

Official Journal of the European Union

L 73



English edition

Legislation

Volume 63

10 March 2020

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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.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/386

of 9 March 2020

amending Annex II to Decision 2007/777/EC as regards the list of third countries or parts thereof from which the introduction into the Union of meat products and treated stomachs, bladders and intestines is authorised, and amending Annex II to Regulation (EU) No 206/2010 as regards the list of third countries, territories or parts thereof from which the introduction into the Union of fresh meat is authorised

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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 ⁽¹⁾, and in particular the introductory phrase of Article 8, the first subparagraph of point (1) of Article 8, point (4) of Article 8, and Article 9(4)(c) thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽²⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) Commission Decision 2007/777/EC ⁽³⁾ lays down, inter alia, the animal and public health rules for imports into the Union, and the transit and storage in the Union, of consignments of certain meat products and of treated stomachs, bladders and intestines which have undergone one of the treatments set out in Part 4 of Annex II thereto ('the commodities'). In addition, Part 3 of Annex II to Decision 2007/777/EC sets out a list of third countries or parts thereof which are authorised for imports into the Union of biltong/jerky and pasteurised meat products, provided that they have undergone one of the treatments referred to in Part 4 of that Annex.
- (2) Commission Regulation (EU) No 206/2010 ⁽⁴⁾ lays down, inter alia, the veterinary certification requirements for the introduction into the Union of consignments of fresh meat of ungulates. Part 1 of Annex II to that Regulation establishes a list of third countries, territories or parts thereof from which such consignments may be imported into the Union, as well as the specific conditions for the introduction of those consignments from certain third countries.

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 139, 30.4.2004, p. 206.

⁽³⁾ Commission Decision 2007/777/EC of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC (OJ L 312, 30.11.2007, p. 49).

⁽⁴⁾ Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ L 73, 20.3.2010, p. 1).

- (3) Certain parts of South Africa are listed in Parts 1 and 3 of Annex II to Decision 2007/777/EC as authorised for imports into the Union of the commodities and of biltong respectively.
- (4) Certain parts of South Africa are also listed in Part 1 of Annex II to Regulation (EU) No 206/2010 as authorised for imports into the Union of consignments of fresh meat of certain domestic and wild ungulates, other than equine animals. However, imports of fresh meat from those species are suspended since 2011 due to the foot-and-mouth situation in the zone.
- (5) Decision 2007/777/EC and Regulation (EU) No 206/2010 recognise regionalisation of third countries. The description of part of the territory of South Africa, by the code 'ZA-1', as amended by the South African authorities following an outbreak of foot-and-mouth disease in 2011, which is referred to in those two acts, is no longer accurate.
- (6) The Annex to Commission Decision 2011/163/EU ⁽⁵⁾ sets out a list of third countries whose plans for the monitoring of groups of residues and substances in animals and animal products intended for human consumption have been approved by the Commission. Imports into the Union from South Africa of meat products from all species of animals, with the exception of wild game meat products, are not permitted under that Decision, as South Africa does not have an approved plan.
- (7) In February 2017, a Commission audit was carried out in South Africa in order to evaluate the animal health control system in place in that third country, in particular as regards the controls concerning foot-and-mouth disease ('the 2017 Commission audit'). The Commission found that, although the control system governing the production of commodities covered by the audit could, in principle, provide adequate guarantees that they are produced in accordance with relevant Union requirements, its effectiveness is weakened by the problems noted in its implementation, in particular concerning the performance of the official controls and staffing difficulties. Also, certification rules and principles offer, overall, guarantees equivalent to those laid down in Union law, but the shortcomings observed in their implementation compromise their reliability and the guarantees concerning some of the statements signed in the certificates for import into the Union.
- (8) As imports of fresh meat and meat products of ungulates from South Africa are not permitted under Decision 2011/163/EU, and taking into account the findings of the 2017 Commission audit, and in particular the lack of guarantees about the official controls for foot-and-mouth disease, and to maintain clarity and consistency of Union legislation, the entry 'ZA-1' covering part of the territory of South Africa should be deleted from the entry of South Africa in Parts 1 and 3 of Annex II to Decision 2007/777/EC and from the list of third countries authorised for import of fresh meat of ungulates in Part 1 of Annex II to Regulation (EU) No 206/2010.
- (9) Following United Nations (UN) facilitation, Athens and Skopje reached a bilateral agreement ('Prespa agreement') in June 2018, to change the UN provisional reference for the former Yugoslav Republic of Macedonia. This agreement has now been ratified by both countries and the Republic of North Macedonia has formally notified the EU about its entry into force.
- (10) Annex II to Decision 2007/777/EC and Annex II to Regulation (EU) No 206/2010 should therefore be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽⁵⁾ Commission Decision 2011/163/EU of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (OJ L 70, 17.3.2011, p. 40).

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Decision 2007/777/EC is amended in accordance with Annex I to this Regulation.

Article 2

Annex II to Regulation (EU) No 206/2010 is amended in accordance with Annex II to this Regulation.

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, 9 March 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex II to Decision 2007/777/EC is amended as follows:

(1) in Part 1, in the entry for South Africa, the row for the territory ZA-1 is deleted;

(2) Part 2 is amended as follows:

(a) the entry for the Former Yugoslav Republic of Macedonia is replaced by the following entry for North Macedonia:

'MK	The Republic of North Macedonia	A	A	B	A	A	XXX	A	B	B	XXX	A	XXX	XXX'
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(b) footnote** corresponding to the entry for the former Yugoslav Republic of Macedonia is deleted;

(3) in Part 3, in the entry for South Africa, the row for the territory ZA-1 is deleted.

ANNEX II

Part 1 of Annex II to Regulation (EU) No 206/2010 is amended as follows:

- in the entry for ZA, the row for the territory ZA-1 is deleted.

