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II

(Non-legislative acts)

DECISIONS

COUNCIL DECISION (EU) 2018/952

of 26 June 2018

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (budget line 33 02 03 01: 'Company Law')

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31') to the EEA Agreement.
- (3) Protocol 31 to the EEA Agreement contains provisions on cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the Union regarding company law.
- (5) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for that extended cooperation to take place from 1 January 2018.
- (6) The position of the Union within the EEA Joint Committee should be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

Article 2

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

Done at Luxembourg, 26 June 2018.

For the Council
The President
E. ZAHARIEVA

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2018

of ...

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement to include Union actions funded from the general budget of the Union regarding company law.
- (2) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2018,

HAS ADOPTED THIS DECISION:

Article 1

In Article 7(13) of Protocol 31 to the EEA Agreement, the words 'and 2017' are replaced by the words ', 2017 and 2018'.

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement (*).

It shall apply from 1 January 2018.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee

The President

The Secretaries to the EEA Joint Committee

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COUNCIL DECISION (EU) 2018/953**of 26 June 2018****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning the amendment of Protocol 30 to the EEA Agreement, on specific provisions on the organization of cooperation in the field of statistics****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 30 on specific provisions on the organization of cooperation in the field of statistics ('Protocol 30') to the EEA Agreement.
- (3) In order to ensure continuous cooperation with the EEA EFTA States in the area of statistics, Regulation (EU) 2017/1951 of the European Parliament and of the Council ⁽³⁾ should be included in Protocol 30 to the EEA Agreement.
- (4) Protocol 30 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union within the EEA Joint Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 30 to the EEA Agreement, on specific provisions on the organization of cooperation in the field of statistics, shall be based on the draft decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Luxembourg, 26 June 2018.

For the Council

The President

E. ZAHARIEVA

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2017/1951 of the European Parliament and of the Council of 25 October 2017 amending Regulation (EU) No 99/2013 on the European statistical programme 2013-17, by extending it to 2020 (OJ L 284, 31.10.2017, p. 1).

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No .../2018

of ...

amending Protocol 30 to the EEA Agreement, on specific provisions on the organization of cooperation in the field of statistics

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) The EEA statistical programme 2018 to 2020 should be based on Regulation (EU) No 99/2013 of the European Parliament and of the Council ⁽¹⁾, as last amended by Regulation (EU) 2017/1951 of the European Parliament and of the Council of 25 October 2017 amending Regulation (EU) No 99/2013 on the European statistical programme 2013-17, by extending it to 2020 ⁽²⁾, and should include those programme elements which are necessary for the description and monitoring of all relevant economic, social and environmental aspects of the European Economic Area.
- (2) Regulation (EU) 2017/1951 should be included in Protocol 30 to the EEA Agreement in order to ensure that the cooperation is extended to 2020.
- (3) Protocol 30 to the EEA Agreement should therefore be amended in order to allow for that extended cooperation to take place from 1 January 2018,

HAS ADOPTED THIS DECISION:

Article 1

Protocol 30 to the EEA Agreement shall be amended as follows:

- (1) The word '2017' in the title of Article 5 is replaced by the word '2020'.
- (2) The following indent is added in Article 5(1):
— **32017 R 1951:** Regulation (EU) 2017/1951 of the European Parliament and of the Council of 25 October 2017 (OJ L 284, 31.10.2017, p. 1).²
- (3) The words '2013-17' and '31 December 2017' in Article 5(2) are replaced by the words '2013-20' and '31 December 2020'.
- (4) The words '2013 to 2017' in Article 5(3) are replaced by the words '2013 to 2020'.
- (5) The text of Article 5(4) is replaced by the following:

'The EFTA States shall contribute financially in accordance with Article 82(1)(a) of the Agreement and the Financial Regulations thereto to an amount representing 75 per cent of the amount shown in budget lines 29 02 05 (European statistical programme 2013-17) and 29 01 04 05 (Statistical information policy – Expenditure on administrative management) entered in the budget of the European Union for 2013 and to an amount representing 75 per cent of the amount shown in budget lines 29 02 01 (Providing quality statistical information, implementing new methods of production of European statistics and strengthening the partnership within the European Statistical System) and 29 01 04 01 (Support expenditure for the European statistical programme) entered in the budget of the European Union for 2014 to 2020.'

⁽¹⁾ OJ L 39, 9.2.2013, p. 12.

