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(⁽¹⁾) Text with EEA relevance

EN

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

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/221**of 10 February 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 3 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 3 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, 10 February 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 new, four-wheel drive utility vehicle with a compression-ignition internal combustion piston engine (diesel) of a cylinder capacity of 720 cm³, with a net weight (including fluids) of approximately 630 kg, an unbraked towing capacity of 750 kg and with dimensions of approximately 300 × 160 cm. The vehicle has an open cabin with two seats (including the driver) fitted with a full roll-over protection frame, a cargo bed constructed of a strong steel frame with a sturdy flat-bed tipping body, with a manual tipper and of a capacity of 0,4 m³ or, approximately, 400 kg. It has a high ground clearance (27 cm) and a wheel base of 198 cm. It is equipped with off-road earth moving tyres, wet-type disc brakes, a coupling device and a front hitch. The vehicle has a limited speed of 25 km/h, and a high brake capacity. The vehicle is designed for off-road use, particularly in very rough terrain. The vehicle is presented to be used for a range of functions, for example, pushing, hauling trailers, moving animals, transporting plants, boxes, water and equipment, carrying munitions and transporting feed for animals. (*) See image.	8704 21 91	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8704, 8704 21 and 8704 21 91. The vehicle is designed as a multipurpose vehicle that can be used for a range of functions in different environments. It has objective characteristics of motor vehicles for transport of goods of heading 8704. (See also the Harmonised System Classification Opinions 8704.31/3 and 8704 90/1.) The vehicle is not a dumper designed for off-highway use. It is not sturdily built with a tipping or bottom opening body, designed for the transport of excavated or other materials (see also the Harmonised System Explanatory Notes to heading 8704, sixth paragraph, point (1)). Classification under subheading 8704 10 is therefore excluded. The product is therefore to be classified under CN code 8704 21 91 as a new motor vehicle for the transport of goods.

(*) The image is purely for information.



COMMISSION IMPLEMENTING REGULATION (EU) 2015/222**of 12 February 2015****excluding ICES Subdivisions 27 and 28.2 from certain fishing effort limitations for 2015, pursuant to Council Regulation (EC) No 1098/2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1098/2007 of 18 September 2007 establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 779/97 ⁽¹⁾, and in particular Article 29(2) thereof,

Whereas:

- (1) Provisions for setting fishing effort limitations for the cod stocks in the Baltic Sea are set out in Regulation (EC) No 1098/2007.
- (2) On the basis of Regulation (EC) No 1098/2007, Annex II to Council Regulation (EU) No 1221/2014 ⁽²⁾ has established fishing effort limitations for 2015 in the Baltic Sea.
- (3) According to Article 29(2) of Regulation (EC) No 1098/2007, the Commission may exclude ICES Subdivisions 27 and 28.2 from the scope of certain fishing effort limitations when the catches of cod were below a certain threshold in the last reporting period.
- (4) Taking into account the reports submitted by Member States and the advice from the Scientific, Technical and Economic Committee for Fisheries, ICES Subdivisions 27 and 28.2 should be excluded in 2015 from the scope of those fishing effort limitations.
- (5) Regulation (EU) No 1221/2014 will apply from 1 January 2015. In order to ensure coherence with that Regulation, this Regulation should also apply from 1 January 2015.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of Article 8(1)(b) and Article 8(3), (4) and (5) of Regulation (EC) No 1098/2007 shall not apply to ICES Subdivisions 27 and 28.2 in the year 2015.

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*.

It shall apply from 1 January 2015.

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

Done at Brussels, 12 February 2015.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ OJ L 248, 22.9.2007, p. 1.

⁽²⁾ Council Regulation (EU) No 1221/2014 of 10 November 2014 fixing for 2015 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulations (EU) No 43/2014 and (EU) No 1180/2013 (OJ L 330, 15.11.2014, p. 16).

COMMISSION IMPLEMENTING REGULATION (EU) 2015/223**of 12 February 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, 12 February 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	EG	138,6
	IL	97,8
	MA	87,0
	TR	113,2
	ZZ	109,2
0707 00 05	EG	191,6
	JO	217,9
	TR	195,8
	ZZ	201,8
0709 91 00	EG	57,5
	ZZ	57,5
0709 93 10	MA	225,7
	TR	232,1
	ZZ	228,9
0805 10 20	EG	46,8
	IL	75,5
	MA	54,3
	TN	50,6
	TR	67,8
	ZZ	59,0
0805 20 10	IL	146,2
	MA	107,7
	ZZ	127,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	EG	74,4
	IL	143,3
	JM	116,6
	MA	111,0
	TR	80,4
	ZZ	105,1
	TR	65,0
	ZZ	65,0
0808 10 80	BR	65,7
	CL	89,9
	CN	119,5
	MK	22,6
	US	197,5
	ZZ	99,0

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0808 30 90	CL	291,0
	ZA	121,4
	ZZ	206,2

⁽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'.