COMMISSION IMPLEMENTING REGULATION (EU) 2020/387**of 9 March 2020****amending Regulations (EU) No 321/2013, (EU) No 1302/2014 and (EU) 2016/919 as regards the extension of the area of use and transition phases****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union ⁽¹⁾, and in particular Article 5(11) thereof,

Whereas:

- (1) Pursuant to Article 54(2) and (3) of Directive (EU) 2016/797, vehicles authorised for placing in service prior to 15 June 2016 are to receive a new authorisation for placing on the market in accordance with Article 21 of that Directive before they can be operated on one or more networks which are not already covered by their initial authorisation. Such vehicles are thus required either to conform to the technical specifications for interoperability (TSIs) in force or be entitled not to apply those TSIs pursuant to Article 7(1) of that Directive. At the same time, one of the objectives of Directive (EU) 2016/797 is the streamlining and harmonisation of authorisation procedures at Union level to facilitate the free movement of vehicles. To this end, clause 7.6.1 of the Annex to Commission Regulation (EU) No 321/2013 ⁽²⁾ and clause 7.5.2.3 of the Annex to Commission Regulation (EU) No 1302/2014 ⁽³⁾ call for the development of flexibility provisions with regards to compliance with the TSI requirements. Those provisions are to set out which level of flexibility could be granted in case of extension of the area of use of vehicles placed in service before 15 June 2016, while fulfilling the essential requirements, maintaining the appropriate safety level, and where reasonably practicable, improving it. Those Regulations should therefore be amended accordingly. The provision related to 'extension of area of use' also covers the case of vehicles needing modifications to ensure technical compatibility with the new network(s); in such case, the unchanged parts of the vehicle remain validated under the previous authorisation. Restrictions and limitations of previous authorisation continue to apply. For the same reasons, such clarification should also be provided for Commission Regulation (EU) 2016/919 ⁽⁴⁾.
- (2) There are divergent approaches amongst notified bodies and authorising entities in the rail sector with regards to the application of the different transitional provisions set out in clauses 7.1.1.2 to 7.1.1.8 and clause 7.1.3.1 of the Annex to Regulation (EU) No 1302/2014. Similarly, there are divergent approaches in the rail sector with regards to the validity period of EC type or design examination certificates in case of changes to an existing rolling stock type, as set out in clause 7.2.2.2 of the Annex to Regulation (EU) No 321/2013 and clause 7.1.2.2 of the Annex to Regulation (EU) No 1302/2014. In addition to this, further harmonisation reducing the divergences from the target system are essential to reduce the cost of railways and ensure their interoperability and competitiveness. The provisions listed above should thus be amended to avoid divergent application of those transition provisions and validity periods of certificates, while future transition periods should focus on specific requirements with high impact on ongoing projects instead of providing generic exemptions, in a way that will lead to timely reduction of the divergences from the target system while providing the predictability and legal certainty necessary to the sector. This should be achieved in the framework of the Digital rail and Green freight TSI revision package (2022 revision) for which the Commission sent a request to the European Union Agency for Railways on 24 January 2020.

⁽¹⁾ OJ L 138, 26.5.2016, p. 44.

⁽²⁾ Commission Regulation (EU) No 321/2013 of 13 March 2013 concerning the technical specification for interoperability relating to the subsystem 'rolling stock – freight wagons' of the rail system in the European Union and repealing Decision 2006/861/EC (OJ L 104, 12.4.2013, p. 1).

⁽³⁾ Commission Regulation (EU) No 1302/2014 of 18 November 2014 concerning a technical specification for interoperability relating to the 'rolling stock – locomotives and passenger rolling stock' subsystem of the rail system in the European Union (OJ L 356, 12.12.2014, p. 228).

⁽⁴⁾ Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union (OJ L 158, 15.6.2016, p. 1).

- (3) Furthermore, Member States and the sector have identified some technical and editorial errors in some of these regulations, and the Slovak Republic has identified that the general specific case set out in section 7.3.2.1 of the Annex to Commission Regulations (EU) No 321/2013 (WAG TSI) should also apply to its 1 520 mm track gauge network. These errors should be corrected.
- (4) Under Decision (EU) 2017/1474, TSIs should indicate whether it is necessary to re-notify the conformity assessment bodies that were notified on the basis of a previous version of the TSI and whether a simplified notification process should be applied. This Regulation brings about limited changes and it should not be necessary to re-notify bodies notified on the basis of a previous version of the TSIs.
- (5) This Regulation amends TSIs so as to further achieve interoperability within the Union rail system, improve and develop international rail transport, contribute to the progressive creation of the internal market and complement TSIs in view of covering essential requirements. It enables to achieve the objectives and to meet the essential requirements of Directive 2008/57/EC of the European Parliament and of the Council ^(*) and Directive (EU) 2016/797. Therefore this Regulation should be directly applicable in all Member States including Member States which have notified the Agency and the Commission under Article 57(2) of Directive (EU) 2016/797 that they have extended the transposition period and thus continue to apply Directive 2008/57/EC until 15 June 2020 at the latest. Notified Bodies exercising under Directive 2008/57/EC in the Member States that have extended the transposition period should be able to issue 'EC' certificate in accordance with this Regulation as long as Directive 2008/57/EC applies in the Member State where they are established.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 51(1) of Directive (EU) 2016/797,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to WAG TSI

Regulation (EU) No 321/2013 is amended as follows:

- (1) in Article 3, point (d) is added as follows:
'(d) when the area of use is extended in accordance with art. 54(3) of Directive (EU) 2016/797, provisions in Section 7.2.2.4 of the Annex to this Regulation shall apply;'
- (2) the Annex is amended in accordance with Annex I to this Regulation.

Article 2

Amendments to LOC&PAS TSI

Regulation (EU) No 1302/2014 is amended as follows:

- (1) in Article 3, paragraph 2 is replaced as follows:
'2. The TSI shall not apply to existing rolling stock of the rail system in the Union which is already placed in service on all or part of the network of any Member State on 1 January 2015, except when
 - (a) it is subject to renewal or upgrading in accordance with Section 7.1.2 of the Annex to this Regulation; or
 - (b) the area of use is extended in accordance with Article 54(3) of Directive (EU) 2016/797, in which case the provisions in Section 7.1.4 of the Annex to this Regulation shall apply;'
- (2) in the second subparagraph of Article 11(1), the introductory phrase is replaced by the following:
'They shall however continue to apply, without prejudice to clauses 7.1.1.4 to 7.1.1.8 of the Annex, to;'
- (3) the Annex is amended in accordance with Annex II to this Regulation.

^(*) Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (OJ L 191, 18.7.2008, p. 1).

