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Contents

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

- ★ **Council Decision (EU) 2016/1218 of 18 July 2016 on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union** 1

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2016/1219 of 26 July 2016 amending Council Regulation (EC) No 499/96 as regards Union tariff quotas for certain fish and fishery products originating in Iceland** 2
- ★ **Commission Implementing Regulation (EU) 2016/1220 of 26 July 2016 concerning the authorisation of L-threonine produced by *Escherichia coli* as a feed additive for all animal species⁽¹⁾** 11
- Commission Implementing Regulation (EU) 2016/1221 of 26 July 2016 establishing the standard import values for determining the entry price of certain fruit and vegetables 16

DECISIONS

- ★ **Council Decision (EU) 2016/1222 of 12 July 2016 establishing that no effective action has been taken by Spain in response to the Council recommendation of 21 June 2013** 19

⁽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.

★ Commission Implementing Decision (EU) 2016/1223 of 25 July 2016 amending Decision 2011/30/EU on the equivalence of certain third country public oversight, quality assurance, investigation and penalty systems for auditors and audit entities and a transitional period for audit activities of certain third country auditors and audit entities in the European Union (notified under document C(2016) 4637) ⁽¹⁾	23
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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2016/1218

of 18 July 2016

on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union

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 point (a) of Article 218(6) and Article 218(8) thereof,

Having regard to the 2005 Act of Accession, and in particular Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) The Protocol to the Euro-Mediterranean Association Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, ('Protocol') was signed on behalf of the Union and its Member States on 18 June 2015.
- (2) The Protocol should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, is hereby approved on behalf of the Union and its Member States to take account of the accession of the Republic of Bulgaria and Romania to the Union ⁽¹⁾.

Article 2

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

Done at Brussels, 18 July 2016.

For the Council
The President
F. MOGHERINI

⁽¹⁾ The Protocol attached to the Decision on signature.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1219

of 26 July 2016

amending Council Regulation (EC) No 499/96 as regards Union tariff quotas for certain fish and fishery products originating in Iceland

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 499/96 of 19 March 1996 opening and providing for the administration of tariff quotas of the Union for certain fish and fishery products originating in Iceland ⁽¹⁾, and in particular Article 5(1)(a) and (d) thereof,

Whereas:

- (1) By Decision (EU) 2016/837 of 21 April 2016 ⁽²⁾, the Council authorised the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism 2014-2021, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period 2014-2021, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway and the Additional Protocol to the Agreement between the European Economic Community and Iceland.
- (2) The text of the Additional Protocol to the Agreement between the European Economic Community and Iceland ('the Additional Protocol') which is attached to Decision (EU) 2016/837 provides for the renewal of three duty-free tariff quotas that ended on 30 April 2014 and for one new duty-free tariff quota for release for free circulation in the European Union of certain fish and fishery products originating in Iceland.
- (3) In accordance with the Additional Protocol, the volumes of the tariff quotas covering the period from 1 May 2014 until the date on which the provisional application of the Additional Protocol becomes effective shall be proportionally allocated and made available for the period from the date of provisional application of the Additional Protocol until 30 April 2021. The Additional Protocol does not provide for any carrying-over of remaining volumes in a tariff quota to a subsequent application period.
- (4) It is necessary to amend Regulation (EC) No 499/96 in order to implement the tariff quotas laid down in the Additional Protocol.
- (5) The tariff quotas should apply from the date on which the provisional application of the Additional Protocol becomes effective until 30 April 2021. This Regulation should therefore apply from the date of provisional application of the Additional Protocol laid down in Article 3 of Decision (EU) 2016/837.

⁽¹⁾ OJ L 75, 23.3.1996, p. 8.

⁽²⁾ Council Decision (EU) 2016/837 of 21 April 2016 on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union, Iceland, the Principality of Liechtenstein and the Kingdom of Norway on an EEA Financial Mechanism 2014-2021, the Agreement between the Kingdom of Norway and the European Union on a Norwegian Financial Mechanism for the period 2014-2021, the Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway, and the Additional Protocol to the Agreement between the European Economic Community and Iceland (OJ L 141, 28.5.2016, p. 1).

- (6) Regulation (EU) No 1379/2013 of the European Parliament and of the Council ⁽¹⁾ repealed Council Regulation (EC) No 104/2000 ⁽²⁾ and ended the system of reference prices for fishery products. It is therefore necessary to delete the condition laid down in Article 1(2) of Regulation (EC) No 499/96 on respecting reference prices.
- (7) Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland defining the concept of originating products and setting out the methods of administrative cooperation has been amended by Decision No 1/2016 of the EU-Iceland Joint Committee of 17 February 2016 ⁽³⁾. It is therefore necessary to provide that Protocol 3 as amended is to apply.
- (8) Rules on the management of tariff quotas are laid down in Commission Implementing Regulation (EU) 2015/2447 ⁽⁴⁾ replacing Commission Regulation (EEC) No 2454/93 ⁽⁵⁾ from 1 May 2016. Article 2 of Regulation (EC) No 499/96 should be amended to take account of the new rules.
- (9) The Annex to Regulation (EC) No 499/96 should be amended in order to take account of amendments of the Combined Nomenclature codes ('CN codes') laid down in Council Regulation (EEC) No 2658/87 ⁽⁶⁾ and of the Taric subdivisions. For reasons of clarity it is appropriate to replace the Annex to Regulation (EC) No 499/96 in its entirety.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 499/96 is amended as follows:

(1) Article 1 is amended as follows:

(a) paragraph 2 is deleted,

(b) paragraph 3 is replaced by the following:

'3. Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland concerning the definition of the concept of 'originating products' and methods of administrative cooperation, as amended by Decision of the EU-Iceland Joint Committee No 1/2016, shall apply (*).