DECISIONS

COUNCIL DECISION (EURATOM) 2015/224

of 10 February 2015

amending Decision 2007/198/Euratom establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the third paragraph of Article 47 and Article 50 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision 2007/198/Euratom ⁽¹⁾ established the European Joint Undertaking for ITER and the Development of Fusion Energy ('Joint Undertaking') in order to make available the contribution of the European Atomic Energy Community ('Euratom') to the ITER International Fusion Energy Organisation and to the Broader Approach Activities with Japan, as well as to prepare and coordinate a programme of activities in preparation for the construction of a demonstration fusion reactor and related facilities.
- (2) Decision 2007/198/Euratom was amended by Council Decision 2013/791/Euratom ⁽²⁾ for the purpose of allowing the financing of the activities carried out by the Joint Undertaking during the period 2014-20.
- (3) In its conclusions of 12 July 2010 on the Commission's Communication 'ITER status and possible way forward', the Council requested the Commission to examine and address the way in which the Commission, the Member States and the Joint Undertaking should implement their responsibilities and tasks on ITER.
- (4) A detailed list of actions was identified in the Commission's Staff Working Paper 'Towards a robust management and governance of the ITER project' issued on 9 November 2010, to be undertaken either at the international level, mainly by the ITER Organization, or at the European level, mainly by the Joint Undertaking.
- (5) Following the accession of Croatia to the Union on 1 July 2013, it is necessary to amend the Statutes of the Joint Undertaking in order to grant Croatia voting rights in the Governing Board of the Joint Undertaking. Further amendments to those Statutes are required in order to improve the management and the governance of the Joint Undertaking. In order to take into account the amendments to the Treaty establishing the European Atomic Energy Community introduced by the Treaty of Lisbon, it is also necessary to update the reference to the provisions on the Court of Justice of the European Union.
- (6) In accordance with the Statutes of the Joint Undertaking, the Governing Board of the Joint Undertaking approved the amendments to Decision 2007/198/Euratom proposed by the Commission.
- (7) An Administration and Management Committee should be established to prepare opinions and recommendations for the adoption of key documents by the Governing Board. That Committee should also provide advice or recommendations on specific administrative and financial issues upon request of the Director or of the Governing Board. The Governing Board should have the power to delegate tasks to that Committee. Any Member of the Joint Undertaking should have the right to nominate a representative to serve on that Committee.
- (8) A Procurement and Contracts Committee should be established to give recommendations to the Director of the Joint Undertaking on the award of contracts, grants and related matters. Members of that Committee should be nominated to serve in a personal capacity by the Governing Board.

⁽¹⁾ Council Decision 2007/198/Euratom of 27 March 2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 90, 30.3.2007, p. 58).

⁽²⁾ Council Decision 2013/791/Euratom of 13 December 2013 amending Decision 2007/198/Euratom establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (OJ L 349, 21.12.2013, p. 100).

- (9) A Bureau should be established to assist the Governing Board in the preparation of its decisions. The Governing Board should have the power to delegate tasks to the Bureau. The members of the Bureau should be the Chair of the Governing Board, the Chairs of the Governing Board Committees, a representative of Euratom and a representative of the ITER host State (France). The Governing Board should be entitled to appoint additional persons to the Bureau.
- (10) In accordance with Article 17 of the Treaty on European Union, the Commission is to ensure the application of the Treaties, and of measures adopted by the institutions pursuant to them. Therefore, the rights of the Commission should be strengthened to ensure consistency of the decisions of the Governing Board with Community law.
- (11) It is desirable to consolidate designated organisations in the field of scientific and technological fusion research as a network to provide stable and long-term research and development support to the Joint Undertaking, based on the knowledge and know-how developed by the European Fusion programme and on those to be developed in the future.
- (12) It is necessary to take into account the relevant provisions of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ⁽¹⁾ and Commission Delegated Regulation (EU) No 1268/2012 ⁽²⁾, in particular the role of the Commission's internal auditor as internal auditor of the Joint Undertaking.
- (13) Decision 2007/198/Euratom ensures the financing of the Joint Undertaking activities for 2014-20. Article 12(1)(a) of the Statutes of the Joint Undertaking provides for the Euratom contribution to be made available through the Community research and training programmes adopted pursuant to Article 7 of the Treaty establishing the European Atomic Energy Community. Article 12(1)(a) should be amended to take account of the fact that financing for 2014-20 will no longer be made available through the Euratom Framework Programme.
- (14) It is also appropriate to update Decision 2007/198/Euratom as regards the provisions on protection of the financial interests of the Members.
- (15) Decision 2007/198/Euratom should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2007/198/Euratom is amended as follows:

- (1) Article 5 is amended as follows:

- (a) in paragraph 1 the following sentence is added:

‘The Joint Undertaking may award grants and prizes in accordance with the rules of its financial regulation.’;

- (b) paragraph 2 is deleted;

- (2) the following article is inserted:

‘Article 5aa

Protection of the financial interests of the Members

The Joint Undertaking shall ensure that the financial interests of its Members are adequately protected by carrying out or commissioning appropriate internal and external controls.’;

⁽¹⁾ 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 (OJ L 298, 26.10.2012, p. 1).

⁽²⁾ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

(3) Article 9(3) is replaced by the following:

‘3. The Court of Justice of the European Union shall have jurisdiction in actions brought against the Joint Undertaking, including decisions of its Governing Board, under the conditions provided for in Articles 263 and 265 of the Treaty on the Functioning of the European Union’;

(4) the Annex is amended in accordance with the Annex to this Decision.

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, 10 February 2015.

For the Council

The President

E. RINKĒVIČS

ANNEX

The Annex to Decision 2007/198/Euratom is amended as follows:

(1) Article 5 is amended as follows:

(a) the title is replaced by the following:

‘Bodies and Committees’;

(b) paragraph 2 is replaced by the following:

‘2. The Governing Board shall be assisted by the Administration and Management Committee and by the Bureau in accordance with Articles 8a and 9a.’;

(c) the following paragraph is inserted:

‘2a. The committees of the Joint Undertaking shall be the Administration and Management Committee, the Bureau, the Procurement and Contracts Committee and the Technical Advisory Panel (“the Committees”);

(d) paragraph 3 is replaced by the following:

‘3. The Director shall seek advice from the Procurement and Contracts Committee in accordance with Article 8b.

4. The Governing Board and the Director shall seek advice from the Technical Advisory Panel in accordance with Article 9.’;

(2) Article 6 is amended as follows:

(a) paragraph 3 is amended as follows:

(i) points (b) and (c) are replaced by the following:

‘(b) establish subsidiary bodies;

(c) appoint the chairs and members of the Committees and any subsidiary bodies established under point (b).’;

(ii) in point (d), the words ‘work programmes’ are replaced by the words ‘work programme’;

(iii) point (e) is replaced by the following:

‘(e) adopt the annual budget (including the specific parts related to the administrative and staff costs) and give an opinion on the annual accounts.’;

(iv) point (n) is replaced by the following:

‘(n) approve the conclusion of agreements or arrangements regarding cooperation with third countries and with institutions, undertakings or persons of third countries or with international organisations with the exception of the procurement arrangements for the activities laid down in Article 3(1)(b)-(c) and 3(2)(a).’;

(v) point (o) is replaced by the following:

‘(o) assess the annual report on the progress of the Joint Undertaking with respect to its work programme and its resources.’;

(vi) point (q) is deleted;

(b) in paragraph 6, the third and the fourth subparagraphs are replaced by the following:

‘The Commission may come to a view on the legality of the decision of the Governing Board within one month of the matter being referred to the Commission, failing which the decision of the Governing Board shall be deemed to have been upheld. The Governing Board shall re-examine its decision in the light of the Commission’s views to ensure compliance with Community law.’;

(c) paragraphs 9 and 10 are replaced by the following:

‘9. Unless otherwise decided in particular cases, the Director of the Joint Undertaking and the Chairs of the Committees shall participate in the meetings of the Governing Board.