*Article 3***Amendments to CCS TSI**

Regulation (EU) 2016/919 is amended as follows:

(1) in Article 2, paragraph 2 is replaced as follows:

‘2. The TSI shall not apply to existing “trackside control-command and signalling” and “on-board control-command and signalling” subsystems of the rail system already placed in service on all or part of any Member State’s railway network on the day this Regulation enters into force, except when

(a) the subsystem is subject to renewal or upgrading in accordance with Section 7 of the Annex to this Regulation; or

(b) the area of use is extended in accordance with Article 54(3) of Directive (EU) 2016/797, in which case the provisions of Section 7.4.2.4 of the Annex to this Regulation shall apply.’

(2) the Annex is amended in accordance with Annex III to this Regulation.

*Article 4***Conformity assessment bodies**

1. Notifications of conformity assessment bodies for the purposes of Regulations (EU) No 321/2013, (EU) No 1302/2014 and (EU) 2016/919 shall remain valid on the basis of those Regulations, as amended by the present Regulation.

2. Conformity assessment bodies notified in accordance with Directive 2008/57/EC may issue ‘EC’ certificate of verification and ‘EC’ certificate of conformity or suitability for use of interoperability constituents in accordance with this Regulation as long as Directive 2008/57/EC applies in the Member State where they are established in accordance with Article 57(2) of Directive (EU) 2016/797 and until 15 June 2020 at the latest.

*Article 5***Entry into force**

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

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

Done at Brussels, 9 March 2020.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX I

The Annex to Regulation (EU) No 321/2013 is amended as follows:

- (1) in clause 4.2.2.2, the title 'Strength of unit' is added;
- (2) in clause 6.1.2.2, the following paragraph is added between the first and the second paragraphs:

'Alternative demonstration of conformity is allowed in accordance with point 6.1.2.4a.';

- (3) in clause 6.1.2.3, the following paragraph is added before point (b):

'Alternative demonstration of conformity is allowed in accordance with point 6.1.2.4a.';

- (4) in clause 6.1.2.4, the following paragraph is added at the end of the clause:

'Alternative demonstration of conformity is allowed in accordance with point 6.1.2.4a.';

- (5) the following clause 6.1.2.4a is added between clause 6.1.2.4 and clause 6.1.2.5:

'Where the EN standards referred to in points 6.1.2.2, 6.1.2.3 and 6.1.2.4 do not cover the proposed technical solution, it is permitted to use other standards to demonstrate conformity of the mechanical behaviour of the wheelset assembly, the mechanical characteristics of the wheels and the mechanical resistance and fatigue characteristics of the axle respectively; in that case the notified body shall verify that the alternative standards form part of a technically consistent set of standards applicable to the design, construction and testing of the wheelsets, containing specific requirements for wheelset, wheels and axles covering:

- wheelset assembly,
- mechanical resistance,
- fatigue characteristics,
- permissible stress limits,
- thermomechanical characteristics.

Only standards that are publicly available can be referred to in the demonstration required above. The verification carried out by the notified body shall ensure the consistency between the methodology of the alternative standards, the assumptions taken by the applicant, the intended technical solution and the intended area of use.';

- (6) in clause 7.2.2.2, the three paragraphs directly following Table 11a are replaced by the following:

'In order to establish the EC type or design examination certificate, the notified body selected by the entity managing the change may refer to:

- the original EC type or design examination certificate for parts of the design that are unchanged or those that are changed but do not affect the conformity of the subsystem, as far as it is still valid (during 10 years phase B period),
- additional EC type or design examination certificate (amending the original certificate) for modified parts of the design that affect the conformity of the subsystem with the latest revision of this TSI in force at that time.

The validity period of the EC type or design examination certificate for the modified type, type variant or type version shall be limited to 10 years from the date of issuing, without exceeding 14 years after the date of appointment of a notified body by the applicant for the initial rolling stock type (beginning of phase A of the original EC type or design examination certificate).';

- (7) in clause 7.2.2.2, the row '4.2.4.3.2.1 Service brake' of table 11a is replaced by the following:

'4.2.4.3.2.1 Service brake'	Stopping distance	Change of stopping distance of more than $\pm 10\%$ Note: Brake weight percentage (also called "lambda" or "braked mass percentage") or braked mass may also be used, and can be derived (directly or via stopping distance) from deceleration profiles by a calculation. The allowed change is the same ($\pm 10\%$)	N/A
	Maximum deceleration for the load condition "design mass under normal payload" at the maximum design speed	Change of more than $\pm 10\%$ on the maximum average brake deceleration	N/A'

- (8) in clause 7.2.2.3, the first paragraph is replaced by the following:

'The following rules apply, in addition to clause 7.2.2.2, to existing units with a first authorisation for placing in service before 1 January 2015, where the scope of the change has an impact on basic parameters not covered by the EC declaration';

- (9) in clause 7.2.2.3, the third paragraph is replaced by the following:

'The particular rule set out in the above paragraph is not applicable in changes impacting the basic parameters and classified as 21(12)a set out in table 11b. For those changes, compliance with the TSI requirements is mandatory';

- (10) the following clause 7.2.2.4 is added:

'7.2.2.4. Rules for the extension of the area of use for existing units having an authorisation in accordance with Directive 2008/57/EC or in operation before 19 July 2010

- (1) In the absence of full conformity with this TSI, point 2 applies to units that fulfil the following conditions when requesting an extension of their area of use in accordance with Article 21(13) of Directive (EU) 2016/797:

1. they have been authorised in accordance with Directive 2008/57/EC or put in operation before 19 July 2010;
2. they are registered with "Valid" registration code "00", in the National Vehicle Register in accordance with Commission Decision 2007/756/EC (*) or in the European Vehicle Register in accordance with Commission Implementing Decision (EU) 2018/1614 (**) and maintained in a safe state of running in accordance with Commission Implementing Regulation (EU) 2019/779 (***).

The following provisions for extension of area of use apply also in combination with a new authorisation as defined in point (a) of Article 14(3) of Regulation (EU) 2018/545.

- (2) Authorisation for an extended area of use of the units referred to in point 1 shall be based on the existing authorisation, if any, the technical compatibility between the unit and the network in accordance with point (d) of Article 21(3) of Directive (EU) 2016/797 and compliance with the Basic Design Characteristics of Table 11a of this TSI, taking into account any restrictions or limitations.