(*) Decision of the EU-Iceland Joint Committee No 1/2016 of 17 February 2016 amending Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland concerning the definition of the concept of "originating products" and methods of administrative cooperation (OJ L 72, 17.3.2016, p. 66).';

⁽¹⁾ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

⁽²⁾ Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (OJ L 17, 21.1.2000, p. 22).

⁽³⁾ OJ L 72, 17.3.2016, p. 66.

⁽⁴⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

⁽⁵⁾ Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

⁽⁶⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

(2) Article 2 is replaced by the following:

‘Article 2

The tariff quotas set out in this Regulation shall be managed in accordance with Articles 49 to 54 of Commission Implementing Regulation (EU) 2015/2447 (*).

(*) Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).’;

(3) Article 3 is deleted;

(4) The Annex is replaced by the text in the Annex to this Regulation.

Article 2

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 August 2016.

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

Done at Brussels, 26 July 2016.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

‘ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of this Regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

Order No	CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0792	ex 0303 51 00	10 20	Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen, excluding livers and roes, for industrial manufacture ⁽¹⁾ ⁽²⁾	From 1.1 to 31.12	950	0
09.0812	0303 51 00		Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), frozen, excluding livers and roes ⁽²⁾	From 1.8.2016 to 30.4.2017 From 1.5.2017 to 30.4.2018 From 1.5.2018 to 30.4.2019 From 1.5.2019 to 30.4.2020 From 1.5.2020 to 30.4.2021	1 050 1 400 1 400 1 400 1 400	0
09.0793	0302 13 00 0302 14 00 0304 41 00 0304 81 00		Fresh or chilled fish (excluding livers and roes) and fresh or chilled or frozen fillets of: Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)	From 1.1 to 31.12	50	0
09.0794	0302 23 00 0302 24 00 0302 29		Fresh or chilled: Sole (<i>Solea</i> spp.) Turbot (<i>Psetta maxima</i>), megrim (<i>Lepidorhombus</i> spp.) and other flat fish	From 1.1 to 31.12	250	0

Order No	CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
	ex 0302 56 00	10	Blue whiting (<i>Micromesistius poutassou</i>)			
	0303 32 00	90	Frozen: Plaice (<i>Pleuronectes platessa</i>)			
	0303 55 30		Chilean jack mackerel (<i>Trachurus murphyi</i>)			
	ex 0303 55 90		Other fish, excluding horse mackerel (scad) (<i>Caranx trachurus</i>)			
	0303 56 00		Cobia (<i>Rachycentron canadum</i>)			
	0303 69 90		Other fish			
	0303 89 90					
	0303 82 00		Rays and skates (<i>Rajidae</i>)			
	0303 83 00		Toothfish (<i>Dissostichus</i> spp.)			
	0303 84 90		Sea bass other than European sea bass (<i>Dicentrarchus labrax</i>)			
	0303 89 55		Gilt-head sea bream (<i>Sparus aurata</i>)			
	0304 31 00		Fresh or chilled fillets of: Tilapia (<i>Oreochromis</i> spp.)			
	0304 32 00		Catfish (<i>Pangasius</i> spp., <i>Silurus</i> spp., <i>Clarias</i> spp., <i>Ictalurus</i> spp.)			
	0304 33 00		Nile perch (<i>Lates niloticus</i>)			
	0304 39 00		Carp (<i>Cyprinus carpio</i> , <i>Carassius carassius</i> , <i>Ctenopharyngodon idellus</i> , <i>Hypophthalmichthys</i> spp., <i>Cirrhinus</i> spp., <i>Mylopharyngodon piceus</i>), eels (<i>Anguilla</i> spp.) and snake-heads (<i>Channa</i> spp.)			
	0304 42 50		Trout of the species <i>Oncorhynchus apache</i> or <i>Oncorhynchus chrysogaster</i>			
	0304 49 10		Other freshwater fish			
	0304 43 00		Flat fish (<i>Pleuronectidae</i> , <i>Bothidae</i> , <i>Cynoglossidae</i> , <i>Soleidae</i> , <i>Scophthalmidae</i> and <i>Citharidae</i>)			