10. The Governing Board shall adopt its rules of procedure by a two-thirds majority of the total votes. The Governing Board shall approve the rules of the procedure of the Committees by a two-thirds majority of the total votes.’;

(3) Article 7 is deleted;

(4) Article 8(4) is amended as follows:

(a) the first subparagraph is replaced by the following:

‘The Director shall implement the work programme and direct the execution of the activities set out in Article 3. He shall supply the Governing Board and the Committees and any other subsidiary bodies with all information necessary for the performance of their functions.’;

(b) in points (c) and (i), the words ‘work programmes’ are replaced by the words ‘work programme’;

(c) points (j) and (k) are replaced by the following:

‘(j) draw up such other reports as may be requested by the Governing Board or the Committees;

(k) assist the Governing Board and the Committees by providing their secretariats’;

(5) the following articles are inserted:

‘Article 8a

Administration and Management Committee

1. Upon request of the Director or the Governing Board, the Administration and Management Committee shall provide advice or recommendations on specific matters related to administrative and financial planning of the Joint Undertaking and carry out any other tasks which the Governing Board may delegate to it.

2. The Administration and Management Committee shall, in particular, prepare opinions for and recommendations to the Governing Board on the budget, the annual accounts, the project plan, the work programme, the resources estimate plan, the staff establishment plan, the staff policy plan and other related matters.

3. The Governing Board shall appoint members of the Administration and Management Committee from amongst representatives, with relevant professional experience in Administration and Management, nominated by the Members. One member of the Committee shall be Euratom.

4. Members of the Administration and Management Committee shall perform their duties in the general interest of the Joint Undertaking.

5. Subject to the prior approval of the Governing Board, the Administration and Management Committee shall adopt its rules of procedure.

Article 8b

The Procurement and Contracts Committee

1. The Procurement and Contracts Committee shall provide the Director with recommendations on the strategies in relation to procurement and grant activities and the award and follow-up of contracts and other related matters.

2. The Governing Board shall appoint the members of the Procurement and Contracts Committee from among persons of relevant professional experience in contractual and procurement matters. Members of the Governing Board shall not be members of the Procurement and Contracts Committee.

3. The members of the Procurement and Contracts Committee shall not be bound by any instructions. They shall be independent in the performance of their duties.

4. Subject to the prior approval of the Governing Board, the Procurement and Contracts Committee shall adopt its rules of procedure.’;

- (6) Article 9 is replaced by the following:

'Article 9

Technical Advisory Panel

1. The Technical Advisory Panel shall advise the Governing Board and the Director, as necessary, on the adoption and implementation of the project plan and work programme.
2. The Governing Board shall appoint the members of the Technical Advisory Panel from among persons of relevant professional experience in scientific and engineering matters concerning fusion and associated activities.
3. The members of the Technical Advisory Panel shall not be bound by any instructions. They shall be independent in the performance of their duties, in the general interest of the Joint Undertaking.
4. Subject to the prior approval of the Governing Board, the Technical Advisory Panel Committee shall adopt its rules of procedure.;

- (7) the following article is inserted:

'Article 9a

Bureau

1. The Bureau shall assist the Governing Board in the preparation of its decisions and shall carry out any other tasks which the Governing Board may delegate to it.
2. The membership shall comprise the Chair of the Governing Board, the Chairs of the Committees, a representative of Euratom and a representative of the ITER host State. The Governing Board may appoint additional members to the Bureau.
3. The Chair of the Bureau shall be the Chair of the Governing Board.
4. Members of the Bureau shall perform their duties in the general interest of the Joint Undertaking.
5. Subject to the prior approval of the Governing Board, the Bureau shall adopt its rules of procedure.;

- (8) Article 11 is replaced by the following:

'Article 11

Work programme and resource estimates plan

The Director shall prepare each year the submission of the project plan to the Governing Board, the resource estimates plan and the detailed annual work programme and budget.;

- (9) in Article 12(1), point (a) is replaced by the following:

'(a) the Euratom contribution shall be made available through the Community research and training programmes adopted pursuant to Article 7 of the Treaty or through any other decision adopted by the Council.;

- (10) Article 14 is replaced by the following:

'Article 14

Annual report

The annual report shall record the implementation of the work programme by the Joint Undertaking. It shall, in particular, outline the activities conducted by the Joint Undertaking and evaluate the results with respect to the objectives and the timetable set, the risks associated with the activities carried out, the use of resources and the general operation of the Joint Undertaking. The annual report shall be prepared by the Director, assessed by the Governing Board and sent by the Governing Board, together with its assessment, to the Members, the European Parliament, the Council and the Commission.;

- (11) in the second subparagraph of Article 15(1), the words '15 June' are replaced by the words '1 June';

(12) the following Article is inserted:

'Article 15a

Networking with designated organisations in the field of scientific and technological fusion research

1. In furtherance of its activities, the Joint Undertaking shall draw upon knowledge and facilities developed by competent public research organisations working in the field of fusion research and development.