The applicant shall provide an "EC declaration of verification" accompanied by technical files giving evidence of compliance with the requirements set out in this TSI, or with provisions having equivalent effect, for each basic parameter referred to in column 1 of Table 11a of this TSI, through one or a combination of the following:

- (a) compliance with requirements of this TSI as referred above;
- (b) compliance with corresponding requirements set out in a previous TSI as referred above;

- (c) compliance with alternative specifications deemed to have equivalent effect to the relevant requirements set out in this TSI as referred above;
 - (d) evidence that the requirements for technical compatibility with the network of the extended area of use are equivalent to the requirements for technical compatibility with the network for which the unit is already authorised or in operation. Such evidence shall be provided by the applicant and may be based on the information in the register of railway infrastructure (RINF).
- (3) The equivalent effect of alternative specifications to the requirements of this TSI (point 2(c)) and the equivalence of requirements for technical compatibility with the network (point 2(d)) shall be justified and documented by the Applicant by applying the risk management process set out in Annex I of Regulation (EU) No 402/2013. The applicant shall provide a positive assessment by an assessment body (CSM RA).
- (4) In addition to the requirements referred to in point 2 and where applicable, the applicant shall provide an “EC declaration of verification” accompanied by technical files giving evidence of compliance with the following:
- (a) specific cases relating to any part of the extended area of use, listed in this TSI, the TSI Noise (Regulation (EU) No 1304/2014) and CCS TSI (Regulation (EU) 2016/919);
 - (b) the national rules referred to in points (a), (c) and (d) of Article 13(2) of Directive (EU) 2016/797 as notified in accordance with Article 14 of that Directive.
- (5) The authorising entity shall make publicly available through the Agency website details of the alternative specifications referred to in point 2(c) and of the requirements for technical compatibility with the network referred to in point 2(d) on the basis of which it granted authorisations for the extended area of use.
- (6) Where an authorised vehicle benefited from non-application of TSIs or part of them pursuant to Article 9 of Directive 2008/57/EC, the applicant shall seek derogation(s) in the Member States of the extended area of use in accordance to Article 7 of Directive (EU) 2016/797.
- (7) In accordance with Article 54(2) of Directive (EU) 2016/797, wagons used under Regolamento Internazionale Veicoli (RIV) shall be deemed authorised in accordance with the conditions under which they were used, including the area of use where they are operated. Following a change which requires a new authorisation for placing on the market in accordance with Article 21(12) of Directive (EU) 2016/797, wagons accepted under the latest RIV agreement shall conserve the area of use in which they were operating without further checks on the unchanged parts.

- (*) Commission Decision 2007/756/EC of 9 November 2007 adopting a common specification of the national vehicle register provided for under Articles 14(4) and (5) of Directives 96/48/EC and 2001/16/EC (OJ L 305, 23.11.2007, p. 30).
- (**) Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797 of the European Parliament and of the Council and amending and repealing Commission Decision 2007/756/EC (OJ L 268, 26.10.2018, p. 53).
- (***) Commission Implementing Regulation (EU) 2019/779 of 16 May 2019 laying down detailed provisions on a system of certification of entities in charge of maintenance of vehicles pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 445/2011 (OJ L 139I, 27.5.2019, p. 360).;

(11) in clause 7.3.2.1, the first sentence is replaced by the following:

‘Units running between a Member State and a third country with a network with 1520 mm track gauge: Specific case Finland, Poland, Slovak Republic and Sweden.’;

(12) in clause 7.3.2.2(a), the last paragraph is replaced by the following:

‘Units mutually recognised in accordance with point 7.1.2 and units equipped with on-board axle bearing condition monitoring equipment are exempted from this specific case. The exemption of units in accordance with point 7.1.2 is not applicable when using other conformity assessment methods in accordance with point 6.1.2.4a.’;

(13) in clause 7.3.2.5, the title is replaced by the following:

‘7.3.2.5. Characteristics of wheelsets, wheels and axles (points 4.2.3.6.2 and 4.2.3.6.3)
Specific case UK for Great Britain’;

(14) Clause 7.6.1, ‘Rules for extension of area of use for existing rolling stock not covered by an EC declaration of verification’ is replaced by:

‘7.6.1. *Rules for implementation*

On 24 January 2020 the Commission sent a request to the European Union Agency for Railways for the preparation of the Digital rail and Green freight TSI revision package (2022 revision).

Pursuant to Commission Delegated Decision (EU) 2017/1474, the Digital rail and Green freight TSI revision package shall include provisions reviewing and if possible simplifying the strategy for the application of the TSIs in a way ensuring a gradual, but timely reduction of the divergences from the target system while providing the predictability and legal certainty necessary to the sector. These provision shall cover future transition periods as well as the issue of the validity period of the certificates for interoperability constituents and subsystems.

Furthermore, with the same objective of ensuring a gradual, but timely reduction of the divergences from the target system while providing the predictability and legal certainty necessary to the sector, provisions providing flexibility in the application of updated versions of standards shall be considered, including for those introduced in Annex I (WAG 2019 TSI) to Commission Implementing Regulation (EU) 2019/776 (*).

(*) Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 amending Commission Regulations (EU) No 321/2013, (EU) No 1299/2014, (EU) No 1301/2014, (EU) No 1302/2014, (EU) No 1303/2014 and (EU) 2016/919 and Commission Implementing Decision 2011/665/EU as regards the alignment with Directive (EU) 2016/797 of the European Parliament and of the Council and the implementation of specific objectives set out in Commission Delegated Decision (EU) 2017/1474 (OJ L 139 I, 27.5.2019, p. 108);

(15) in Appendix C, ‘Additional optional conditions’, the following point is added at the end of the Appendix:

‘20. **Running dynamic behaviour**

The combination of maximum operating speed and maximum admissible cant deficiency shall be as shown in Table H.1 of EN 14363:2016.

Units equipped with established running gear as described in chapter 6 of EN 16235:2013 are presumed to be in conformity with this requirement.’