Order No	CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
	0304 44 30		Coalfish (<i>Pollachius virens</i>)			
	0304 44 90		Other fish of the families Bregmacerotidae, Euclichthyidae, Gadidae, Macrouridae, Melanonidae, Merlucciidae, Moridae and Muraenolepididae, excluding cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i>			
	0304 45 00		Swordfish (<i>Xiphias gladius</i>)			
	0304 46 00		Toothfish (<i>Dissostichus</i> spp.)			
	0304 49 50		Redfish (<i>Sebastes</i> spp.)			
	ex 0304 49 90	30 40 50 60 70 90	Other fish excluding herring and mackerel			
	0304 53 00		Fish meat (whether or not minced), fresh or chilled of: Fish of the families Bregmacerotidae, Euclichthyidae, Gadidae, Macrouridae, Melanonidae, Merlucciidae, Moridae and Muraenolepididae			
	0304 54 00		Swordfish (<i>Xiphias gladius</i>)			
	0304 55 00		Toothfish (<i>Dissostichus</i> spp.)			
	0304 59 90		Other fish, excluding freshwater fish and flaps of herring			
	0304 61 00		Frozen fillets of: Tilapia (<i>Oreochromis</i> spp.)			
	0304 62 00		Catfish (<i>Pangasius</i> spp., <i>Silurus</i> spp., <i>Clarias</i> spp., <i>Ictalurus</i> spp.)			
	0304 63 00		Nile perch (<i>Lates niloticus</i>)			

Order No	CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
	0304 69 00		Carp (<i>Cyprinus carpio</i> , <i>Carassius carassius</i> , <i>Ctenopharyngodon idellus</i> , <i>Hypophthalmichthys</i> spp., <i>Cirrhinus</i> spp., <i>Mylopharyngodon piceus</i>), eels (<i>Anguilla</i> spp.) and snake-heads (<i>Channa</i> spp.)			
	0304 82 50		Trout of the species <i>Oncorhynchus apache</i> or <i>Oncorhynchus chrysogaster</i>			
	0304 89 10		Other freshwater fish			
			Frozen meat of:			
	0304 95 21		Cod of the species <i>Gadus macrocephalus</i>			
	0304 95 25		Cod of the species <i>Gadus morhua</i>			
	0304 95 29		Cod of the species <i>Gadus ogac</i> and fish of the species <i>Boreogadus saida</i>			
	0304 95 40		Coalfish (<i>Pollachius virens</i>)			
	0304 95 50		Hake of the genus <i>Merluccius</i>			
	0304 95 60		Blue whiting (<i>Micromesistius poutassou</i> , <i>Gadus poutassou</i>)			
	ex 0304 95 90	11 13 17 19 90	Other fish, excluding hake of the genus <i>Urophycis</i> spp.			
	ex 0304 99 99	20 25 30 40 50 65 69 70 90	Other fish, excluding mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>)			

Order No	CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0811	0304 49 50		Fillets of redfish (<i>Sebastes</i> spp.), fresh or chilled	From 1.8.2016 to 30.4.2017	2 211	0
				From 1.5.2017 to 30.4.2018	2 948	
				From 1.5.2018 to 30.4.2019	2 948	
				From 1.5.2019 to 30.4.2020	2 948	
				From 1.5.2020 to 30.4.2021	2 948	
09.0795	0305 61 00		Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>), salted but not dried or smoked, and herring in brine	From 1.1 to 31.12	1 750	0
09.0796	0306 15 90		Frozen Norway lobsters (<i>Nephrops norvegicus</i>), excluding smoked Norway lobsters	From 1.1 to 31.12	50	0
09.0810	0306 15 90		Frozen Norway lobsters (<i>Nephrops norvegicus</i>), excluding smoked Norway lobsters	From 1.8.2016 to 30.4.2017	1 106	0
				From 1.5.2017 to 30.4.2018	1 474	
				From 1.5.2018 to 30.4.2019	1 474	
				From 1.5.2019 to 30.4.2020	1 474	
				From 1.5.2020 to 30.4.2021	1 474	

Order No	CN code	TARIC sub-division	Description of products	Quota period	Quota volume (in tonnes net weight unless otherwise specified)	Quota duty (%)
09.0797	1604 12 91 1604 12 99		Prepared or preserved herrings, whole or in pieces but not minced, excluding fillets of herring, raw, merely coated with batter or bread-crumbs, whether or not pre-fried in oil, frozen	From 1.1 to 31.12	2 400	0
09.0798	1604 17 00 1604 19 97 ex 1604 20 90	 20 30 35 50 60 90	Prepared or preserved eels and other prepared or preserved fish, whole or in pieces but not minced Other prepared or preserved fish, except herring and mackerel	From 1.1 to 31.12	50	0
09.0700	1604 20 90		Other prepared or preserved fish	From 1.8.2016 to 30.4.2017 From 1.5.2017 to 30.4.2018 From 1.5.2018 to 30.4.2019 From 1.5.2019 to 30.4.2020 From 1.5.2020 to 30.4.2021	2 764 3 685 3 685 3 685 3 685	0

(¹) Entry under this subheading is subject to the conditions laid down in the relevant provisions of the European Union (see Article 254 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1)).

(²) As the most-favoured nation ("MFN") duty is free from 15 February to 15 June, the benefit of the tariff quota shall not be granted to goods declared for release for free circulation during this period.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1220**of 26 July 2016****concerning the authorisation of L-threonine produced by *Escherichia coli* as a feed additive for all animal species****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 82/471/EEC ⁽²⁾.
- (2) L-threonine was authorised without a time limit pursuant to Directive 82/471/EEC by Commission Directive 88/485/EEC ⁽³⁾ and was subsequently entered in the Register of feed additives as an existing product, in accordance with Article 10(1) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 thereof, applications were submitted for the re-evaluation of L-threonine as feed additive for all animal species. Applications were also submitted for the authorisation of L-threonine for all animal species in accordance with Article 7 of that Regulation. The applications were accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (4) The applications concern the authorisation of L-threonine produced by *Escherichia coli* DSM 25086, *Escherichia coli* FERM BP-11383, *Escherichia coli* FERM BP-10942, *Escherichia coli* NRRL B-30843, *Escherichia coli* KCCM11133P, *Escherichia coli* DSM 25085, *Escherichia coli* CGMCC 3703 or *Escherichia coli* CGMCC 7.58 as a feed additive for all animal species, to be classified in the additive category 'nutritional additives'.
- (5) The European Food Safety Authority ('the Authority') concluded in its opinions of 9 July 2013 ⁽⁴⁾, 29 January 2014 ⁽⁵⁾, 9 September 2014 ⁽⁶⁾, 9 September 2015 ⁽⁷⁾, 1 December 2015 ⁽⁸⁾ and 19 April 2016 ⁽⁹⁾ that, under the proposed conditions of use, L-threonine produced by *Escherichia coli* DSM 25086, *Escherichia coli* FERM BP-11383, *Escherichia coli* FERM BP-10942, *Escherichia coli* NRRL B-30843, *Escherichia coli* KCCM11133P, *Escherichia coli* DSM 25085, *Escherichia coli* CGMCC 3703 and *Escherichia coli* CGMCC 7.58 does not have an adverse effect on animal health, human health or the environment, and that it is considered an efficacious source of the amino acid threonine for animal nutrition; for the supplemental L-threonine to be fully efficacious in ruminants, it should be protected against degradation in the rumen. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition (OJ L 213, 21.7.1982, p. 8).

⁽³⁾ Commission Directive 88/485/EEC of 26 July 1988 amending the Annex to Council Directive 82/471/EEC concerning certain products used in animal nutrition (OJ L 239, 30.8.1988, p. 36).

⁽⁴⁾ EFSA Journal 2013;11(7):3319.

⁽⁵⁾ EFSA Journal 2014;12(2):3564.

⁽⁶⁾ EFSA Journal 2014;12(10):3825.

⁽⁷⁾ EFSA Journal 2015;13(9):4236.

⁽⁸⁾ EFSA Journal 2016;14(1):4344.

⁽⁹⁾ EFSA Journal 2016;14(5):4470.

- (6) The Authority expressed in its opinions a concern over the safety of L-threonine for the target species when administered via water for drinking. However, no maximum content for L-threonine is proposed by the Authority. Thus, it is in the case of administration of L-threonine via drinking water appropriate to alert the user to take into account the dietary supply with all the essential amino acids.
- (7) The assessment of L-threonine shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that substance should be authorised as specified in the Annex to this Regulation.
- (8) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation for L-threonine, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Authorisation

The substance specified in the Annex, belonging to the additive category 'nutritional additives' and to the functional group 'amino acids, their salts and analogues', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

Article 2

Transitional measures

1. L-threonine authorised by Directive 88/485/EEC and premixtures containing it may be placed on the market until 16 May 2017 in accordance with the rules applicable before 16 August 2016 and used until the existing stocks are exhausted.
2. Feed materials and compound feed containing the substance referred to in paragraph 1 may be placed on the market until 16 August 2017 in accordance with the rules applicable before 16 August 2016 and used until the existing stocks are exhausted if they are intended for food producing animals.
3. Feed materials and compound feed containing the substance referred to in paragraph 1 may be placed on the market until 16 August 2018 in accordance with the rules applicable before 16 August 2016 and used until the existing stocks are exhausted if they are intended for non-food producing animals.

Article 3

Entry into force

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, 26 July 2016.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

Identifica- tion number of the additive	Name of the holder of authorisa- tion	Additive	Composition, chemical formula, description, analytical method.	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg/kg of complete feed with a moisture content of 12 %			

Category of nutritional additives. Functional group: amino acids, their salts and analogues.

