1(1) of Implementing Regulation (EU) No 416/2014 set, for the period from 1 January 2015 to 31 December 2015, the quantity of the quota with order number 09.4308 at 400 000 tonnes.
- (3) The quantities covered by the applications for import licences lodged from 1 to 2 January 2015 at 13.00 (Brussels time) exceed those available for the quota with order number 09.4308. The extent to which import licences may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested under the quota concerned, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (4) No further import licences should be issued for the tariff quota with order number 09.4308 referred to in Implementing Regulation (EU) No 416/2014 for the current quota period.
- (5) In order to ensure the efficient management of the measure, 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

1. The quantities covered by the applications for import licences under the quota with order number 09.4308 and referred to in the Annex to Implementing Regulation (EU) No 416/2014, lodged from 1 to 2 January 2015 at 13.00 (Brussels time), shall be multiplied by an allocation coefficient of 7,385870 % for applications lodged under the tariff quota with order number 09.4308.
2. The submission of new import licence applications under the quota with order number 09.4308 referred to in the Annex to Implementing Regulation (EU) No 416/2014, shall be suspended from 2 January 2015 at 13.00 (Brussels time) for the current quota period.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) No 416/2014 of 23 April 2014 opening and providing for the administration of import tariff quotas for certain cereals originating in Ukraine (OJ L 121, 24.4.2014, p. 53).

⁽³⁾ Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

Article 2

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

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

Done at Brussels, 7 January 2015.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2015/27

of 7 January 2015

on the publication with a restriction in the *Official Journal of the European Union* of the reference of standard EN 474-1:2006+A4:2013 on Earth-moving machinery under Directive 2006/42/EC of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC ⁽¹⁾, and in particular Article 10 thereof,

Having regard to the opinion of the committee established by Article 22 of Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽²⁾,

Whereas:

- (1) Where a national standard transposing a harmonised standard, the reference of which has been published in the *Official Journal of the European Union*, covers one or more essential health and safety requirements set out in Annex I to Directive 2006/42/EC, the machine built in accordance with this standard is presumed to meet the essential health and safety requirements concerned.
- (2) Two petitions have been addressed by the same person to the European Parliament referring to fatal occupational accidents occurred in Germany involving earth-moving machinery, claiming that accidents were related to the insufficient visibility from the driving position. The machinery concerned was designed in accordance with harmonised standard EN 474-1 'Earth-moving machinery — Safety — Part 1: General requirements'.
- (3) As a consequence, the harmonised standard EN 474-1:2006+A4:2013 'Earth-moving machinery — Safety — Part 1: General requirements', whose reference was first published in the *Official Journal of the European Union* on 28 November 2013 ⁽³⁾ was examined by the Commission together with the representatives of the committee established by Article 22 of Directive 2006/42/EC. It was concluded that the earth-moving machinery designed and manufactured according to the standard does not allow the driver to have sufficient visibility in order to operate the machinery without a risk for the driver or third persons.
- (4) As a result, the Commission concluded that the harmonised standard EN 474-1:2006+A4:2013 fails to meet the essential health and safety requirements provided for in points 1.2.2 *Control devices (visibility of danger zones during starting)* and 3.2.1. *Driving position (visibility during operations)* of Annex I to Directive 2006/42/EC.

⁽¹⁾ OJ L 157, 9.6.2006, p. 24.

⁽²⁾ OJ L 316, 14.11.2012, p. 12.

⁽³⁾ OJ C 348, 28.11.2013, p. 5.

- (5) Taking into consideration the need to improve the safety aspects of standard EN 474-1:2006+A4:2013 and pending a suitable revision of that standard, the publication in the *Official Journal of the European Union* of the reference of the standard EN 474-1:2006+A4:2013 should be accompanied by an appropriate warning,

HAS ADOPTED THIS DECISION:

Article 1

The reference of standard EN 474-1:2006+A4:2013 'Earth-moving machinery — Safety — Part 1: General requirements', shall be published in the *Official Journal of the European Union* with restriction as set out in the Annex.

Article 2

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

Done at Brussels, 7 January 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

**COMMISSION COMMUNICATION IN THE FRAMEWORK OF THE IMPLEMENTATION OF DIRECTIVE
2006/42/EC**

(Publication of titles and references of harmonised standards under Union harmonisation legislation)

ESO ⁽¹⁾	Reference and title of the harmonised standard (and reference document)	First publication OJ	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard Note 1
CEN	EN 474-1:2006+A4:2013 Earth-moving machinery — Safety — Part 1: General requirements	28.11.2013	EN 474-1:2006+A3:2013 Note 2	Date expired (28.11.2013)

Warning: This publication does not concern clause 5.8.1 *Visibility — Operator's field of view* of this standard, the application of which does not confer a presumption of conformity to the essential health and safety requirements 1.2.2 and 3.2.1 of Annex I to Directive 2006/42/EC.

⁽¹⁾ ESO: European standardisation organisation:

— CEN: Avenue Marnix 17, B-1000, Brussels, Tel. +32 25500811; fax + 32 25500819 (<http://www.cen.eu>).

Note 1: Generally the date of cessation of presumption of conformity will be the date of withdrawal ('dow'), set by the European standardisation organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise.

Note 2: The new (or amended) standard has the same scope as the superseded standard. On the date stated, the superseded standard ceases to give presumption of conformity with the essential or other requirements of the relevant Union legislation.