ANNEX II

The Annex to Regulation (EU) No 1302/2014 is amended as follows:

- (1) in clause 4.2.2.5, point (5) the text ‘index 8, Table 1 section 5’ is replaced by ‘index 8, Table 1 section 4’;
- (2) in clause 4.2.2.5, point (6), the text ‘index 8, Table 3 of section 5’ is replaced by ‘index 8, Table 2 of section 5’;
- (3) in clause 4.2.2.5, point (7) is replaced by the following:

‘(7) Within the scope of the present TSI, the “collision speed” and “collision partner” when scenarios 1 and 2 are applied to locomotives fitted with automatic end centre buffer couplers and capable of a traction effort at coupling higher than 300 kN described in Table 2 of the specification referenced in appendix J-1, index 8 shall be:

 - 20 km/h instead of 36 km/h for scenarios 1 and 2; and
 - the reference wagon described in appendix D instead of reference wagon described in annex C.1 of the specification referenced in appendix J-1, index 8 for scenario 2.

Note: such high traction effort is required for heavy haul freight locomotives.’;

- (4) in clause 6.2.3.7, the following sentence is added at the end of point (7):

‘The verification carried out by the notified body shall ensure the consistency between the methodology of the alternative standards, the assumptions taken by the applicant, the intended technical solution and the intended area of use.’;
- (5) in clause 7.1.2.2, point (11) is replaced by the following:

‘(11) In order to establish the EC type or design examination certificate, the notified body selected by the entity managing the change may refer to:

 - the original EC type or design examination certificate for parts of the design that are unchanged or those that are changed but do not affect the conformity of the subsystem, as far as it is still valid (during 7 years phase B period);
 - additional EC type or design examination certificate (amending the original certificate) for modified parts of the design that affect the conformity of the subsystem with the latest revision of this TSI in force at that time.

The validity period of the EC type or design examination certificate for the modified type, type variant or type version shall be limited to 7 years from the date of issuing, without exceeding 14 years after the date of appointment of a notified body by the applicant for the initial rolling stock type (beginning of phase A of the original EC type or design examination certificate).’;

- (6) in clause 7.1.3.1, point (4) is replaced by the following:

‘(4) The TSI assessment basis for a type is defined for a phase A period, with a duration of maximum seven years. Without prejudice to clauses 7.1.1.4 to 7.1.1.8, during the phase A period the assessment basis for EC verification to be used by the notified body shall not change.’;
- (7) the following clause 7.1.4 is added:

‘7.1.4. *Rules for the extension of the area of use for existing rolling stock having an authorisation in accordance with Directive 2008/57/EC or in operation before 19 July 2010*

 - (1) In the absence of full conformity with this TSI, point 2 applies to rolling stock that fulfils the following conditions when requesting the extension of its area of use in accordance with Article 21(13) of Directive (EU) 2016/797:
 - (a) it has been authorised in accordance with Directive 2008/57/EC or put in operation before 19 July 2010;
 - (b) it is registered with “Valid” registration code “00”, in the National Vehicle Register in accordance with Commission Decision 2007/756/EC (*) or in the European Vehicle Register in accordance with Commission Implementing Decision (EU) 2018/1614 (**) and maintained in a safe state of running in accordance with Commission Implementing Regulation (EU) 2019/779 (***).

The following provisions for extension of area of use apply also in combination with a new authorisation as defined in point (a) of Article 14(3) of Regulation (EU) 2018/545.

- (2) Authorisation for an extended area of use of the rolling stock referred to in point 1 shall be based on the existing authorisation, if any, and on the technical compatibility between the rolling stock and the network in accordance with point (d) of Article 21(3) of Directive (EU) 2016/797 and compliance with the Basic Design Characteristics of Table 17a and 17b of this TSI, taking into account any restrictions or limitations.

The applicant shall provide an “EC declaration of verification” accompanied by technical files giving evidence of compliance with the requirements set out in this TSI, or with provisions having equivalent effect, for each basic parameter referred to in column 1 of Tables 17a and 17b and with the following clauses of this TSI:

- 4.2.4.2.2, 4.2.5.5.8, 4.2.5.5.9, 4.2.6.2.3, 4.2.6.2.4, 4.2.6.2.5, 4.2.8.2.7, 4.2.8.2.9.8 (when running through phase or system separation sections is managed automatically), 4.2.9.3.1, 4.2.9.6, 4.2.12 and 4.2.12.6
- 4.2.5.3 in Italy
- 4.2.5.3.5 and 4.2.9.2.1 in Germany

through one or a combination of the following:

- (a) compliance with requirements set out in this TSI as referred above;
 - (b) compliance with corresponding requirements set out in a previous TSI as referred above;
 - (c) compliance with alternative specifications deemed to have equivalent effect to the relevant requirements set out in this TSI as referred above;
 - (d) evidence that the requirements for technical compatibility with the network of the extended area of use are equivalent to the requirements for technical compatibility with the network for which the rolling stock is already authorised or in operation. Such evidence shall be provided by the applicant and may be based on the information of the register of railway infrastructure (RINF).
- (3) The equivalent effect of alternative specifications to the requirements of this TSI (point 2(c)) and the equivalence of requirements for technical compatibility with the network (point 2(d)) shall be justified and documented by the applicant by applying the risk management process set out in Annex I of Regulation (EU) No 402/2013. The justification has to be assessed and confirmed by an assessment body (CSM RA).
- (4) In addition to the requirements mentioned referred to in point 2 and where applicable, the applicant shall provide an “EC declaration of verification” accompanied by technical files giving evidence of compliance with the following:
- (a) specific cases relating to any part of the extended area of use, listed in this TSI, the TSI Noise (Regulation (EU) No 1304/2014), the TSI PRM (Regulation (EU) No 1300/2014) and CCS TSI (Regulation (EU) 2016/919);
 - (b) the national rules referred to in points (a), (c) and (d) of Article 13(2) of Directive (EU) 2016/797 as notified in accordance with Article 14 of that Directive.
- (5) The authorising entity shall make publicly available through the Agency website details of the alternative specifications referred to in point 2(c) and of the requirements for technical compatibility with the network referred to in point 2(d) on the basis of which it granted authorisations for the extended area of use.
- (6) Where an authorised vehicle benefited from non-application of TSIs or part of them pursuant to Article 9 of Directive 2008/57/EC, the applicant shall seek derogation(s) in the Member States of the extended area of use in accordance to Article 7 of Directive (EU) 2016/797.