⁽²⁾ OJ L 284, 31.10.2017, p. 1.

Article 2

This Decision shall enter into force on [...], provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

It shall apply from 1 January 2018.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee

The President

The Secretaries to the EEA Joint Committee

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COMMISSION IMPLEMENTING DECISION (EU) 2018/954**of 4 July 2018****laying down certain protective measures in order to prevent the spread of peste des petits ruminants in Bulgaria***(notified under document C(2018) 4374)***(Only the Bulgarian text is authentic)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Peste des petits ruminants (PPR) is a severe viral disease of small ruminants, namely sheep and goats, which is transmitted primarily via direct contact. Morbidity and mortality due to PPR can be very high, especially in areas where PPR occurs for the first time, and it can have a serious economic impact on the agricultural sector. PPR is not transmissible to humans. PPR is endemic in many countries of Africa, the Middle East and Asia, and it is of great concern for animal health and welfare.
- (2) Council Directive 92/119/EEC ⁽³⁾ lays down general measures to be taken for the control of certain animal diseases, including PPR. These include control measures to be taken in the event of the suspicion and the confirmation of PPR in a holding. These control measures also include the establishment of protection and surveillance zones around outbreaks and other additional measures to control the spread of that disease.
- (3) On 23 June 2018, Bulgaria notified the Commission and the other Member States of one outbreak of a PPR, in three small ruminant holdings, where animals from those holdings graze together in the municipality of Bolyarovo, in the region of Yambol in Bulgaria.
- (4) Bulgaria has taken the control measures provided for in Directive 92/119/EEC, and in particular the 'stamping out' of infected herds, and the establishment of protection and surveillance zones around the outbreaks as provided for in that Directive. Surveillance has also been intensified in the municipalities neighbouring the affected zones, as well as in the municipalities located along the border of the Union with third countries not free of PPR.
- (5) In addition to the control measures provided for in Directive 92/119/EEC, it is necessary to take additional protective measures to prevent the spread of PPR. Accordingly, in order to prevent the spread of PPR to other areas of Bulgaria, and to other Member States and to third countries, particularly through trade in small ruminants and their germinal products, the dispatch of consignments of small ruminants and the placing on the market of certain products derived from small ruminants, should be controlled.
- (6) Commission Implementing Decision (EU) 2018/911 ⁽⁴⁾ was adopted in order to prevent its spread of PPR to other parts of Bulgaria, and to other Member States and to third countries. That act provides for interim protective measures and, in particular, it prohibits the dispatch of consignments of small ruminants and the placing on the market of certain products derived from small ruminants from the region of Yambol in Bulgaria.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease (OJ L 62, 15.3.1993, p. 69).

⁽⁴⁾ Commission Implementing Decision (EU) 2018/911 of 25 June 2018 laying down interim protective measures in order to prevent the spread of peste des petits ruminants in Bulgaria (OJ L 161, 26.6.2018, p. 67).

- (7) Since the last date of adoption of Implementing Decision (EU) 2018/911, Bulgaria has notified the Commission of a new outbreak of PPR in a small ruminant holding in region of Burgas of that Member State.
- (8) Bulgaria has also notified the Commission that it has taken the necessary measures required in accordance with Directive 92/119/EEC following that recent outbreak, including the establishment of protection and surveillance zones around the infected holding in that Member State.
- (9) The protective measures provided for in this Decision should take into account of the up-to-date epidemiological situation in Bulgaria and replace the interim protective measures laid down in Implementing Decision (EU) 2018/911. That Decision should therefore be repealed.
- (10) 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

This Decision lays down certain protective measures to prevent the spread of peste des petits ruminants in the Union.

It applies to small ruminants, and to the semen, ova and embryos of those animals, as well as certain commodities of those animals.

Article 2

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

- (a) 'small ruminants': means any animal of the ovine or caprine species;
- (b) 'animal by-products': means animal by-products as defined in point (1) of Article 3 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council ⁽¹⁾;
- (c) 'derived products': means derived products as defined in point (2) of Article 3 of Regulation (EC) No 1069/2009.

In addition, the definitions set out in Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council ⁽²⁾ shall apply.

Article 3

Bulgaria shall prohibit the dispatch of the following commodities from the areas listed in the Annex to other parts of Bulgaria, and to other Member States and to third countries:

- (a) small ruminants;
- (b) semen, ova and embryos of small ruminants.