3c410	—	L-threonine	<i>Additive composition:</i> Powder with a minimum of 98 % L-threonine (on a dry matter basis). <i>Characterisation of the active substance:</i> L-threonine produced by fermentation with <i>Escherichia coli</i> DSM 25086 or <i>Escherichia coli</i> FERM BP-11383 or <i>Escherichia coli</i> FERM BP-10942 or <i>Escherichia coli</i> NRRL B-30843 or <i>Escherichia coli</i> KCCM 11133P or <i>Escherichia coli</i> DSM 25085 or <i>Escherichia coli</i> CGMCC 3703 or <i>Escherichia coli</i> CGMCC 7.58. Chemical formula: C₄H₉NO₃ CAS Number: 72-19-5 <i>Analytical methods (!):</i> For the determination of L-threonine in the feed additive: — Food Chemical Codex 'L-threonine monograph' and — Ion exchange chromatography method with post-column derivatisation and photometric detection (IEC-UV/FD) — EN ISO 17180.	All species	—	—	—	1. L- threonine may be placed on the market and used as an additive consisting of a preparation. 2. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks by inhalation. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including breathing protection. 3. L-threonine can be also used via water for drinking. 4. Declarations to be made on the labelling of the additive: Moisture content.	16.8.2026
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Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method.	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg/kg of complete feed with a moisture content of 12 %			
			For the determination of threonine in premixtures: — ion exchange chromatography coupled with post-column derivatisation and photometric detection (IEC-UV/FD) — EN ISO 17180 and — ion exchange chromatography coupled with post-column derivatisation and photometric detection (IEC-UV), Commission Regulation (EC) No 152/2009 ⁽²⁾ (Annex III, F) For the determination of threonine in premixtures, compound feed, feed materials and water: — Ion exchange chromatography method with post-column derivatisation and photometric detection (IEC-UV): Regulation (EC) No 152/2009 (Annex III, F).					5. Declarations to be made on the labelling of the additive and premixtures: 'If the additive is administered via water for drinking, protein excess should be avoided.'	

⁽¹⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

⁽²⁾ Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed (OJ L 54, 26.2.2009, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1221**of 26 July 2016****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, 26 July 2016.

*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	MA	177,7
	ZZ	177,7
0707 00 05	TR	116,3
	ZZ	116,3
0709 93 10	TR	142,8
	ZZ	142,8
0805 50 10	AR	171,4
	AU	158,0
	CL	158,6
	MA	157,0
	TR	164,0
	UY	131,7
	ZA	176,2
	ZZ	159,6
	BR	269,1
	EG	241,5
	MA	243,6
	ZZ	251,4
0806 10 10	AR	142,4
	BR	103,7
	CL	127,8
	CN	74,5
	NZ	141,7
	US	157,1
	ZA	102,8
	ZZ	121,4
	AR	106,7
	CL	121,5
0808 10 80	NZ	171,3
	TR	177,8
	ZA	106,7
	ZZ	136,8
	TR	198,2
	ZZ	198,2
	TR	258,6
	US	535,2
	ZA	271,2
	ZZ	355,0
0808 30 90	AR	106,7
	CL	121,5
0809 10 00	NZ	171,3
	TR	177,8
0809 29 00	ZA	106,7
	ZZ	136,8
	TR	198,2
	ZZ	198,2
	TR	258,6
0809 30 00	US	535,2
	ZA	271,2
	ZZ	355,0
	TR	177,8

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0809 30 10, 0809 30 90	TR	120,5
	ZZ	120,5

⁽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 (EU) 2016/1222

of 12 July 2016

establishing that no effective action has been taken by Spain in response to the Council recommendation of 21 June 2013

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 126(8) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) According to Article 126 of the Treaty, Member States shall avoid excessive government deficits.
- (2) The Stability and Growth Pact is based on the objective of sound government finances as a means of strengthening the conditions for price stability and for strong sustainable growth conducive to employment creation. The Stability and Growth Pact includes Council Regulation (EC) No 1467/97 ⁽¹⁾, which was adopted in order to further the prompt correction of excessive general government deficits.
- (3) The Council, acting upon a recommendation by the Commission, decided on 27 April 2009, in accordance with Article 104(6) of the Treaty establishing the European Community, that an excessive deficit existed in Spain and issued a recommendation to correct the excessive deficit by 2012 at the latest in accordance with Article 104(7) of that Treaty. Since then, the Council has issued three recommendations to Spain (on 2 December 2009, 10 July 2012 and 21 June 2013) on the basis of Article 126(7) of the Treaty on the Functioning of the European Union, which extended the deadline for correcting the excessive deficit to 2013, 2014 and 2016 respectively. In all three recommendations the Council considered that Spain had taken effective action, but unexpected adverse economic events with major unfavourable consequences for government finances had occurred ⁽²⁾.
- (4) In its recommendation of 21 June 2013, the Council recommended that Spain reach a headline deficit target of 6,5 % of GDP in 2013, 5,8 % of GDP in 2014, 4,2 % of GDP in 2015, and 2,8 % of GDP in 2016, which was consistent with an improvement of the structural balance of 1,1 %, 0,8 %, 0,8 %, and 1,2 % of GDP in the years 2013-2016, respectively, based on the Commission 2013 spring forecast extended to 2016. To achieve that improvement, Spain was asked to implement additional measures amounting to 2 %, 1 % and 1,5 % of GDP in 2014, 2015 and 2016, respectively. Furthermore, Spain was requested (i) to strengthen the effectiveness of the institutional framework by raising further transparency in the implementation of the Budgetary Stability Law as well as by establishing an independent fiscal council to provide analysis, advice and monitor compliance of fiscal policy with national and Union fiscal rules; (ii) to undertake concrete steps to rein in the increasing structural deficit in the social security system; and (iii) to give greater emphasis to the growth-friendliness of the consolidation, including by conducting systematic reviews of expenditure and the tax system. Finally, to ensure the success of the fiscal consolidation strategy, the recommendation also pointed out that it was important to back the fiscal consolidation with comprehensive structural reforms, in line with the Council recommendations addressed to Spain in the context of the European Semester and the macroeconomic imbalances procedure.

⁽¹⁾ Council Regulation (EC) No 1467/97 of 7 July 1997 on speeding up and clarifying the implementation of the excessive deficit procedure (OJ L 209, 2.8.1997, p. 6).

⁽²⁾ All documents related to the excessive deficit procedure of Spain can be found at: http://ec.europa.eu/economy_finance/economic_governance/sgp/deficit/countries/spain_en.htm

- (5) The Commission 2013 spring forecast, extended to 2016, which underpinned the Council recommendation of 21 June 2013, projected that the Spanish economy would contract by 1,5 % in 2013 before growing by 0,9 %, 1,4 % and 1,9 %, respectively, in the three subsequent years. Nominal GDP growth was forecast at 0,1 % and 2,0 % in 2013 and 2014, respectively, and at 2,6 % and 3,2 % in the two following years.
- (6) In its recommendation of 21 June 2013, the Council established a deadline of 1 October 2013 for effective action to be taken in line with the provisions of Article 3(4) of Regulation (EC) No 1467/97. On 15 November 2013, based on the Commission 2013 autumn forecast, the Commission concluded that Spain had taken effective action to comply with that recommendation, although it pointed to risks of non-compliance in 2014. On that basis, the Commission considered that no additional steps in the excessive deficit procedure were necessary at that point in time. Since then the excessive deficit procedure has been held in abeyance.
- (7) Risks of non-compliance with the Council recommendation of 21 June 2013 were highlighted again in subsequent assessments. In July 2014, the Council concluded that the measures underpinning the budgetary strategy set out in the 2014 stability programme needed to be specified further and that additional efforts were needed to fully comply with that recommendation. Based on its assessment of the 2015 stability programme, the Council in July 2015 concluded that there was a risk that Spain would not comply with the provisions of the Stability and Growth Pact. Similarly, the Commission's opinions on Spain's draft budget plans for 2014, 2015 and 2016, have all concluded that Spain was at risk of not complying with the rules of the Stability and Growth Pact. In particular, the Commission pointed out risks related to the structural effort in the plans being lower than those recommended by the Council. Moreover, the Commission pointed out risks to the achievement of the headline deficit targets.
- (8) On 9 March 2016, based on the Commission 2016 winter forecast, the Commission also concluded that there was a risk of non-compliance with the deadline to correct the excessive deficit, given the still significant expected excess over the 4,2 %-of-GDP intermediate headline balance target for 2015 and the fact that the fiscal effort achieved until then fell well short of the recommended one. On that basis, the Commission issued a recommendation to Spain to step up efforts to ensure compliance with the Council Recommendation of 21 June 2013. To that end, Spain was recommended (i) to take measures to ensure a timely and durable correction of the excessive deficit, including by making full use as appropriate of the preventive and corrective tools set out in Spain's Stability Law to control for slippages at the sub-central government level from the respective deficit, debt and expenditure rule targets; and (ii) to report to the Commission on measures in response to the Commission recommendation in its updated 2016 draft budgetary plan or, at the latest, in a dedicated section of its forthcoming 2016 stability programme.
- (9) A new assessment of the action taken by Spain to correct the excessive deficit by 2016 in response to the Council recommendation of 21 June 2013 leads to the following conclusions:
- Based on the data notified by Spain in spring 2016 and validated by the Commission (Eurostat) on 21 April 2016, the general government deficit was 5,9 % of GDP in 2014 and 5,1 % of GDP in 2015, above the intermediate targets set by the Council of 5,8 % and 4,2 % of GDP, respectively. The 2014 deficit outcome suffered from a downward revision of nominal GDP carried out at the time of the second EDP notification in October 2015 as well as deficit-increasing financial sector operations worth 0,1 % of GDP. The expansionary fiscal policy in 2015 had a large impact on the fiscal outcome.
 - Based on the Commission 2016 spring forecast, the change in the structural balance in 2015 is estimated at – 1,0 % of GDP, significantly less than the 0,8 % of GDP recommended by the Council. The cumulative change in the structural balance over the 2013-2015 period amounted to 0,6 % of GDP, thus falling significantly short of the 2,7 % of GDP recommended by the Council. Moreover, when adjusted for the effects of revised potential output growth and revenue windfalls or shortfalls compared to the baseline scenario underpinning the recommendation, the structural effort amounts to – 0,7 % of GDP in 2015 and – 0,2 % of GDP over 2013-2015, which is well below the recommended effort. When measured according to the bottom-up method, the fiscal effort amounts to – 0,5 % of GDP in 2015 and there appears to have been no effort over the 2013-2015 period, against recommended efforts of 1 % and 3 % of GDP, respectively. Consolidation measures, for instance in the context of the reforms of the public administration and the pension system, were insufficient to offset the impact of some expansionary measures implemented in 2015, such as personal and corporate income tax reductions and a partial pay-back of previously foregone Christmas bonuses.

- Over 2013-2015, Spanish inflation (as measured by the GDP deflator) was well below that in the baseline macroeconomic scenario underpinning the recommendation (it was even negative in 2014, at $-0,4\%$), making the achievement of the fiscal targets more difficult. However, the negative impact of low or even negative inflation on Spain's fiscal outcomes was largely offset by higher-than-expected real GDP growth, also thanks to reforms undertaken in response to the crisis and the successful completion of the financial assistance programme. Despite a less dynamic evolution of the GDP deflator, the level of nominal GDP in 2015 turned out only 1% lower than foreseen in the baseline scenario, as real GDP expanded much faster over the same period. Furthermore, fast job creation and a tax-rich composition of growth further benefitted the deficit reduction.
 - Overall, throughout 2014 and 2015, a low interest rate environment and a stronger-than-expected economic recovery, also thanks to reforms undertaken in response to the crisis, the successful completion of the financial assistance programme and favourable labour market developments, helped Spain to reduce its general government deficit. At the same time, the fiscal consolidation process was hampered by a negative inflation surprise relative to the macroeconomic scenario underpinning the Council Recommendation of 21 June 2013. However, windfall gains, especially in 2015, were not used to accelerate the deficit reduction. Instead, fiscal policy was relaxed, in particular through the tax reform and dynamic expenditure growth.
- (10) The Commission 2016 spring forecast projects a general government deficit of $3,9\%$ of GDP in 2016 and $3,1\%$ of GDP in 2017. The 2016 stability programme targets a deficit at $3,6\%$ and $2,9\%$ of GDP in 2016 and 2017, respectively. Therefore Spain is not set to achieve a timely and durable correction of its excessive deficit in 2016. The public-debt-to-GDP ratio declined slightly from $99,3\%$ in 2014 to $99,2\%$ in 2015, thanks to net sales of financial assets more than offsetting the impact of the deficit growing faster than nominal GDP growth. According to the Commission 2016 spring forecast, the debt ratio is expected to rise again in 2016 to $100,3\%$ and to decline thereafter.
- (11) Since 2012, Spain's fiscal framework has been strengthened in order to, among other things, prevent deviations and ensure compliance by all government levels with their respective deficit, debt and expenditure rule targets. Since the Council recommendation of 21 June 2013, Spain has further strengthened its domestic fiscal framework by amending the 2012 Stability Law to provide incentives for public administrations to reduce public sector arrears to commercial suppliers and by creating in November 2013 an independent fiscal institution (AIReF). However, while Spain's Stability Law includes tools to prevent and correct deviations from the domestic fiscal targets, the experience over 2014 and 2015 shows that they could have been used to a greater extent. Following the Commission recommendation of 9 March 2016, the Spanish government has started to enforce corrective provisions in the Stability Law on regional government that had not previously been implemented. Moreover, the Central Government adopted expenditure cuts amounting to EUR 2 billion.
- (12) In December 2013 Spain adopted a reform revising pension indexation and introducing as from 2019 an automatic adjustment of future retirees' new pensions to take account of changes in life expectancy. Moreover, starting in June 2013, it has been implementing a public administration reform, with a view to reaping efficiency gains. At the same time, in 2014 Spain adopted a corporate and personal income tax reform, which had some positive features, for example by reducing the tax wedge, but was not fully funded.
- (13) This leads to the conclusion that the response of Spain to the Council recommendation of 21 June 2013 has been insufficient. Spain did not reach the intermediate target for the headline deficit in 2015 and is not forecast to put an end to its excessive deficit by 2016. The fiscal effort falls significantly short of what was recommended by the Council, and the fiscal stance was expansionary in 2015,

HAS ADOPTED THIS DECISION:

Article 1

Spain has not taken effective action in response to the Council recommendation of 21 June 2013.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 12 July 2016.

For the Council
The President
P. KAŽIMÍR

COMMISSION IMPLEMENTING DECISION (EU) 2016/1223**of 25 July 2016****amending Decision 2011/30/EU on the equivalence of certain third country public oversight, quality assurance, investigation and penalty systems for auditors and audit entities and a transitional period for audit activities of certain third country auditors and audit entities in the European Union***(notified under document C(2016) 4637)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC ⁽¹⁾, and in particular the first subparagraph of Article 46(2) thereof,

Whereas:

- (1) By virtue of Commission Decision 2011/30/EU ⁽²⁾, the auditors and audit entities that provide audit reports concerning the annual or consolidated accounts of companies incorporated in the third countries listed in Annex II to that Decision and whose transferable securities are admitted to trading on a regulated market of a Member State, have been exempted from the requirements of Article 45 of Directive 2006/43/EC for certain financial years provided that they provide the competent authorities of that Member State with a certain set of information.
- (2) The Commission has carried out assessments of the public oversight, quality assurance, investigation and penalty systems for auditors and audit entities of the third countries listed in Annex II to Decision 2011/30/EU. The assessments were carried out with the assistance of the European Group of Auditors' Oversight Bodies in light of the criteria set out in Articles 29, 30 and 32 of Directive 2006/43/EC, which govern the public oversight, quality assurance, investigation and penalty systems for auditors and audit firms of the Member States. Following such assessments, it appears that Mauritius, New Zealand and Turkey have public oversight, quality assurance, investigation and penalty systems for auditors and audit entities that meet requirements equivalent to those set out in Articles 29, 30 and 32 of Directive 2006/43/EC. Therefore, it is appropriate to consider those systems equivalent to the public oversight, quality assurance, investigation and penalty systems for auditors and audit firms of the Member States.
- (3) The ultimate objective of cooperation between Member States and third countries with respect to systems of public oversight, quality assurance, investigation and penalties for auditors and audit entities should be to reach mutual reliance on each other's oversight systems based on their equivalence.
- (4) Bermuda, Cayman Islands, Egypt and Russia have established or are in the process of establishing public oversight, quality assurance, investigation and penalty systems for auditors and audit entities. However, due to the recent establishment of those systems, certain information is still missing, rules are not fully implemented, inspections are not carried out or sanctions are not imposed. In order to carry out a further assessment for the purpose of taking a decision in respect of the equivalence of such systems, there is a need to obtain additional information from those third countries in order to better understand those systems. Therefore, it is appropriate to extend the transitional period granted by Decision 2011/30/EU in respect of the auditors and audit entities that provide audit reports concerning the annual or consolidated accounts of companies incorporated in those third countries and whose transferable securities are admitted to trading on a regulated market of a Member State.

⁽¹⁾ OJ L 157, 9.6.2006, p. 87.

⁽²⁾ Commission Decision 2011/30/EU of 19 January 2011 on the equivalence of certain third country public oversight, quality assurance, investigation and penalty systems for auditors and audit entities and a transitional period for audit activities of certain third country auditors and audit entities in the European Union (OJ L 15, 20.1.2011, p. 12).

- (5) In order to protect investors, auditors and audit entities that provide audit reports concerning the annual or consolidated accounts of companies that are incorporated in the third countries listed in Annex II to Decision 2011/30/EU and whose transferable securities are admitted to trading on a regulated market of a Member State should be able to continue their audit activities in the Union without being registered under Article 45 of Directive 2006/43/EC during an additional period running from 1 August 2016 to 31 July 2018 on condition that they provide the required information. In such a case, those auditors and audit entities should be able to continue their activities in accordance with the requirements of the relevant Member State in relation to audit reports concerning annual or consolidated accounts for financial years starting during the period from 1 August 2016 to 31 July 2018. This Decision does not affect the power of the Member States to apply their investigation and penalty systems in respect of such auditors and audit entities.
- (6) The Commission will monitor developments in the supervisory and regulatory cooperation with third countries on a regular basis. The Decision to grant equivalence or to extend the transitional period is without prejudice to the possibility of the Commission to undertake a review of the Decision at any time. That review may lead to the withdrawal of the recognition of equivalence or the premature end of the transitional period. Decision 2011/30/EU should therefore be amended accordingly.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 48(1) of Directive 2006/43/EC,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/30/EU is amended as follows:

- (1) in Article 1, the following third paragraph is added:

‘For the purposes of Article 46(1) of Directive 2006/43/EC, the public oversight, quality assurance, investigation and penalty systems for auditors and audit entities of the following third countries meet requirements which shall be considered equivalent to those of Articles 29, 30 and 32 of that Directive in relation to audit activities concerning annual or consolidated accounts for financial years starting from 1 August 2016:

- (1) Mauritius;
- (2) New Zealand;
- (3) Turkey.’;

- (2) Article 2(2) is replaced by the following:

‘2. A Member State shall not apply Article 45 of Directive 2006/43/EC in relation to auditors and audit entities that provide audit reports concerning the annual or consolidated accounts of companies incorporated in the third countries listed in Annex II to this Decision and whose transferable securities are admitted to trading on a regulated market of that Member State within the meaning of point 14 of Article 4(1) of Directive 2004/39/EC of the European Parliament and of the Council (*), for financial years starting during the period from 2 July 2010 to 31 July 2018, provided that the auditor or audit entity concerned provides the competent authorities of that Member State with all of the following:

- (a) the name and address of the auditor or the audit entity concerned and information about its legal structure;
- (b) where the auditor or the audit entity belongs to a network, a description of the network;

- (c) the auditing standards and independence requirements which have been applied to the audit concerned;
- (d) a description of the internal quality control system of the audit entity;
- (e) an indication of whether and when the last quality assurance review of the auditor or of the audit entity was carried out and, unless this information is being provided by the third country competent authority, the necessary information about the outcome of the review. Where the necessary information about the outcome of the last quality assurance review is not public, the competent authorities of Member States shall treat such information on a confidential basis.

(*) Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the European Parliament and of the Council and repealing Council Directive 93/22/EEC (OJ L 145, 30.4.2004, p. 1).;

(3) Annex II is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 July 2016.

For the Commission
Valdis DOMBROVSKIS
Vice-President

ANNEX

'ANNEX II

LIST OF THIRD COUNTRIES

Bermuda
Cayman Islands
Egypt
Russia.'