- (7) In accordance with Article 54(2) of Directive (EU) 2016/797, coaches used under Regolamento Internazionale Carrozze (RIC) shall be deemed authorised in accordance with the conditions under which they were used, including the area of use where they are operated. Following a change which requires a new authorisation for placing on the market in accordance with Article 21(12) of Directive (EU) 2016/797, coaches accepted under the latest RIC agreement shall conserve the area of use in which they were operating without further checks on the unchanged parts.

- (*) Commission Decision 2007/756/EC of 9 November 2007 adopting a common specification of the national vehicle register provided for under Articles 14(4) and (5) of Directives 96/48/EC and 2001/16/EC (OJ L 305, 23.11.2007, p. 30).
- (**) Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797 of the European Parliament and of the Council and amending and repealing Commission Decision 2007/756/EC (OJ L 268, 26.10.2018, p. 53).
- (***) Commission Implementing Regulation (EU) 2019/779 of 16 May 2019 laying down detailed provisions on a system of certification of entities in charge of maintenance of vehicles pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 445/2011 (OJ L 139 I, 27.5.2019, p. 360).'

- (8) Clause 7.5.2.3 'Rules for extension of area of use for existing rolling stock not covered by an EC declaration of verification' is replaced by:

'7.5.2.3. Rules for implementation

On 24 January 2020 the Commission sent a request to the European Union Agency for Railways for the preparation of the Digital rail and Green freight TSI revision package (2022 revision).

Pursuant to Commission Delegated Decision (EU) 2017/1474, the Digital rail and Green freight TSI revision package shall include provisions reviewing and if possible simplifying the strategy for the application of the TSIs in a way ensuring a gradual, but timely reduction of the divergences from the target system while providing the predictability and legal certainty necessary to the sector. These provision shall cover future transition periods as well as the issue of the validity period of the certificates for interoperability constituents and subsystems.

Furthermore, with the same objective of ensuring a gradual, but timely reduction of the divergences from the target system while providing the predictability and legal certainty necessary to the sector, provisions providing flexibility in the application of updated versions of standards shall be considered, including for those introduced in Annex IV (LOC&PAS 2019 TSI) to Commission Implementing Regulation (EU) 2019/776 (*).

- (*) Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 amending Commission Regulations (EU) No 321/2013, (EU) No 1299/2014, (EU) No 1301/2014, (EU) No 1302/2014, (EU) No 1303/2014 and (EU) 2016/919 and Commission Implementing Decision 2011/665/EU as regards the alignment with Directive (EU) 2016/797 of the European Parliament and of the Council and the implementation of specific objectives set out in Commission Delegated Decision (EU) 2017/1474 (OJ L 139 I, 27.5.2019, p.108).';

- (9) Appendix D is replaced by the following:

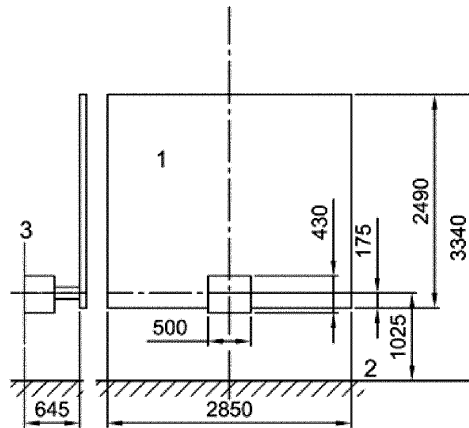
'Appendix D

Reference wagon for locomotives fitted with automatic end centre buffer couplers and capable of a traction effort at coupling higher than 300 kN

For collisions between a train unit and a wagon fitted both with heavy duty couplers, the wagon shall be represented by a mass of 80 t which has only one degree of freedom in the translational x direction. The wagon interface geometry is shown in Figure D.1. The end wall and coupler head geometry shall be assumed to be rigid. It shall be equipped with a centre coupler with a stroke of 110 mm and the force-displacement characteristic indicated in Figure D.2. The total energy absorption capacity of the wagon coupler is 77 kJ.

The coupler head geometry and height above top of rail shall be the same as that of the impacting train unit. The longitudinal distance of the coupler plane to the end wall of the wagon shall be 645 mm. For simplification it is allowed to model the coupler heads using the geometry and height given in Figure D.1.

Dimensions in millimetres

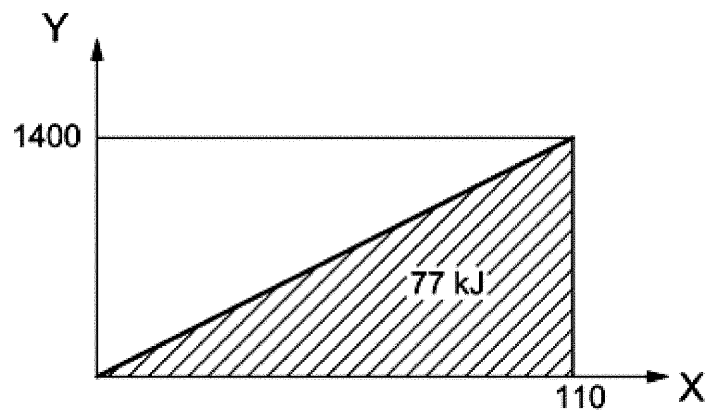


Key

- 1. wagon end
- 2. top of rail
- 3. coupler plane

Figure D.1

Wagon interface with centre coupler



Key:

- Y coupler force – coupler, in kN
- X displacement, in mm

Figure D.2

Wagon coupler characteristic;

(10) in Appendix J-1, Index No 8 of the table is replaced by the following:

‘8	Passive safety – general	4.2.2.5	EN 15227:2008+A1:2010	relevant cl. (‘)
	Passive safety – categorisation			Except Annex A
	Passive safety – scenarios			4-table 1
	Passive safety – obstacle deflector			5-table 2, 6.
				6,5’

(11) in Appendix J-1, Index No 10 of the table is replaced by the following:

'10	Lifting and jacking – marking	4.2.2.6	EN 15877-2:2013	4.5.19'
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(12) in Appendix J-1, Index No 36 of the table is replaced by the following:

'36	Environmental conditions – obstacle deflector	4.2.6.1.2	EN 15227:2008 +A1:2010	relevant cl. (1)
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(13) in Appendix J-2, Index No 2 of the table is deleted.