2. The Governing Board, acting on a proposal from the Director, shall draw up a list, to be made public, of competent organisations designated by the Members which may carry out research and development activities in furtherance of the tasks of the Joint Undertaking, either individually or in networks. These activities may be eligible for financial support by the Joint Undertaking.

3. The implementing arrangements for the application of paragraphs 1 and 2 of this Article shall ensure transparency and competition among public research organisations and shall be laid down in the financial regulation and its implementing rules referred to in Article 13 and Annex III.;

(13) in Annex I to the Statutes of the Joint Undertaking the following row is inserted after the row for Bulgaria:

'Croatia	2'
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(14) Annex II to the Statutes of the Joint Undertaking is amended as follows:

(a) point 2 is replaced by the following:

'2. The total amount of annual membership contributions for year n shall be calculated on the basis of the annual resources required for the administration of the Joint Undertaking in that year, as adopted with the resource estimates plan by the Governing Board.;

(b) in point 4, the following point is added:

'(c) The Governing Board may decide that this delay may give rise to the payment of interest if a Member does not pay its contribution by the due date.;

(15) Annex III to the Statutes of the Joint Undertaking is amended as follows:

(a) point 3 is replaced by the following:

'3. The Joint Undertaking shall establish an internal audit capability.;

(b) point 5 is amended as follows:

(i) in point (c), the words 'work programmes' are replaced by the words 'work programme';

(ii) point (f) is replaced by the following:

'(f) rules and procedures for the internal financial control, including delegated powers.;

(iii) the following point is added:

'(k) rules on management of grants.;

(iv) the following paragraph is added:

'For the purposes of point (d), the budgetary commitments for actions extending over more than one financial year may be broken down over several years into annual instalments.;

(c) the following point is added:

'10. The Joint Undertaking shall adopt provisions and rules for the establishment of a network with designated organisations referred to in Article 15a of the Statutes. Those rules shall ensure transparency and competition among European public research organisations and shall specify, in particular, the criteria for inclusion of an organisation on the list of competent organisations designated by the Members.'

COMMISSION IMPLEMENTING DECISION (EU) 2015/225**of 11 February 2015****amending Annexes I and II to Decision 2009/861/EC on transitional measures under Regulation (EC) No 853/2004 of the European Parliament and of the Council as regard the processing of non-compliant raw milk in certain milk processing establishments in Bulgaria***(notified under document C(2015) 631)***(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 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽¹⁾ and in particular the second paragraph of Article 9 thereof,

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. Those rules include hygiene requirements for raw milk and dairy products.
- (2) Commission Decision 2009/861/EC ⁽²⁾ provides for certain derogations from the requirements set out in subchapters II and III of Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 for the milk processing establishments in Bulgaria listed in that Decision. That Decision applies until 31 December 2015.
- (3) Accordingly, certain milk processing establishments listed in Annex I to Decision 2009/861/EC may, by way of derogation from the relevant provisions of Regulation (EC) No 853/2004, process compliant and non-compliant milk provided that the processing of compliant and non-compliant milk is carried out on separate production lines. In addition, certain milk processing establishments listed in Annex II to that Decision may process non-compliant milk without separate production lines.
- (4) Bulgaria sent to the Commission a revised and updated list of those milk processing establishments on 28 April 2014, 18 August 2014 and on 2 December 2014.
- (5) In that list, the establishment listed at No 4 (BG 1212001 'S i S — 7' EOOD) of the table set out in Annex I to Decision 2009/861/EC has been deleted as it ceased its activities.
- (6) In addition, certain establishments currently listed in Annex II to Decision 2009/861/EC have been deleted in that revised and updated list as they are now authorised to process only compliant milk to be placed on the intra-Union market. Those establishments are listed in the table in Annex II to Decision 2009/861/EC at No 3 (0912016 OOD 'Persenski'), No 8 (1612064 OOD 'Ikay'), No 11 (2512021 'Keya-Komers-03' EOOD) No 22 (BG 1612051 ET 'Radev-Radko Radev'), No 37 (1512010 ET 'Militsa Lazarova-90'), No 50 (BG 1112016 Mandra 'IPZH') No 51 (BG 1712042 ET 'Madar') No 54 (1312005 'Ravnogor' OOD) No 63 (BG 2612034 ET 'Elikir-Petko Petev') No 75 (2312033 'Balkan spetsial' OOD) and No 79 (2612015 ET 'Detelina 39').
- (7) Moreover, in that list, the establishments listed at No 7 (1612049 'Alpina-Milk' EOOD), No 21 (BG 1612028 ET 'Slavka Todorova'), No 23 (BG 1612066 'Lakti ko' OOD) and No 71 (2012032 'Kiveks' OOD) of the table set out in Annex II to Decision 2009/861/EC have been deleted, as they ceased their activities.
- (8) Decision 2009/861/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 139, 30.4.2004, p. 55.