Article 4

1. Bulgaria shall prohibit the placing on the market of the following commodities outside the areas listed in the Annex, where such commodities are produced from small ruminants coming from the areas listed in the Annex:

- (a) fresh meat;
- (b) minced meat and meat preparations produced from the meat referred to in point (a);
- (c) meat products and treated stomachs, bladders and intestines for human consumption produced from the meat referred to in point (a), other than those which have undergone a treatment to eliminate certain animal health risks in accordance with Annex III to Council Directive 2002/99/EC ⁽³⁾;
- (d) raw milk and dairy products, other than those that have undergone a treatment in hermetically sealed containers with an F0 value of 3,00 or more, as described in Annex III to Directive 2002/99/EC;

⁽¹⁾ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1).

⁽²⁾ 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 (OJ L 139, 30.4.2004, p. 55).

⁽³⁾ Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption (OJ L 18, 23.1.2003, p. 11).

- (e) products containing the commodities referred to in points (a) to (d);
- (f) animal by-products.

2. By way of derogation from the prohibition laid down in paragraph 1(f) of this Article, the competent authority may authorise the dispatch of animal by-products under official supervision destined for processing into derived products or disposal in a plant approved by it for that purpose within the territory of Bulgaria in accordance with the rules laid down in Article 4(4) of Regulation (EC) No 1069/2009.

Article 5

Implementing Decision (EU) 2018/911 is repealed.

Article 6

This Decision shall apply until 28 December 2018.

Article 7

This Decision is addressed to the Republic of Bulgaria.

Done at Brussels, 4 July 2018.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

The following municipalities in Bulgaria:

- the municipalities of Bolyarovo and Elhovo in the region of Yambol,
 - the municipalities of Sredets, Sozopol, Primorsko, Malko Tarnovo and Tsarevo in the region of Burgas.
-

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2018 OF THE EU-MOLDOVA ASSOCIATION COMMITTEE MEETING IN TRADE CONFIGURATION

of 16 April 2018

**giving a favourable opinion regarding the comprehensive roadmap on public procurement
[2018/955]**

THE ASSOCIATION COMMITTEE IN TRADE CONFIGURATION,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, signed in Brussels on 27 June 2014, and in particular Article 272(3) thereof,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States of the one part, and the Republic of Moldova, of the other part ('the Agreement'), was concluded by the Union by Council Decision (EU) 2016/839 ⁽¹⁾ and entered into force on 1 July 2016.
- (2) Article 272(1) and (2) of the Agreement stipulates that the Republic of Moldova shall submit to the Association Committee in Trade Configuration a comprehensive roadmap for the implementation of the legislation related to public procurement with time schedules and milestones which should include all reforms in terms of legislative approximation to the Union *acquis* and institutional capacity building.
- (3) Article 272(3) specifies that a favourable opinion by the Association Committee in Trade Configuration is needed in order for the comprehensive roadmap to become a reference document for the process of implementation, i.e. for the legislative approximation of the legislation of the Republic of Moldova related to public procurement to the Union *acquis*.
- (4) Pursuant to Article 438(3) of the Agreement, the Association Committee shall have the power to adopt decisions in the cases provided for in the Agreement. Those decisions shall be binding upon the Parties, which shall take appropriate measures to implement them. The Association Committee shall adopt its decisions by agreement between the Parties.
- (5) According to Article 438(4) of the Agreement, the Association Committee shall meet in Trade configuration to address all trade and trade-related matters pursuant to Title V of the Agreement.
- (6) The roadmap on public procurement submitted by the Republic of Moldova complies with the requirements set out in Article 272(1) and (2) of the Agreement.
- (7) It is therefore appropriate for the Association Committee meeting in Trade configuration to adopt a decision giving a favourable opinion regarding the comprehensive roadmap on public procurement submitted by the Republic of Moldova,

HAS ADOPTED THIS DECISION:

Article 1

A favourable opinion is given regarding the National Strategy for Public Procurement for the period of 2016-2020 and the action plan for its implementation adopted by the Government of the Republic of Moldova by Government Decision No 1332 of 14 December 2016.

⁽¹⁾ Council Decision (EU) 2016/839 of 23 May 2016 on the conclusion, on behalf of the European Union, of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part (OJ L 141, 28.5.2016, p. 28).

Article 2

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

Done at Brussels, 16 April 2018.

For the Association Committee in Trade Configuration

The Chair

Secretaries

P. SOURMELIS

P. KHOMENKO

C. CEBAN