ANNEX III

In the Annex to Regulation (EU) 2016/919, the following clause 7.4.2.4 is added:

‘7.4.2.4 Rules for the extension of the area of use for existing vehicle

The following rules apply to existing vehicles in operation and registered in the National Vehicle Register in accordance with Commission Decision 2007/756/EC (*), or in the European Vehicle Register in accordance with Commission Implementing Decision (EU) 2018/1614 (**), when requesting an extension of the area of use:

- (1) Vehicles shall comply with relevant special provisions applicable in the specific cases referred to in clause 7.6 of this Annex and with relevant national rules referred to in points (a), (c) and (d) of Article 13(2) of Directive (EU) 2016/797 notified in accordance with Article 14 of that Directive. In addition, in cases of partial fulfilment of the requirements in this TSI, provisions in point 6.1.1.3(3) shall apply.
- (2) Vehicles already equipped with ETCS or GSM-R do not need to be upgraded, except where required for technical compatibility.
- (3) Vehicles that are not already equipped with ETCS shall install ETCS and comply with sets of specifications #2 or #3 referred to in Tables A 2.2 and A 2.3 of Annex A. Except where required for technical compatibility, the requirement to be equipped with ETCS shall not apply to:
 - (a) vehicles not specially designed for operation on high-speed lines (***), if authorised before 1 January 2015 ;
 - (b) vehicles not specially designed for operation on high-speed lines, authorised as of 1 January 2015, in either of the following situations:
 - (i) if they are intended exclusively for operations in one Member State outside the corridors specified in Annex I to Implementing Regulation (EU) 2017/6 and outside the lines ensuring the connections to the main European ports, marshalling yards, freight terminals and freight transport areas as referred to in Annex II to Regulation (EU) No 1315/2013;
 - (ii) if they are intended for off-TEN cross-border service, namely service until the first station in the neighbouring country or to the first station where there are connections further in the neighbouring country utilising only lines outside of the TEN;
 - (c) vehicles in Member States applying Article 7.4.3(2), where the area of the use following the Extension of Area of Use is exclusively within the same Member State, except when the area of use following the Extension of Area of Use includes more than 150 km of a section equipped with ETCS at the time of the Extension of Area of Use or to be equipped with ETCS within 5 years after the Extension of the Area of Use of those vehicles;
 - (d) mobile railway infrastructure construction and maintenance equipment;
 - (e) shunting locomotives.
- (4) Vehicles that are not yet equipped with GSM-R voice radio shall install GSM-R voice cab radio and comply with the specifications referred to in Tables A 2.1, A 2.2 and A 2.3 of Annex A when the vehicle is intended for use on a network including at least one point equipped with GSM-R, except if superimposed to a legacy radio communication system compatible with the class B already installed in the vehicle.
- (5) Vehicles that are not yet equipped with GSM-R for ETCS data shall install GSM-R ETCS Data only Radio and comply with the specifications referred to in Tables A 2.1, A 2.2 and A 2.3 of Annex A when the vehicle is required to install ETCS in accordance with point 3 and it is intended to operate in a network in the extended area of use that is equipped with only ETCS Level 2 or 3.
- (6) Where an authorised vehicle benefited from non-application of TSIs or part of them pursuant to Article 9 of Directive 2008/57/EC, the applicant shall seek derogation(s) in the Member States of the extended area of use in accordance to Article 7 of Directive (EU) 2016/797.

(*) Commission Decision 2007/756/EC of 9 November 2007 adopting a common specification of the national vehicle register provided for under Articles 14(4) and (5) of Directives 96/48/EC and 2001/16/EC (OJ L 305, 23.11.2007, p. 30).

(**) Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797 of the European Parliament and of the Council and amending and repealing Commission Decision 2007/756/EC (OJ L 268, 26.10.2018, p. 53).

(***) As set out in Annex I of Directive (EU) 2016/797.

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2020/388

of 6 March 2020

laying down rules for the application of Council Directive 90/428/EEC as regards the derogations from the rules of equestrian competitions and amending Commission Decision 2009/712/EC as regards references to zootechnical legislation

(notified under document C(2020) 1269)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 90/428/EEC of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Article 3 of Directive 90/428/EEC provides that the rules of competition may not discriminate equidae registered or originating in the Member State in which the competition is being held and equidae registered or originating in another Member State.
- (2) Article 4(2) of Directive 90/428/EEC provides for two derogations from the obligations of non-discrimination set out in Article 3 of that Directive. The first exempts certain types of competitions and events, the second allows Member States to reserve a certain percentage of the prize money and profits accruing from the competition for the safeguard, development and improvement of breeding. Where a Member State intends to use the first derogation, it must inform beforehand the Member States and the public of its intention and of the justification for using that derogation. Where a Member State intends to use the second derogation, it must make the criteria for the distribution of those funds available to the other Member States and the public.
- (3) Commission Decision 2009/712/EC ⁽²⁾ contains model forms for providing the information required to use the derogations provided for in Article 4(2) of Directive 90/428/EEC. This Decision is repealed from 21 April 2021 by Commission Delegated Regulation (EU) 2019/2035 ⁽³⁾. Practice has shown that the information provided by Member States is frequently outdated and, in many cases, language constraints prevent authorities and the public in other Member States from accessing its content. The lack of transparency in applying the derogations has caused complaints of affected individuals and entire segments of the equestrian community. In order to ensure that Member States and the public are informed correctly and timely of the use of the derogations provided for in Article 4(2) of Directive 90/428/EEC, it is necessary to provide for revised models of the internet-based information pages and to require that Member States update the information provided pursuant to Article 4(2) of Directive 90/428/EEC at minimum intervals.

⁽¹⁾ OJ L 224, 18.8.1990, p. 60.

⁽²⁾ Commission Decision 2009/712/EC of 18 September 2009 implementing Council Directive 2008/73/EC as regards internet-based information pages containing lists of establishments and laboratories approved by Member States in accordance with Community veterinary and zootechnical legislation (OJ L 247, 19.9.2009, p. 13).

⁽³⁾ Commission Delegated Regulation (EU) 2019/2035 of 28 June 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs (OJ L 314, 5.12.2019, p. 115).