⁽²⁾ Commission Decision 2009/861/EC of 30 November 2009 on transitional measures under Regulation (EC) No 853/2004 of the European Parliament and of the Council as regard the processing of non-compliant raw milk in certain milk processing establishments in Bulgaria (OJ L 314, 1.12.2009, p. 83).

HAS ADOPTED THIS DECISION:

Article 1

Annexes I and II of Decision 2009/861/EC are replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 February 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

‘ANNEX I

List of milk establishments permitted to process compliant and non-compliant milk as referred to in Article 2

No	Veterinary No	Name of establishment	Town/Street or Village/Region
1	BG 0612027	“Mlechen ray — 2” EOOD	gr. Vratsa kv. “Bistrets”
2	BG 0612043	ET “Zorov- 91 — Dimitar Zorov”	gr. Vratsa Mestnost “Parshevitsa”
3	BG 2112001	“Rodopeya — Belev” EOOD	Ul. “Trakya” 20 Smolyan
4	BG 2812003	“Balgarski yogurt” OOD	s. Veselinovo, obl. Yambolska

ANNEX II

List of milk processing establishments permitted to process non-compliant milk as referred to as referred to in Article 3

No	Veterinary No	Name establishment	Town/Street or Village/Region
1	BG 2412037	“Stelimeks” EOOD	s. Asen
2	0912015	“Anmar” OOD	s. Padina obsht. Ardino
3	1012014	ET “Georgi Gushterov DR”	s. Yahinovo
4	1012018	“Evro miyt end milk” EOOD	gr. Kocherinovo obsht. Kocherinovo
5	1112017	ET “Rima-Rumen Borisov”	s. Vrabovo
6	2112008	MK “Rodopa milk”	s. Smilyan obsht. Smolyan
7	2412039	“Penchev” EOOD	gr. Chirpan ul. “Septemvriytsi” 58
8	0112014	ET “Veles-Kostadin Vele”	gr. Razlog ul. “Golak” 14
9	2312041	“Danim-D.Stoyanov” EOOD	gr. Elin Pelin m-st Mansarovo
10	0712001	“Ben Invest” OOD	s. Kostenkovtsi obsht. Gabrovo
11	1512012	ET “Ahmed Tatarla”	s. Dragash voyvoda, obsht. Nikopol

No	Veterinary No	Name establishment	Town/Street or Village/Region
12	2212027	“Ekobalkan” OOD	gr. Sofia bul “Evropa” 138
13	2312030	ET “Favorit- D.Grigorov”	s. Aldomirovtsi
14	2312031	ET “Belite kamani”	s. Dragotintsi
15	BG 1512033	ET “Voynov-Ventsislav Hristakiev”	s. Milkovitsa obsht. Gulyantsi
16	BG 1512029	“Lavena” OOD	s. Dolni Dębnik obl. Pleven
17	BG 2112029	ET “Karamfil Kasakliev”	gr. Dospat
18	BG 0912004	“Rodopchanka” OOD	s. Byal izvor obsht. Ardino
19	0112003	ET “Vekir”	s. Godlevo
20	0112013	ET “Ivan Kondev”	gr. Razlog Stopanski dvor
21	0212037	“Megakomers” OOD	s. Lyulyakovo obsht. Ruen
22	0512003	SD “LAF-Velizarov i sie”	s. Dabravka obsht. Belogradchik
23	0612035	OOD “Nivego”	s. Chiren
24	0612041	ET “Ekoprodukt-Megiya- Bogorodka Dobrilova”	gr. Vratsa ul. “Ilinden” 3
25	0612042	ET “Mlechen puls — 95 — Tsvetelina Tomova”	gr. Krivodol ul. “Vasil Levski”
26	1012008	“Kentavar” OOD	s. Konyavo obsht. Kyustendil
27	1212031	“ADL” OOD	s. Vladimirovo obsht. Boychinovtsi
28	1512006	“Mandra” OOD	s. Obnova obsht. Levski
29	1512008	ET “Petar Tonovski-Viola”	gr. Koynare ul. “Hr.Botev” 14
30	1612024	SD “Kostovi — EMK”	gr. Saedinenie ul. “L.Karavelov” 5

No	Veterinary No	Name establishment	Town/Street or Village/Region
31	1612043	ET "Dimitar Bikov"	s. Karnare obsht. "Sopot"
32	1712046	ET "Stem-Tezdzhan Ali"	gr. Razgrad ul. "Knyaz Boris" 23
33	2012012	ET "Olimp-P.Gurtsov"	gr. Sliven m-t "Matsulka"
34	2112003	"Milk- inzhenering" OOD	gr. Smolyan ul. "Chervena skala" 21
35	2112027	"Keri" OOD	s. Borino, obsht. Borino
36	2312023	"Mogila" OOD	gr. Godech, ul. "Ruse" 4
37	2512018	"Biomak" EOOD	gr. Omurtag ul. "Rodopi" 2
38	2712013	"Ekselans" OOD	s. Osmar, obsht. V. Preslav
39	2812018	ET "Bulmilk-Nikolay Nikolov"	s. General Inzovo, obl. Yambolska
40	2812010	ET "Mladost-2-Yanko Yanev"	gr. Yambol, ul. "Yambolen" 13
41	BG 1012020	ET "Petar Mitov-Universal"	s. Gorna Grashitsa obsht. Kyustendil
42	BG 0912011	ET "Alada-Mohamed Banashak"	s. Byal izvor obsht. Ardino
43	1112026	"ABLAMILK" EOOD	gr. Lukovit ul. "Yordan Yovkov" 13
44	1712010	"Bulagrotreyd-chastna kompaniya" EOOD	s. Yuper Industrialen kvartal
45	2012011	ET "Ivan Gardev 52"	gr. Kermen ul. "Hadzhi Dimitar" 2
46	2012024	ET "Denyo Kalchev 53"	gr. Sliven ul. "Samuilovsko shose" 17
47	2112015	OOD "Rozhen Milk"	s. Davidkovo, obsht. Banite
48	2112026	ET "Vladimir Karamitev"	s. Varbina obsht. Madan

No	Veterinary No	Name establishment	Town/Street or Village/Region
49	2312007	ET "Agropromilk"	gr. Ihtiman ul. "P.Slaveikov" 19
50	BG 1812008	"Vesi" OOD	s. Novo selo
51	BG 2512003	"Si Vi Es" OOD	gr. Omurtag Promishlena zona
52	0812030	"FAMA" AD	gr. Dobrich bul. "Dobrudzha" 2
53	0912003	"Koveg-mlechni produkti" OOD	gr. Kardzhali Promishlena zona
54	1412015	ET "Boycho Videnov — Elbokada 2000"	s. Stefanovo obsht. Radomir
55	1712017	"Diva 02" OOD	gr. Ispereh ul. "An.Kanchev"
56	1712037	ET "Ali Islamov"	s. Yasenovets
57	1712043	"Maxima milk" OOD	s. Samuil
58	2012010	"Saray" OOD	s. Mokren
59	2012036	"Minchevi" OOD	s. Korten
60	2212009	"Serdika -94" OOD	gr. Sofia kv. Zheleznitza
61	2312028	ET "Sisi Lyubomir Semkov"	s. Anton
62	2312039	EOD "Laktini"	s. Ravno pole, obl. Sofiyska
63	2412040	"Inikom" OOD	gr. Galabovo ul. "G.S.Rakovski" 11
64	2512011	ET "Sevi 2000- Sevie Ibryamova"	s. Krepcha obsht. Opaka
65	2812002	"Arachievi" OOD	s. Kirilovo, obl. Yambolska'
66	BG 1612021	ET "Deni-Denislov Dimitrov-Ilias Islamov"	s. Briagovo obsht. Gulyantsi
67	2012008	"Raftis" EOD	s. Byala
68	2112023	ET "Iliyan Isakov"	s. Trigrad obsht. Devin
69	2312020	"MAH 2003" EOD	gr. Etropole bul. "Al. Stamboliyski" 21'

COMMISSION IMPLEMENTING DECISION (EU) 2015/226**of 11 February 2015****amending Implementing Decision 2012/535/EU as regards the definition of susceptible wood and measures to be taken in demarcated areas***(notified under document C(2015) 645)*

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) The application of Commission Implementing Decision 2012/535/EU ⁽²⁾ has led to the conclusion that the definition of susceptible wood should include wood of conifers (*Coniferales*) that has not kept its natural round surface, beehives and bird nesting boxes, taking into account the particular risks linked to the frequent movement of beehives and such boxes. In addition, wood which has undergone processing eliminating the risk of hosting the pine wood nematode (PWN) should be excluded from that definition.
- (2) In view of the nature of the vector, all felled susceptible plants and their logging remains in buffer zones should immediately be removed.
- (3) It is appropriate to clarify that wood free from bark, and which has undergone an appropriate heat treatment in accordance with Implementing Decision 2012/535/EU, may be moved also within the flight season of the vector.
- (4) Implementing Decision 2012/535/EU should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision 2012/535/EU is amended as follows:

- (1) Article 1(b) is replaced by the following:

‘(b) “susceptible wood” means wood of conifers (*Coniferales*) which falls under one of the following points:

- (i) wood within the meaning of Article 2(2) of Directive 2000/29/EC;

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ Commission Implementing Decision 2012/535/EU of 26 September 2012 on emergency measures to prevent the spread within the Union of *Bursaphelenchus xylophilus* (Steiner et Buhrer) Nickle et al. (the pine wood nematode) (OJ L 266, 2.10.2012, p. 42).

- (ii) wood which has not retained its round surface;
- (iii) wood in the form of beehives and bird nesting boxes.

Susceptible wood does not mean sawn wood and logs of *Taxus* L. and *Thuja* L., and wood which has undergone processing eliminating the risk of hosting PWN.;

(2) point (d) of Article 13(1) is replaced by the following:

- ‘(d) marking in accordance with Annex II to the FAO International Standard for Phytosanitary Measures No 15, as set out in points 2(b) and 3(b) of Section 1 of Annex III and point 3 of Section 2 of that Annex, of beehives, bird nesting boxes and wood packaging material treated by the treatment facility concerned in accordance with, respectively, points (a) and (c).’;

(3) Article 14(1) is replaced by the following:

- ‘1. Member States in whose territory there is a demarcated area shall authorise producers of wood packaging material, beehives and bird nesting boxes adequately equipped to mark, in accordance with Annex II to the FAO International Standard for Phytosanitary Measures No 15, the wood packaging material, beehives and bird nesting boxes they assemble from wood treated by an authorised treatment facility and accompanied by the plant passport referred to in Directive 92/105/EEC.

Those producers are referred to hereinafter as “authorised wood packaging material producers”.;

(4) Annexes I, II and III are amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 February 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

The Annexes to Implementing Decision 2012/535/EU are amended as follows:

(1) in Annex I, the following point 9a is inserted:

‘9a. Member States shall, throughout the buffer zone, identify felled susceptible plants not covered by points 7, 8 and 9. They shall remove those plants and their logging remains, taking all necessary precautions to avoid that they act as attractants of PWN and its vector.’;

(2) in Annex II, point 3a is inserted:

‘3a. Member States shall, throughout the buffer zones, also identify felled susceptible plants other than those referred to in point 3(b). They shall remove those plants and their logging remains, taking all necessary precautions to avoid that they act as attractants of PWN and its vector.’;

(3) points 2(b) and (c) of Section 1 of Annex III are replaced by the following:

‘(b) It is accompanied by the plant passport referred to in Directive 92/105/EEC and issued by an authorised treatment facility; as regards susceptible wood in the form of beehives and bird nesting boxes, it is accompanied by that plant passport or it is marked in accordance with Annex II to the FAO International Standard for Phytosanitary Measures No 15.

(c) If it is not free from bark, it is moved either outside the flight season of the vector or with a protective covering ensuring that infestation with PWN or the vector cannot occur.’

CORRIGENDA**Corrigendum to Council Regulation (EU) No 1351/2014 of 18 December 2014 amending Regulation (EU) No 692/2014 concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol**

(Official Journal of the European Union L 365 of 19 December 2014)

Page 48, point (2) of Article 1, new Article 2d(4):

for: '4. The prohibitions in paragraphs 1 and 2 shall be without prejudice to the execution of an obligation arising from a contract or an ancillary contract concluded before 20 December 2014, or ...',

read: '4. The prohibitions in paragraphs 1 and 2 shall be without prejudice to the execution until 21 March 2015 of an obligation arising from a contract or an ancillary contract concluded before 20 December 2014, or ...'.

Corrigendum to Commission Implementing Regulation (EU) 2015/199 of 9 February 2015 establishing the standard import values for determining the entry price of certain fruit and vegetables

(Official Journal of the European Union L 33 of 10 February 2015)

On page 13, in the Annex:

for: 'US 169,6',

read: 'US 169,9'.