- (4) For the sake of clarity, legal certainty and simplification, it is necessary to delete the models of the internet-based information pages set out in Sections II and III of Chapter 2 of Annex II to Decision 2009/712/EC.
- (5) Chapter 2 of Annex I to Decision 2009/712/EC lists Council Directives 77/504/EEC ⁽⁴⁾ (replaced by Council Directive 2009/157/EC ⁽⁵⁾), 88/661/EEC ⁽⁶⁾, 89/361/EEC ⁽⁷⁾ and 90/427/EEC ⁽⁸⁾, as well as Directive 90/428/EEC. Directives 2009/157/EC, 88/661/EEC, 89/361/EEC and 90/427/EEC have been repealed by Regulation (EU) 2016/1012 of the European Parliament and of the Council ⁽⁹⁾ on 1 November 2018. For the sake of clarity, legal certainty and simplification, references to those Directives should be deleted. Since this Decision establishes new models for the internet-based information pages concerning the use of the derogations provided for in Article 4(2) of Decision 2009/712/EC, the reference to Directive 90/428/EEC should also be deleted. Chapter 2 of Annex I should therefore be deleted.
- (6) Regulation (EU) 2016/1012 provides that Member States are to draw up and keep up-to-date a list of breed societies and breeding operations that their competent authorities have recognised in accordance with Article 4(3) of that Regulation and which implement at least one breeding programme approved in accordance with Article 8(3) of that Regulation. Moreover, Regulation (EU) 2016/1012 provides that Member States are to make that list available to the public.
- (7) Commission Implementing Regulation (EU) 2017/716 ⁽¹⁰⁾ lays down the model forms for the presentation of the information to be included in the lists of recognised breed societies and breeding operations provided for in Article 7 of Regulation (EU) 2016/1012. Since Implementing Regulation (EU) 2017/716 applies from 1 November 2018, the model forms set out in that Regulation are to be used instead of those set out in Section I of Chapter 2 of Annex II to Decision 2009/712/EC.
- (8) Chapter 2 of Annex II to Decision 2009/712/EC should be deleted as the models set out in Sections I, II and III thereof are replaced by the model forms set out in Implementing Regulation (EU) 2017/716 and in this Decision respectively.
- (9) Decision 2009/712/EC refers to zootechnical legislation in its title and to establishments in the zootechnical field in Article 1(1)(b). Since such references are obsolete following the entry into force of Regulations (EU) 2016/1012 and (EU) No 2017/716, the words 'and zootechnical' in the title of Decision 2009/712/EC and point (b) of Article 1(1) of that Decision should be deleted.
- (10) Decision 2009/712/EC should therefore be amended accordingly.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Zootechnics,

HAS ADOPTED THIS DECISION:

Article 1

1. By 1 April 2020 at the latest, Member States shall establish internet-based information pages in order to make electronically available to the other Member States and to the public:

- (a) their intention to avail themselves of the derogation provided for in the first indent of Article 4(2) of Directive 90/428/EEC, and the justification thereof;

⁽⁴⁾ Council Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species (OJ L 206, 12.8.1977, p. 8).

⁽⁵⁾ Council Directive 2009/157/EC of 30 November 2009 on pure-bred breeding animals of the bovine species (OJ L 323, 10.12.2009, p. 1).

⁽⁶⁾ Council Directive 88/661/EEC of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species (OJ L 382, 31.12.1988, p. 36).

⁽⁷⁾ Council Directive 89/361/EEC of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6.6.1989, p. 30).

⁽⁸⁾ Council Directive 90/427/EEC of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p. 55).

⁽⁹⁾ Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') (OJ L 171, 29.6.2016, p. 66).

⁽¹⁰⁾ Commission Implementing Regulation (EU) 2017/716 of 10 April 2017 laying down rules for the application of Regulation (EU) 2016/1012 of the European Parliament and of the Council with regard to the model forms to be used for the information to be included in the lists of recognised breed societies and breeding operations (OJ L 109, 26.4.2017, p. 1).

- (b) the criteria for the distribution of the funds referred to in the second indent of Article 4(2) of Directive 90/428/EEC.
2. The internet-based information pages referred to in paragraph 1 shall be drawn up in conformity with the models set out in Annexes I and II respectively and with the instructions set out in Annex III.
3. Member States shall communicate the internet address of their internet-based information pages to the Commission.
4. Member States shall ensure that the information referred to in points (a) and (b) of paragraph 1 is updated:
- (a) at least annually, before 31 December, for the equestrian competitions and events falling under the derogation provided for in the first indent of Article 4(2) of Directive 90/428/EEC to be organised in the following year;
- (b) whenever the criteria for the distribution of the funds referred to in the second indent of Article 4(2) of Directive 90/428/EEC are changed.

Article 2

With effect from 1 April 2020, Decision 2009/712/EC is amended as follows:

- (1) in the title of that act, the words 'and zootechnical' are deleted;
- (2) in Article 1(1), point (b) is deleted;
- (3) in Annex I, Chapter 2 is deleted;
- (4) in Annex II, Chapter 2 is deleted.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 6 March 2020.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX I

Equestrian competitions and events falling under the derogation from the principle of non-discrimination laid down in Article 3 of Directive 90/428/EEC

Member State/ Official language	(Insert name of Member State)	Year/ Official language	(insert yyyy when equestrian competition/event will take place)
Equestrian competition or event/Official language	Number of competitions/events falling under the derogation according to first indent of Article 4(2) of Directive 90/428/EEC/Official language	Justification/Official language	

ANNEX II

Criteria for the distribution of funds for the safeguard, development and improvement of breeding

Member State/ Official language <i>(Insert name of Member State)</i>	Version/ Official language <i>(insert dd.mm.yyyy)</i>
Type of equestrian competition or event/ Official language	Criteria laid down for the distribution of funds for the safeguard, development and improvement of breeding (second indent of Article 4(2) of Directive 90/428/EEC)/Official language

ANNEX III

1. The heading of each internet-based information page shall indicate the name of the Member State and either the year concerned for the equestrian events listed in Annex I or the version concerned with the following format dd.mm.yyyy for the list of criteria set out in Annex II.
 2. The heading of each internet-based information page shall be given in the English language and in the official language (s) of the Member State.
 3. The information shall be provided as far as possible in a logical order.
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ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN