

Official Journal of the European Union

L 98



English edition

Legislation

Volume 63

31 March 2020

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2020/463 of 24 March 2020 entering a name in the register of protected designations of origin and protected geographical indications ['Kiwi de Corse' (PGI)]** 1
- ★ **Commission Implementing Regulation (EU) 2020/464 of 26 March 2020 laying down certain rules for the application of Regulation (EU) 2018/848 of the European Parliament and of the Council as regards the documents needed for the retroactive recognition of periods for the purpose of conversion, the production of organic products and information to be provided by Member States ⁽¹⁾** 2
- ★ **Commission Implementing Regulation (EU) 2020/465 of 30 March 2020 on emergency measures in support of fruit and vegetables producer organisations in the Italian regions of Emilia Romagna, Veneto, Trentino Alto-Adige, Lombardia, Piemonte and Friuli Venezia Giulia in view of the damage caused to their production by the Asian brown marmorated stink bug (*Halyomorpha halys*)** 26
- ★ **Commission Implementing Regulation (EU) 2020/466 of 30 March 2020 on temporary measures to contain risks to human, animal and plant health and animal welfare during certain serious disruptions of Member States' control systems due to coronavirus disease (COVID-19) ⁽¹⁾** 30

DECISIONS

- ★ **Commission Implementing Decision (EU) 2020/467 of 25 March 2020 fixing the definitive allocation of Union aid to Member States for school fruit and vegetables and for school milk for the period from 1 August 2020 to 31 July 2021 and amending Implementing Decision C(2019) 2249 final (notified under document C(2020) 1795)** 34

⁽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.

RULES OF PROCEDURE

- ★ **Decision of the Management Board of the European Centre for Disease Prevention and Control of 9 September 2019 on internal rules concerning restrictions of certain rights of data subjects in relation to processing of personal data in the framework of the functioning of the European Centre for Disease Prevention and Control** 38

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

- ★ **Decision No 1/2020 of the EU-Kingdom of Morocco Association Committee of 16 March 2020 concerning the exchange of information between the European Union and the Kingdom of Morocco for the purpose of evaluating the impact of the Agreement in the form of an Exchange of Letters on the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part [2020/468]** 45

Corrigenda

- ★ **Council Implementing Regulation (EU) 2020/398 of 13 March 2020 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 78, 13.3.2020)**..... 48

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/463

of 24 March 2020

entering a name in the register of protected designations of origin and protected geographical indications ['Kiwi de Corse' (PGI)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, France's application to register the name 'Kiwi de Corse' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Kiwi de Corse' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Kiwi de Corse' (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.6. – Fruit, vegetables and cereals, fresh or processed, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*Article 2*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, 24 March 2020.

For the Commission
Janusz WOJCIECHOWSKI
On behalf of the President
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 403, 29.11.2019, p. 74.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION IMPLEMENTING REGULATION (EU) 2020/464**of 26 March 2020****laying down certain rules for the application of Regulation (EU) 2018/848 of the European Parliament and of the Council as regards the documents needed for the retroactive recognition of periods for the purpose of conversion, the production of organic products and information to be provided by Member States****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 ⁽¹⁾, and in particular Article 10(6), Article 14(3), Article 15(3), Article 16(3), Article 17(3) and Article 26(7)(d) thereof,

Whereas:

- (1) Chapter III of Regulation (EU) 2018/848 lays down general production rules for organic products, while detailed production rules are set out in Annex II to that Regulation. In order to ensure harmonised conditions for the implementation of that Regulation, some additional rules should be laid down.
- (2) The conversion to the organic production method requires certain periods of adaptation of all means in use. The required conversion period starts at the earliest after a farmer or an operator that produces algae or aquaculture animals has notified the activity to the competent authorities. As an exception and under certain conditions, a previous period may be retroactively recognised as being part of the conversion period. The documents to be submitted to the competent authorities for the purpose of the retroactive recognition of a previous period should be specified.
- (3) In order to ensure the observance of a high level of animal welfare respecting species-specific needs in organic livestock production, it is necessary to lay down the stocking densities, the minimum surfaces for indoor and outdoor areas and their characteristics, as well as technical requirements and characteristics for buildings and open air areas for bovine animals, ovine animals, caprine animals, equine animals, cervine animals, porcine animals, poultry and rabbits. Additionally, for suckling animals the minimum periods to be complied with for feeding preferably with maternal milk should also be laid down.
- (4) In order to ensure the observance of a high level of animal welfare respecting species-specific needs in organic aquaculture production, it is also necessary to lay down rules per species or per group of species on the stocking densities and the characteristics for production systems and containments systems for aquaculture animals.
- (5) Processed organic products should be produced using processing methods which guarantee that the organic characteristics and qualities of the products are maintained through all stages of organic production. Considering the great number of techniques used in the processing of food products in organic production, establishing an exhaustive list of all the techniques authorised is not possible. Therefore, as a general rule, techniques complying with the principles and relevant production rules as set out in Regulation (EU) 2018/848 should be considered as authorised in the processing of food products in organic production.
- (6) However, for certain techniques used in the processing of specific organic food products, opinions of Member States may diverge on the compliance of a technique with the principles and relevant production rules as set out in Regulation (EU) 2018/848 for producing specific products. For such cases, it is necessary to lay down rules on how such a technique can be assessed and, if confirmed compliant with those principles and production rules, be authorised by the Commission for producing specific food products, where appropriate under certain conditions.

⁽¹⁾ OJ L 150, 14.6.2018, p. 1.

- (7) Ion exchange and adsorption resin techniques may be needed to produce infant formula and follow-on formula and processed cereal-based food and baby food as referred to in points (a) and (b) of Article 1(1) of Regulation (EU) No 609/2013 of the European Parliament and of the Council ⁽²⁾ in order to meet the compositional requirements laid down in that Regulation and in acts adopted on the basis of Article 11(1) of that Regulation for the products concerned, or in products regulated by Commission Directive 2006/125/EC ⁽³⁾. It is necessary to authorise the use of ion exchange and adsorption techniques for these categories of products.
- (8) Similarly as for the techniques authorised for use in the processing of food products, techniques that reconstitute properties that are lost in the processing and storage of organic feed, that correct the results of negligence in the processing of organic feed, or that otherwise may be misleading as to the true nature of products intended to be marketed as organic feed, should not be used.
- (9) Considering the great number of techniques used in the processing of specific feed products in organic production, establishing an exhaustive list of all the techniques authorised is not possible. Therefore, as a general rule, techniques complying with the principles and relevant production rules as set out in Regulation (EU) 2018/848 should be authorised in the processing of feed products in organic production.
- (10) However, for certain techniques used in the processing of specific organic feed products, opinions of Member States may diverge on the compliance of a technique with the principles and relevant production rules as set out in Regulation (EU) 2018/848. For such cases, it is necessary to lay down rules on how such a technique can be assessed and, if confirmed compliant with those principles and relevant production rules, be authorised by the Commission for producing specific feed products, where appropriate under certain conditions.
- (11) Organic plant reproductive material, organic animals and organic aquaculture juveniles should be used in organic production. In order to help organic operators to find information on their availability, each Member State should have in place systems allowing operators that market organic and in-conversion plant reproductive material, organic animals or organic aquaculture juveniles to make information on their supplies publicly available. In particular, detailed information on such species that they are able to supply in sufficient quantities and within a reasonable period should be publicly available. Once a year, Member States should make available to the Commission the synthesis of such information as well as information on derogations granted in case of lack of availability.
- (12) Seedlings are excluded from the collection and exchange of information on organic and in-conversion plant reproductive material. Therefore, to ensure a harmonised approach, it is appropriate to establish a definition of seedlings.
- (13) In order to address the nutritional needs for specific protein compounds of young poultry and porcine animals of up to 35 kg, Member States may authorise the use of non-organic protein feed in poultry and porcine diets under strict conditions and until 31 December 2025. In view of phasing out these respective derogations and for the purposes of Article 53(6)(c) of Regulation (EU) 2018/848, the Commission should monitor their use taking into account the evolution of availability on the market of organic protein feed. For this purpose, a focused questionnaire should be designed by the Commission and Member States should annually submit to the Commission the filled in questionnaire summarising the relevant information collected on the availability of organic protein feed and the authorisations granted to use non-organic protein feed to poultry and porcine animals producers.

⁽²⁾ Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (OJ L 181, 29.6.2013, p. 35).

⁽³⁾ Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children (OJ L 339, 6.12.2006, p. 16).

- (14) Member States may also set up a similar system of information on availability in relation to breeds and strains adapted to organic production or organic pullets. Considering the possible phasing out of derogations for the use of non-organic animals or pullets, it is important to collect data on the availability of organically reared breeds and strains specifically selected in the respect of organic principles and objectives. Therefore, it is necessary to lay down details for harmonised data to be reported by Member States to the Commission and to the other Member States.
- (15) Operators that have been producing livestock in accordance with Council Regulation (EC) No 834/2007 ⁽⁴⁾ and Commission Regulation (EC) No 889/2008 ⁽⁵⁾ will have to adapt their production systems to comply with the new specific technical requirements laid down in this Regulation affecting the livestock density, the structural characteristics of animals' premises and related equipment, the available spaces and land management and the productive system of the holding in general. These adaptations will require variable periods of time according to the extent of the necessary interventions to comply with the new requirements laid down in this Regulation while taking into account on going productions.
- (16) In particular, the provisions concerning the stocking density, minimum indoor and outdoor areas for pullets and brother roosters, the maximum extension of the open air areas for poultry houses, the maximum number of tiers and the equipment for an efficient system of manure removal in multi-tiered poultry houses may imply tangible works and investments like rebuilding of animals' premises and land acquisitions, or a complete refurbishment of animals' premises for certain holdings or production units that have been producing until now in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008. Hence, a transitional period of maximum 8 years from 1 January 2021 should be provided for in respect of these holdings or production units in order to permit them to carry out the necessary adaptations to comply with the new requirements.
- (17) The requirement related to porcine animals concerning a minimum percentage of surface of outdoor area consisting of solid construction may imply the rebuilding of external facilities and changes in the system of collection of manure in holdings or production units that have been producing until now in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008. Hence, a transitional period of maximum 8 years from 1 January 2021 should be provided for in respect of these holdings or production units in order to permit them to carry out the necessary major renovation of animals' external premises or the replacement of the equipment to comply with the new requirements.
- (18) Also the length of pop-holes between the verandas and the indoor part of the poultry house, the requirement on solid partitions for fattening poultry other than *Gallus gallus*, and the specific requirements on perches and raised sitting levels may imply tangible adaptations such as the renovation of part of the animals' premises and purchase of new equipment for holdings that have been producing until now in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008. Hence, a transitional period of maximum 3 years from 1 January 2021 should be provided for in respect of these holdings or production units to permit them to carry out the necessary adaptations of animals' premises or the replacement of the equipment to comply with the new requirements.
- (19) Finally the method of calculation of minimum indoor surface areas in poultry houses with an outdoor part of the building may imply adaptations such as the major reduction of the stocking density of poultry or the renovation of the buildings for holdings that have been producing until now in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008. Hence a transitional period of maximum 3 years from 1 January 2021 should be provided for in respect of these holdings or production units to permit them to carry out the necessary adaptations of their business plans or of their animals' premises to comply with the new requirements.
- (20) In the interest of clarity and legal certainty, this Regulation should apply from the date of application of Regulation (EU) 2018/848.
- (21) The measures provided for in this Regulation are in accordance with the opinion of the Organic Production Committee,

⁽⁴⁾ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 (OJ L 189, 20.7.2007, p. 1).

⁽⁵⁾ Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 250, 18.9.2008, p. 1).

HAS ADOPTED THIS REGULATION:

CHAPTER I

CONVERSION

Article 1

Documents to be supplied for the purpose of the retroactive recognition of a previous period

1. For the purposes of point (a) of Article 10(3) of Regulation (EU) 2018/848, the operator shall submit to the competent authorities in the Member State in which the activity is carried out and in which that operator's holding is subject to the control system the official documents from the relevant competent authorities proving that the land parcels for which the retroactive recognition of a previous period is requested were subject to measures which were defined in a programme implemented pursuant to Regulation (EU) No 1305/2013 of the European Parliament and of the Council ⁽⁶⁾ and that no products or substances other than those authorised for use in organic production have been used on those land parcels.

2. For the purposes of point (b) of Article 10(3) of Regulation (EU) 2018/848, the operator shall submit to the competent authorities in the Member State in which the activity is carried out and in which that operator's holding is subject to the control system the following documents proving that the land parcels were natural or agricultural areas that, for a period of at least three years, have not been treated with products or substances that are not authorised for use in organic production in accordance with Regulation (EU) 2018/848:

- (a) maps identifying clearly each land parcel covered by the request for retroactive recognition and information on the total surface of those land parcels and, if relevant, on the nature and the volume of the on-going production and, where available, their geolocation coordinates;
- (b) the detailed risk analysis carried out by the control authority or control body to assess whether any land parcel covered by the request for retroactive recognition has been treated with products or substances that are not authorised for use in organic production for a period of at least three years, taking into account in particular the size of the total surface to which the request relates and the agronomic practices carried out during that period on each land parcel subject to the request;
- (c) the laboratory analyses results from accredited laboratories on soil and/or plant samples taken by the control authority or control body from each land parcel identified as presenting the risk of being contaminated as a result of being treated with products and substances that are not authorised for use in organic production following the detailed risk analysis referred in point (b);
- (d) an inspection report from the control authority or control body following a physical inspection of the operator for the purpose of verifying the consistency of the information collected on the land parcels covered by the request for retroactive recognition;
- (e) any other relevant documents deemed necessary by the control authority or control body to assess the request for retroactive recognition;
- (f) a final written statement of the control authority or control body indicating whether a retroactive recognition of a previous period as being part of the conversion period is justified and indicating the starting period considered as organic for each land parcel concerned as well as the total surface of the land parcels benefiting from a retroactive recognition of a period.

⁽⁶⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

CHAPTER II

LIVESTOCK

SECTION 1

BOVINE ANIMALS, OVINE ANIMALS, CAPRINE ANIMALS AND EQUINE ANIMALS*Article 2***Minimum period for feeding with maternal milk**

The minimum period referred to in point 1.4.1.(g) of Part II of Annex II to Regulation (EU) 2018/848 for feeding suckling animals preferably with maternal milk shall be:

- (a) 90 days after birth for bovine animals and equine animals;
- (b) 45 days after birth for ovine animals and caprine animals.

*Article 3***Stocking density and minimum surface for indoor and outdoor areas**

For bovine animals, ovine animals, caprine animals and equine animals, the stocking density and the minimum surface for indoor and outdoor areas shall be as set out in Part I of Annex I.

*Article 4***Characteristics of and technical requirements for the minimum surface for the indoor area**

At least half of the minimum surface of the indoor area laid down in Part I of Annex I for bovine animals, ovine animals, caprine animals and equine animals shall consist of a solid construction, that is to say, not of a slatted or grid construction.

SECTION 2

CERVINE ANIMALS*Article 5***Minimum period for feeding with maternal milk**

The minimum period referred to in point 1.4.1.(g) of Part II of Annex II to Regulation (EU) 2018/848 for feeding suckling cervine animals preferably with maternal milk shall be 90 days after birth.

*Article 6***Stocking density and minimum surface for outdoor areas**

For cervine animals, the stocking density and the minimum surface for outdoor areas shall be as set out in Part II of Annex I.

*Article 7***Characteristics of and technical requirements for outdoor enclosures or pens**

1. Cervine animals shall be kept in outdoor enclosures or pens providing pastures whenever conditions allow.

2. The outdoor enclosures or pens shall be constructed in such a way that the different species of cervine animals can be separated if needed.
3. Each outdoor enclosure or pen shall be either dividable into two areas or adjacent to another outdoor enclosure or pen so that maintenance measures can be carried out on each area or each outdoor enclosure or pen successively.

Article 8

Requirements for vegetation and characteristics of protected facilities and open air areas

1. Visual and weather protection facilities shall be provided to cervine animals preferably by natural shelters like inclusion of groups of trees and shrubs, parts of forests or skirts of woods into the outdoor enclosure or pen; if this is not feasible to a sufficient extent the whole year, roofed artificial shelters shall be provided.
2. Outdoor enclosures or pens for cervine animals shall be equipped with facilities or be covered with vegetation that allow animals to rub off velvet from their antlers.
3. In the late stage of pregnancy and two weeks after birth, female cervine animals shall have access to areas covered with vegetation that allows hiding their calves.
4. Fences around outdoor enclosures or pens shall be constructed in such a way that cervine animals cannot escape.

SECTION 3

PORCINE ANIMALS

Article 9

Minimum period for feeding with maternal milk

The minimum period referred to in point 1.4.1.(g) of Part II of Annex II to Regulation (EU) 2018/848 for feeding suckling porcine animals preferably with maternal milk shall be 40 days after birth.

Article 10

Stocking density and minimum surface for indoor and outdoor areas

For porcine animals, the stocking density and the minimum surface for indoor and outdoor areas shall be as set out in Part III of Annex I.

Article 11

Characteristics of and technical requirements for the minimum surface for indoor and outdoor areas

At least half of the minimum surface of both the indoor area and the outdoor area laid down in Part III of Annex I shall consist of a solid construction, that is to say, not of a slatted or grid construction.

Article 12

Requirements for vegetation and characteristics of open air areas

1. Open air areas shall be attractive to porcine animals. Where possible, preference shall be given to fields with trees or forests.
2. Open air areas shall provide outdoor climate as well as access to shelters and means allowing the regulation of body temperature of porcine animals.

SECTION 4

POULTRY

Article 13

Definitions

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

- (a) 'fattening poultry' means poultry intended for meat production;
- (b) 'flock' in the context of compartments in poultry houses means a group of birds that are kept together not mixing with other poultry species, and with their own dedicated indoor and outdoor areas;
- (c) 'brother rooster' means male chicken of laying hen strains intended for meat production;
- (d) 'poularde' means female *Gallus gallus* intended for meat production and slaughtered at the minimum age of 120 days.

Article 14

Stocking density and minimum surface for indoor and outdoor areas

For poultry, the stocking density and the minimum surface for indoor and outdoor areas shall be set out in Part IV of Annex I.

Article 15

Characteristics of and technical requirements for poultry houses

1. Poultry houses shall be constructed in a manner allowing all birds easy access to open air areas. For this purpose, the following rules shall apply:
 - (a) the external boundary of the poultry house shall have exit/entry pop-holes giving direct access to open air areas;
 - (b) every single exit/entry pop-hole shall be of a size adequate for the birds;
 - (c) birds shall be able to access pop-holes without any obstacle;
 - (d) pop-holes from the external boundary of the poultry house shall have a combined length of at least 4 m per 100 m² of the usable area of the minimum surface of the indoor area of the poultry house;
 - (e) where pop-holes are raised, a ramp shall be provided.
2. For poultry houses with verandas, the following rules shall apply:
 - (a) the external boundary both from the indoor house to the veranda and from the veranda to the open air area shall have exit/entry pop-holes allowing easy access respectively to the veranda or to the open air area;
 - (b) pop-holes from the indoor house to the veranda shall have a combined length of at least 2 m per 100 m² of the usable area of the minimum surface of the indoor area of the poultry house and pop-holes from the veranda to the open air area shall have a combined length of at least 4 m per 100 m² of the usable area of the minimum indoor surface of the poultry house;
 - (c) the usable area of the veranda shall not be taken into account for the calculation of the stocking density and the minimum surface of the indoor and outdoor areas as set out in Part IV of Annex I. However, an additional, roofed outdoor part of a building intended for poultry, insulated in a way that it does not have an outdoor climate, may be taken into account for the calculation of the stocking density and the minimum surface of the indoor areas as set out in Part IV of Annex I, if the following conditions are met:
 - (i) it is fully accessible 24 hours a day;
 - (ii) it complies with the requirements of points 1.6.1 and 1.6.3 of Part II of Annex II to Regulation (EU) 2018/848;
 - (iii) it complies with the same requirements for pop-holes as set for verandas in points (a) and (b) of this paragraph;
 - (d) the usable area of the veranda shall not be included in the total usable area of poultry houses for fattening poultry as referred to in point 1.9.4.4.(m) of Part II of Annex II to Regulation (EU) 2018/848.

3. For poultry houses subdivided into separate compartments in order to house multiple flocks:
 - (a) compartments shall ensure that contact with other flocks is restricted and that birds from different flocks cannot mix in the poultry house;
 - (b) the following maximum flock sizes in a single compartment of a poultry house shall apply:
 - (i) 3 000 parents *Gallus gallus*;
 - (ii) 10 000 pullets;
 - (iii) 4 800 fattening poultry *Gallus gallus*;
 - (iv) 2 500 capons;
 - (v) 4 000 poulardes;
 - (vi) 2 500 turkeys;
 - (vii) 2 500 geese;
 - (viii) 3 200 male Peking ducks or 4 000 female Peking ducks;
 - (ix) 3 200 male Muscovy ducks or 4 000 female Muscovy ducks;
 - (x) 3 200 male Mulard ducks or 4 000 female Mulard ducks;
 - (xi) 5 200 Guinea fowls;
 - (c) compartments shall be separated by solid partitions for fattening poultry other than *Gallus gallus*; such solid partition shall ensure a complete physical separation from the floor to the roof of the building of each compartment of the poultry house;
 - (d) compartments shall be separated by solid partitions or semi-closed partitions or nets or meshes for parents *Gallus gallus*, laying hens, pullets, brother roosters and fattening poultry *Gallus gallus*.
4. Multi-tiered systems may be used in poultry houses. Where multi-tiered systems are used, the following rules shall apply:
 - (a) multi-tiered systems may only be used for parents *Gallus gallus*, laying hens, pullets for future egg production, pullets for future parents and brother roosters;
 - (b) multi-tiered systems shall have no more than three tiers of usable area including the ground floor;
 - (c) the elevated tiers shall be constructed in such a way as to prevent droppings falling on the birds below and shall be equipped with an efficient system of manure removal;
 - (d) all tiers shall allow for easy inspection of the birds;
 - (e) multi-tiered systems shall ensure that all birds can move freely and easily to the different levels or intermediate areas;
 - (f) multi-tiered systems shall be constructed in such a way as to provide easy equal access to open air areas to all birds.
5. Poultry houses shall be equipped with perches or raised sitting levels or both. Perches or raised sitting levels or both shall be provided to the birds from a young age in dimensions or proportions commensurate with the size of the group and of the birds as laid down in Part IV of Annex I.
6. Mobile poultry houses may be used for poultry provided that they are moved regularly during the production cycle in order to ensure the availability of vegetation to the birds and at least between each batch of poultry. The stocking density for fattening poultry laid down in Sections 4 to 9 of Part IV of Annex I may be increased to a maximum of 30 kg live weight/m² provided the surface of the ground floor of the mobile house does not exceed 150 m².

Article 16

Requirements for vegetation and characteristics of open air areas

1. Open air areas for poultry shall be attractive to the birds and shall be fully accessible to all birds.
2. For poultry houses subdivided into separate compartments in order to house multiple flocks, the open air areas corresponding to each single compartment shall be separated in order to ensure that contact with other flocks is restricted and that birds from different flocks cannot mix.
3. Open air areas for poultry shall be mainly covered with vegetation composed of a diverse range of plants.

4. Open air areas shall provide to the birds a sufficient number of protective facilities or shelters or shrubs or trees distributed throughout the entire open air areas in order to ensure that the birds are using the whole open air area in a balanced way.
5. The vegetation on the open air area shall be maintained regularly to reduce the potential for nutrient surpluses.
6. The open air areas shall not extend beyond the radius of 150 m from the nearest exit/entry pop-hole of the poultry house. However, an extension of up to 350 m from the nearest pop-hole of the building is permissible provided that a sufficient number of shelters from inclement weather and predators are evenly distributed throughout the whole open air area with at least four shelters per hectare. For geese, the open air area shall allow the birds to satisfy their needs to eat grass.

SECTION 5

RABBITS

Article 17

Minimum period for feeding with maternal milk

The minimum period referred to in point 1.4.1.(g) of Part II of Annex II to Regulation (EU) 2018/848 for feeding suckling rabbits preferably with maternal milk shall be 42 days after birth.

Article 18

Stocking density and minimum surface for indoor and outdoor areas

For rabbits, the stocking density and the minimum surface for indoor and outdoor areas shall be as set out in Part V of Annex I.

Article 19

Characteristics of and technical requirements for mobile or fixed housing

1. During the grazing season, rabbits shall be kept in mobile housing on pastures or in fixed housing with access to pasture.
2. Outside the grazing season, rabbits may be kept in fixed housing with access to an outdoor run with vegetation, preferably pasture.
3. Mobile housing on pastures shall be moved as often as possible to ensure the maximum use of grazing pasture and shall be constructed in such a way that it is possible for rabbits to graze the pasture on the floor.

Article 20

Characteristics of and technical requirements for indoor and outdoor areas

1. The indoor area in fixed and mobile housing shall be constructed in such a way that:
 - (a) its height is sufficient to allow all rabbits to stand with ears erect;
 - (b) it can accommodate different groups of rabbits and allow the preservation of the broods' integrity upon transfer to the fattening phase;
 - (c) it is possible for bucks and pregnant and reproductive does to be separated from the group for specific animal welfare reasons and for a limited period provided they can keep eye contact with other rabbits;
 - (d) it is possible for the doe to move away from the nest and return in the nest for nursing the kits;

- (e) it provides:
 - (i) covered shelter including dark hiding places in sufficient number for all categories of rabbits;
 - (ii) access to nests for all does at least one week before the expected date of birth and at least till the end of the nursing period of the kits;
 - (iii) access to nests for kits in sufficient number with a minimum of one nest per nursing doe with kits;
 - (iv) materials to allow rabbits to gnaw.
- 2. The outdoor area in facilities with fixed housing shall be constructed in such a way that:
 - (a) it has raised platforms in sufficient number and evenly distributed on its minimum surface;
 - (b) it is surrounded by fences that are high and deep enough to prevent flight either by jumping or digging;
 - (c) if it has a concrete outside area, there is an easy access to the part of the outdoor run with vegetation. Without such easy access, the surface of the concrete area may not be included in the calculation of the minimum surface of the outdoor area;
 - (d) it provides:
 - (i) covered shelter including dark hiding places in sufficient number for all categories of rabbits;
 - (ii) materials to allow rabbits to gnaw.

Article 21

Requirements for vegetation and characteristics and open air areas

1. The vegetation of the outdoor runs shall be maintained regularly and in such a way that it is attractive to rabbits.
2. During the grazing season, pastures shall be rotated regularly and managed in such a way that the grazing of rabbits is optimised.

CHAPTER III

AQUACULTURE ANIMALS

Article 22

Detailed rules for aquaculture animals per species or group of species

Operators that produce aquaculture animals shall comply with the detailed rules per species or per group of species set out in Annex II with respect to the stocking density and the specific characteristics of production systems and containment systems.

CHAPTER IV

PROCESSED FOOD AND FEED

Article 23

Techniques authorised in the processing of food products

1. Only techniques complying with the principles laid down in Chapter II of Regulation (EU) 2018/848, in particular the relevant specific principles applicable to the processing of organic food laid down in Article 7, with the relevant rules of Chapter III of that Regulation and with the detailed production rules set out in Part IV of Annex II thereto are authorised in the processing of food products in organic production.

2. Without prejudice to point 3 of Part VI of Annex II to Regulation (EU) 2018/848, ion exchange and adsorption resin techniques are authorised when used for the preparation of organic raw materials:

- (a) for products referred to in points (a) and (b), respectively, of Article 1(1) of Regulation (EU) No 609/2013, provided that using those techniques is necessary to meet the requirements of that Regulation and acts adopted on the basis of Article 11(1) of that Regulation for the products concerned; or
- (b) for products regulated by Directive 2006/125/EC, provided that using those techniques is necessary to meet the requirements of that Directive.

3. Where a Member State considers that a specific technique should be assessed as regards compliance with the principles and rules referred to in paragraph 1 or that certain specific conditions for use of that technique should be included in this Regulation, it may request the Commission to carry out such assessment. For that purpose, it shall notify the Commission and the other Member States of a dossier giving the reasons for such compliance or those specific conditions and shall ensure that the dossier is made publicly available subject to Union and national legislation on data protection.

The Commission shall regularly publish any request referred to in the first subparagraph.

4. The Commission shall analyse the dossier referred to in paragraph 3. If the analysis conducted by the Commission concludes that the technique described in the dossier complies with the principles and rules referred to in paragraph 1, the Commission shall amend this Regulation for the purpose of explicitly authorising the technique referred to in the dossier or including its specific conditions for use in this Regulation.

5. The Commission shall review the authorisation of the techniques for the processing of organic food, including their description and conditions for use whenever new evidence becomes available or is provided by a Member State.

Article 24

Techniques authorised for use in the processing of feed products

1. Only techniques complying with the principles laid down in Chapter II of Regulation (EU) 2018/848, in particular the relevant specific principles applicable to the processing of organic feed laid down in Article 8, with the relevant rules of Chapter III to that Regulation and with the detailed production rules set out in Part V of Annex II thereto and that do not reconstitute properties that are lost in the processing and storage of organic feed, that do not correct the results of negligence in the processing or that otherwise may be misleading as to the true nature of these products are authorised in the processing of feed products in organic production.

2. Where a Member State considers that a specific technique should be assessed as regards compliance with the principles and rules referred to in paragraph 1 or that certain specific conditions for use of that technique should be included in this Regulation, it may request the Commission to carry out such assessment. For that purpose, it shall notify the Commission and the other Member States of a dossier giving the reasons for such compliance or those specific conditions and shall ensure that the dossier is made publicly available subject to Union and national legislation on data protection.

The Commission shall regularly publish any request referred to in the first subparagraph.

3. The Commission shall analyse the dossier referred to in paragraph 2. If the analysis conducted by the Commission concludes that the technique described in the dossier complies with the principles and rules referred to in paragraph 1, the Commission shall amend this Regulation for the purpose of explicitly authorising the technique referred to in the dossier or including its specific conditions for use in this Regulation.

4. The Commission shall review the authorisation of the techniques for the processing of organic feed, including their description and conditions for use whenever new evidence becomes available or is provided by a Member State.

CHAPTER V

INFORMATION CONCERNING THE AVAILABILITY ON THE MARKET OF ORGANIC AND IN-CONVERSION PLANT REPRODUCTIVE MATERIAL, ORGANIC ANIMALS AND ORGANIC AQUACULTURE JUVENILES*Article 25***Information to be provided by Member States**

1. Member States shall provide the information to be made available pursuant to point (a) of Article 53(6) of Regulation (EU) 2018/848 from the database referred to in Article 26(1) and the systems referred to in Article 26(2) and, where applicable, in Article 26(3) of that Regulation in accordance with the specifications set out in Part I of Annex III to this Regulation.
2. Member States shall provide the information to be made available pursuant to point (b) of Article 53(6) of Regulation (EU) 2018/848 concerning the derogations granted in accordance with point 1.8.5 of Part I of Annex II to that Regulation and points 1.3.4.3 and 1.3.4.4 of Part II of that Annex in accordance with the specifications set out in Part II of Annex III to this Regulation.
3. Member States shall provide the information to be made available pursuant to point (c) of Article 53(6) of Regulation (EU) 2018/848 concerning the availability on the Union market of organic protein feed for poultry and porcine animals and on the authorisation granted in accordance with points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II to that Regulation in reply to a questionnaire submitted annually to Member States by the Commission.
4. The information referred to in paragraphs 1, 2 and 3 shall be provided in the format and via the system made available by the Commission. That information shall be provided each year by 30 June and for the first time by 30 June 2022 concerning the year 2021.
5. The information referred to in paragraphs 1 and 2, received from Member States pursuant to Article 53(6) of Regulation (EU) 2018/848 shall be included in the database referred to in Article 26(1) and the systems referred to in Article 26(2) and, where applicable, in Article 26(3) of that Regulation.

CHAPTER VI

FINAL AND TRANSITIONAL PROVISIONS*Article 26***Transitional provisions**

1. By way of derogation from Section 3 of Chapter II of this Regulation, holdings or production units with porcine animals in facilities built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which major reconstruction of external facilities is necessary to comply with the requirement on at least half of the surface of the outdoor area consisting of solid construction as laid down in Article 11 of this Regulation, shall comply with that Article as from 1 January 2029 at the latest.
2. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with poultry houses that were built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which a renovation of the animals' premises is necessary to comply with the requirement on the combined length for pop-holes from the indoor house to the veranda laid down in point (b) of Article 15(2) of this Regulation, shall comply with that point as from 1 January 2024 at the latest.

3. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with poultry houses with an outdoor part of the building that were built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which a major reduction of the indoor stocking density or the renovation of the buildings is needed to comply with the requirements on the calculation of the stocking density and the minimum indoor areas as set out in Part IV of Annex I to this Regulation while complying with point (c) of Article 15(2), shall comply with those provisions as from 1 January 2024 at the latest.
4. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with poultry houses that were built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which a renovation of animals' premises or a replacement of the equipment is necessary to comply with the requirements on solid partition laid down in point (c) of Article 15(3) or with the requirement on perches or raised sitting levels laid down in Article 15(5) of this Regulation, shall comply with those provisions as from 1 January 2024 at the latest.
5. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with multi-tiered poultry houses that were built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which a major refurbishment of animals' premises or a replacement of the equipment are necessary to comply with the requirements on the maximum number of tiers and on the system for manure removal laid down respectively in points (b) and (c) of Article 15(4) of this Regulation, shall comply with those points as from 1 January 2029 at the latest.
6. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with poultry houses that have open air areas extending beyond a radius of 150 m from the nearest exit/entry pop-hole of the poultry house built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which major adaptations of the structure of the facilities or additional land acquisition are necessary to comply with the requirement on the maximum radius laid down in Article 16 (6) of this Regulation, shall comply with that provision as from 1 January 2029 at the latest.
7. By way of derogation from Section 2 of Part IV of Annex I to this Regulation, for holdings or production units producing pullets in poultry facilities built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which major adaptations of the structure of the poultry houses or additional land acquisition are necessary to comply with the rules of Section 2 of Part IV of Annex I to this Regulation, shall comply with the stocking density and the minimum surface of indoor and outdoor areas for pullets and brother roosters laid down in Section 2 of Part IV of Annex I to this Regulation as from 1 January 2029 at the latest.

Article 27

Entry into force and application

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

It shall apply from 1 January 2021.

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

Done at Brussels, 26 March 2020.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX I

**RULES ON THE STOCKING DENSITY AND THE MINIMUM SURFACE FOR INDOOR AND OUTDOOR AREAS
FOR LIVESTOCK AS REFERRED TO IN CHAPTER II**

Part I: Stocking density and minimum surface for indoor and outdoor areas for bovine animals, ovine animals, caprine animals and equine animals as referred to in Article 3

1. Bovine animals

	Indoor area (net area available to animals)		Outdoor area (exercise area, excluding pasture)
	Live weight minimum (kg)	m²/head	m²/head
	Up to 100	1,5	1,1
	Up to 200	2,5	1,9
	Up to 350	4,0	3
	Over 350	5 with a minimum of 1 m ² / 100 kg	3,7 with a minimum of 0,75 m ² /100 kg
Dairy cows		6	4,5
Bulls for breeding		10	30

2. Ovine animals and caprine animals

	Indoor area (net area available to animals)	Outdoor area (exercise area, excluding pasture)
	m²/head	m²/head
Sheep	1,5	2,5
Lamb	0,35	0,5
Goat	1,5	2,5
Kid	0,35	0,5

3. Equine animals

	Indoor area (net area available to animals)		Outdoor area (exercise area, excluding pasture)
	Live weight minimum (kg)	m²/head [size of boxes according to height of horses]	m²/head
Breeding and fattening equine animals	Up to 100	1,5	1,1
	Up to 200	2,5	1,9
	Up to 350	4,0	3
	Over 350	5 with a minimum of 1 m ² / 100 kg	3,7 with a minimum of 0,75 m ² /100 kg

Part II: Stocking density and minimum surface for outdoor areas for cervine animals as referred to in Article 6

Cervine animals species	Minimum surface for outdoor area per enclosure or per pen	Stocking density maximum number of adult animals (*) per ha
Sika deer <i>Cervus nippon</i>	1 ha	15
Fallow deer <i>Dama dama</i>	1 ha	15
Red deer <i>Cervus elaphus</i>	2 ha	7
Père David's deer <i>Elaphurus davidianus</i>	2 ha	7
More than one cervine species	3 ha	7 in case red deer or Père David's deer are part of the herd; 15 in case neither red deer nor Père David's deer are part of the herd

(*) Two cervine animals up to 18 months count for one cervine animal.

Part III: Stocking density and minimum surface for indoor and outdoor areas for porcine animals as referred to in Article 10

		Indoor area (net area available to porcine animals meaning inside dimensions including troughs but excluding feeders in which porcine animals cannot lie down)	Outdoor area
	Live weight minimum (kg)	m ² /head	m ² /head
Farrowing sows with piglets until weaning		7,5 per sow	2,5
Fattening porcine animals Weaners, rearing pigs, gilts, rearing boars	Not more than 35 kg	0,6	0,4
	More than 35 kg but not more than 50 kg	0,8	0,6
	More than 50 kg but not more than 85 kg	1,1	0,8
	More than 85 kg but not more than 110 kg	1,3	1
	More than 110 kg	1,5	1,2
Female brood porcine animal Dry pregnant sows		2,5	1,9
Male brood porcine animal Boar		6 10 if pens are used for natural service	8

Part IV: Stocking density and minimum surface for indoor and outdoor areas for poultry as referred to in Article 14 and Article 15(2)(c) and (6) and perches or raised sitting levels as referred to in Article 15(5)

1. Parents *Gallus gallus* intended for the production of hatching eggs for future laying hens and parents *Gallus gallus* intended for the production of hatching eggs for future fattening *Gallus gallus*:

Age	≥ 18 weeks
Stocking density and minimum surface for indoor area Maximum number of breeding birds per m ² of usable area of the indoor area of the poultry house	6
Perches for breeding birds for future laying hens Minimum cm perch/bird	18
Nests	7 female birds per nest or in case of common nest 120 cm ² /female bird
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	4

2. Pullets and brother roosters:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 10 cm perch/bird or minimum 100 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	1

3. Laying hens including dual purpose strains raised for meat and egg production:

Stocking density and minimum surface for indoor area Maximum number of birds per m ² of usable area of the indoor area of the poultry house	6
Perches Minimum cm perch/bird	18
Nests	7 laying hens per nest or in case of common nest 120 cm ² /laying hen
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	4

4. Fattening poultry *Gallus gallus*:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 5 cm perch/bird or minimum 25 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area for fixed houses Minimum m ² per bird of the outdoor area	4
Stocking density and minimum surface for outdoor area for mobile houses Minimum m ² per bird of the outdoor area	2,5

5. Fattening poultry *Gallus gallus*: capons and poulardes:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 5 cm perch/bird or minimum 25 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	4

6. Fattening poultry other than *Gallus gallus*: Turkeys *Meleagris gallopavo* marketed whole for roasting or intended for cutting up:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 10 cm perch/bird or minimum 100 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	10

7. Fattening poultry other than *Gallus gallus*: Geese *Anser anser domesticus*:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	15

8. Fattening poultry other than *Gallus gallus*: Peking Ducks *Anas platyrhynchos domesticus*, Muscovy Ducks *Cairina moschata* and hybrids and Mulard Ducks *Cairina moschata* × *Anas platyrhynchos*:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	4,5

9. Fattening poultry other than *Gallus gallus*: Guinea fowls *Numida meleagris f. domestica*:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house.	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 5 cm perch/bird or minimum 25 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area Minimum m ² /bird of the outdoor area	4

Part V: Stocking density and minimum surface for indoor and outdoor areas for rabbits as referred to in Article 18

1. For indoor area

	Indoor area (net area usable per animal excluding platforms m²/head) for the rest area Fixed housing	Indoor area (net area usable per animal excluding platforms m²/head) for the rest area Mobile housing
Nursing does with kits until weaning	0,6 m ² /doe with kits if doe liveweight is below 6 kg 0,72 m ² /doe with kits if doe liveweight is above 6 kg	0,6 m ² /doe with kits if doe liveweight is below 6 kg 0,72 m ² /doe with kits if doe liveweight is above 6 kg
Pregnant does and reproductive female rabbits	0,5 m ² /pregnant doe or reproductive female if liveweight is below 6 kg 0,62 m ² /pregnant doe or reproductive female if liveweight is above 6 kg	0,5 m ² /pregnant doe or reproductive female if liveweight is below 6 kg 0,62 m ² /pregnant doe or reproductive female if liveweight is above 6 kg
Fattening rabbits from weaning to slaughter Replacement rabbits (end of fattening to 6 months)	0,2	0,15
Adult bucks	0,6 1 if buck receiving does for mating	0,6 1 if buck receiving does for mating

2. For outdoor area

	Outdoor area (outdoor run with vegetation preferably pasture) (net area usable per animal excluding platforms m²/head) Fixed housing	Outdoor area (net area usable per animal excluding platforms m²/head) Mobile housing
Nursing does with kits until weaning	2,5 m ² /doe with kits	2,5 m ² /doe with kits
Pregnant does/Reproductive females	2,5	2,5
Fattening rabbits from weaning to slaughter Replacement rabbits (end of fattening to 6 months)	0,5	0,4
Adult bucks	2,5	2,5

ANNEX II

**DETAILED RULES WITH RESPECT TO THE STOCKING DENSITY AND THE SPECIFIC CHARACTERISTICS OF
PRODUCTION SYSTEMS AND CONTAINMENT SYSTEMS FOR AQUACULTURE ANIMALS AS REFERRED TO
IN ARTICLE 22**

Part I: Salmonids in fresh water

Brown trout (*Salmo trutta*) – Rainbow trout (*Oncorhynchus mykiss*) – American brook trout (*Salvelinus fontinalis*) – Salmon (*Salmo salar*) – Arctic charr (*Salvelinus alpinus*) – Grayling (*Thymallus thymallus*) – American lake trout (or grey trout) (*Salvelinus namaycush*) – Huchen (*Hucho hucho*)

Production systems	Ongrowing farm systems must be fed from open systems. The flow rate must ensure a minimum of 60 % oxygen saturation for stock and must ensure their comfort and the elimination of farming effluent.
Maximum stocking density	Salmonid species not listed below 15 kg/m ³ Salmon 20 kg/m ³ Brown trout and Rainbow trout 25 kg/m ³ Arctic charr 25 kg/m ³

Part II: Salmonids in sea water

Salmon (*Salmo salar*), Brown trout (*Salmo trutta*) – Rainbow trout (*Oncorhynchus mykiss*)

Maximum stocking density	10 kg/m ³ in net pens
--------------------------	----------------------------------

Part III: Cod (*Gadus morhua*) and other Gadidae, sea bass (*Dicentrarchus labrax*), sea bream (*Sparus aurata*), meagre (*Argyrosomus regius*), turbot (*Psetta maxima* [= *Scophthalmus maximus*]), red porgy (*Pagrus pagrus* [= *Sparus pagrus*]), red drum (*Sciaenops ocellatus*) and other Sparidae, and spinefeet (*Siganus spp.*)

Production systems	In open water containment systems (net pens/cages) with minimum sea current speed to provide optimum fish welfare or in open systems on land.
Maximum stocking density	For fish other than turbot: 15 kg/m ³ For turbot: 25 kg/m ²

Part IV: Sea bass, sea bream, meagre, mullets (*Liza*, *Mugil*) and eel (*Anguilla spp.*) in earth ponds of tidal areas and costal lagoons

Containment system	Traditional salt pans transformed into aquaculture production units and similar earth ponds in tidal areas
Production systems	There must be adequate renewal of water to ensure the welfare of the species. At least 50 % of the dikes must have plant cover Wetland based depuration ponds required.
Maximum stocking density	4 kg/m ³

Part V: Sturgeon in fresh water

Species concerned: *Acipenser* family

Production systems	Water flow in each rearing unit must be sufficient to ensure animal welfare. Effluent water to be of equivalent quality to incoming water.
Maximum stocking density	30 kg/m ³

Part VI: Fish in inland waters

Species concerned: Carp family (*Cyprinidae*) and other associated species in the context of polyculture, including perch, pike, catfish, coregonids, sturgeon.

Perch (*Perca fluviatilis*) in monoculture

Production systems	In fishponds which must be fully drained periodically and in lakes. Lakes must be devoted exclusively to organic production, including the growing of crops on dry areas. The fishery capture area must be equipped with a clean water inlet and of a size to provide optimal comfort for the fish. The fish must be stored in clean water after harvest. Areas of natural vegetation must be maintained around inland water units as a buffer zone for external land areas not involved in the farming operation in accordance with the rules of organic aquaculture. For grow-out 'polyculture' must be used on condition that the criteria laid down in the present specifications for the other species of lakes fish are duly adhered to.
Maximum stocking density	The total production of species is limited to 1 500 kg of fish per hectare per year (provided as farming yield due to specific characteristic of the production system).
Maximum stocking density only for perch in monoculture	20 kg/m ³

Part VII: Penaeid shrimps and freshwater prawns (*Macrobrachium* spp.)

Production systems	Location to be in sterile clay areas to minimise environmental impact of pond construction. Ponds to be built with the natural pre-existing clay.
Maximum stocking density	Seeding: maximum 22 post larvae/m ² Maximum instantaneous biomass: 240 g/m ²

Part VIII: Crayfish

Species concerned: *Astacus astacus*.

Maximum stocking density	For small-sized crayfish (< 20 mm): 100 individuals per m ² . For crayfish of intermediate size (20-50 mm): 30 individuals per m ² . For adult crayfish (> 50 mm): 5 individuals per m ² provided that adequate hiding places are available.
--------------------------	---

Part IX: Molluscs and echinoderms

Production systems	Long-lines, rafts, bottom culture, net bags, cages, trays, lantern nets, bouchot poles and other containment systems. For mussel cultivation on rafts the number of drop-ropes must not exceed one per square meter of surface area. The maximum drop-rope length must not exceed 20 metres. Thinning-out of drop-ropes must not take place during the production cycle, however drop ropes may be subdivided without increasing the stocking density.
--------------------	--

Part X: Tropical fresh water fish: milkfish (*Chanos chanos*), tilapia (*Oreochromis spp.*), siamese catfish (*Pangasius spp.*)

Production systems	Ponds and net cages
Maximum stocking density	Pangasius: 10 kg/m ³ Oreochromis: 20 kg/m ³

ANNEX III

INFORMATION TO BE PROVIDED BY MEMBER STATES AS REFERRED TO IN ARTICLE 25

Part I: Information from the database referred to in Article 26(1) and the systems referred to in Article 26(2) and, where applicable, in Article 26(3) of Regulation (EU) 2018/848

1. The information concerning the availability of organic and in-conversion plant reproductive material, excluding seedlings but including seed potatoes, for each specific category saved in the database referred to in Article 26(1) or in the systems referred to Article 26(2)(a) of Regulation (EU) 2018/848 shall include the following:
 - scientific and common name (common and Latin name);
 - variety or heterogeneous material denomination;
 - in-conversion quantity available as estimated by operators (total number of units or seed weight);
 - organic quantity available as estimated by operators (total number of units or seed weight);
 - number of operators who uploaded information pursuant to Article 26(2) of Regulation (EU) 2018/848 on a voluntary basis.

For the purposes of this point, 'seedling' means a young plant originating from seed and not from cutting.

2. The information concerning the availability of organic aquaculture juveniles for each species saved in the systems referred to in point (c) of Article 26(2) of Regulation (EU) 2018/848 shall include the following:
 - species and genus (common and Latin name);
 - breeds and strains when applicable;
 - life stage (such as eggs, fry, juveniles) as available for sale as organic;
 - quantity available as estimated by operators;
 - health status in line with Council Directive 2006/88/EC⁽¹⁾;
 - number of operators who uploaded information pursuant to Article 26(2) of Regulation (EU) 2018/848 on a voluntary basis.
3. The information concerning the availability of organic animals for each species saved in the systems referred to in point (b) of Article 26(2) of Regulation (EU) 2018/848 shall include the following:
 - species and genus (common and Latin name);
 - breeds and strains;
 - production purposes: meat, milk, dual purpose or breeding;
 - life stage: adults or young animals (i.e bovine animals < 6 months, bovine adult);
 - quantity (total number of animals) available as estimated by operators;
 - health status in line with animal health horizontal rules
 - number of operators who uploaded information pursuant to Article 26(2) of Regulation (EU) 2018/848 on a voluntary basis.
4. Where relevant, the information concerning the availability of organic breeds and strains adapted to organic production for species as referred to Article 26(3) of Regulation (EU) 2018/848 shall include the following:
 - species and genus (common and Latin name);
 - breeds and strains;
 - production purposes: meat, milk, dual purpose or breeding;

⁽¹⁾ Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (OJ L 328, 24.11.2006, p. 14).

- quantity (total number of animals) available as estimated by operators;
 - health status in line with animal health horizontal rules;
 - number of operators who uploaded information pursuant to Article 26(3) of Regulation (EU) 2018/848 on a voluntary basis.
5. Where relevant, the information concerning the availability of organic pullets as referred to in Article 26(3) of Regulation (EU) 2018/848 shall include the following:
- species and genus (common and Latin name);
 - breeds and strains
 - production purposes: meat, eggs, dual purpose or breeding;
 - quantity (total number of animals) available as estimated by operators;
 - rearing system (indicate whether multi-tiers);
 - health status in line with animal health horizontal rules;
 - number of operators who uploaded information pursuant to Article 26(3) of Regulation (EU) 2018/848 on a voluntary basis.

Part II: Information concerning the derogations granted in accordance with point 1.8.5 of Part I of Annex II to Regulation (EU) 2018/848 and points 1.3.4.3 and 1.3.4.4 of Part II of that Annex

1. The information on the derogations granted in accordance with point 1.8.5 of Part I of Annex II to Regulation (EU) 2018/848 shall include:
- scientific and common name (common and Latin name);
 - variety;
 - number of derogations and total weight of seeds or number of plants derogated;
 - justifications for the derogation: whether for research, lack of suitable variety, conservation purpose or other reasons;
 - where applicable, as regards derogations for other reasons than research purpose, the list of species for which no derogation is granted, as they are sufficiently available in organic form.
2. For each conventional livestock species (bovine, equine, ovine, caprine, porcine and cervine animals, rabbits, poultry), the information on the derogations granted in accordance with points 1.3.4.3 and 1.3.4.4 of Part II of Annex II to Regulation (EU) 2018/848 shall include:
- scientific and common name (common and Latin name i.e. species and genus);
 - breeds and strains;
 - production purposes: meat, milk, eggs, dual purpose or breeding;
 - number of derogations and total number of animals derogated;
 - justifications for the derogation: whether lack of suitable animals or other reasons.
-

COMMISSION IMPLEMENTING REGULATION (EU) 2020/465**of 30 March 2020****on emergency measures in support of fruit and vegetables producer organisations in the Italian regions of Emilia Romagna, Veneto, Trentino Alto-Adige, Lombardia, Piemonte and Friuli Venezia Giulia in view of the damage caused to their production by the Asian brown marmorated stink bug (*Halyomorpha halys*)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 221(1) thereof,

Whereas:

- (1) The Asian brown marmorated stink bug (*Halyomorpha halys*) ('the stink bug') is an insect originating from Asia that was accidentally introduced in the Union and in particular in the northern regions of Italy, namely Emilia Romagna, Veneto, Trentino Alto-Adige, Lombardia, Piemonte and Friuli Venezia Giulia ('the affected regions'), through international trade.
- (2) In 2019, the stink bug caused serious damage to the fruit and vegetables production in the affected regions, infecting pears, peaches and nectarines, apples, kiwis, cherries and apricots. The damage inflicted on the fruit and vegetables makes them unusable for both consumption and processing. The losses for fruit and vegetables producers in the affected regions caused by the stink bug are estimated to have reached 500 million EUR only for 2019. Due to the stink bug many producer organisations in the affected regions lost in 2019 a large part of or even their entire harvest of fruit and vegetables.
- (3) The stink bug currently does not fulfil the criteria of a Union quarantine pest in accordance with Regulation (EU) 2016/2031 of the European Parliament of the Council ⁽²⁾ and no measures for eradication can be taken at the Union level. Therefore, at this stage, Italian authorities can take no appropriate protective phytosanitary measures.
- (4) In addition, only limited plant protection tools are currently available to effectively control the stink bug. The 'Samurai' wasps (*Trissolcus japonicus* and *Trissolcus mitsukurii*) as an alternative measure for biological control, have only been recently authorised in Italy as antagonist insects and at this point it is unclear whether this biological method of control of the stink bug is effective.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).

- (5) Producer organisations in the fruit and vegetables sector in the affected regions have implemented preventive measures (e.g. installation of anti-insect nets and traps) to avoid the damage to their crops. In spite of the efforts, those producer organisations have incurred simultaneously high costs for preventive measures and production losses with important negative impact on the value of their marketed production. This affects producer organisations' financial stability and their capacity to implement operational programmes in the subsequent years, as well as to introduce measures and actions targeting pest infestations. In addition, the reduction of the value of marketed production impairs producer organisations' access to Union financial assistance in the fruit and vegetables sector. Moreover, the reduction of the value of marketed production could lead to a loss of recognition for producer organisations in the fruit and vegetables sector in the affected regions where their value of marketed production decreases below the minimum legal threshold.
- (6) The complexity of the situation in the affected regions resulting from the damage to the fruit and vegetables production, the considerable loss of income and the financial instability of producer organisations in the fruit and vegetables sector in the affected regions as well as the inability to continue implementing their operational programs efficiently constitute a specific problem within the meaning of Article 221 of Regulation (EU) No 1308/2013. This specific problem cannot be addressed by measures taken pursuant to Article 219 or 220 of that Regulation, since it is not linked to an existing market disturbance or a currently precise threat thereof. Neither is it linked to measures for combating the spread of diseases of animals or a loss of consumer confidence due to public, animal or plant health risks.
- (7) Emergency measures to improve the access to mutual funds and increase the ceilings of Union financial assistance for producer organisations in the affected regions are therefore necessary for resolving the specific problem in the affected regions. Such measures will ensure the financial stability and boost the resilience and capacity of producer organisations in the affected regions to cope with the damage caused by the stink bug and to implement further crisis prevention and management measures in this regard.
- (8) The use of mutual funds as a crisis prevention and management measure by the producer organisations in the affected regions is a means to mitigate the damage to their fruit and vegetable production and their loss of income. Therefore, the access to the mutual funds for producer organisations in the fruit and vegetables sector in the affected regions should be improved. Currently, the Union financial assistance covers only the administrative costs of setting-up of a mutual fund and the replenishment of a mutual fund following payment of compensation to the producer members who experience a severe drop in their income as a result of adverse market conditions. To address the damage caused by the stink bug in the affected regions the Union financial assistance should also cover the starting capital of the mutual fund. The Union financial assistance for the starting capital of a mutual fund thus provided should however be dedicated to the compensation of the lost income of producer members due to the damage caused by the stink bug.
- (9) The 4,6 % ceiling of Union financial assistance dedicated to crisis and prevention measures in operational programmes of producer organisations in the fruit and vegetables sector in the affected regions in accordance with Article 34(2) of Regulation (EU) No 1308/2013 should be increased by 0,4 % of value of marketed production to 5 % of value of marketed production, in order to improve access of those producer organisations to mutual funds and other crisis and prevention measures and to boost their financial stability. As associations of producer organisations are not concerned by the specific problem, it is not necessary to increase the ceiling laid down in the third subparagraph of Article 34(2) of Regulation (EU) No 1308/2013.

- (10) As a result of the increase of the ceiling of 4,6 % by 0,4 %, the ceiling of the Union financial assistance to crisis and prevention measures should increase to 0,9 % of the value of marketed production of those producer organisations, instead of the current 0,5 % of the value of marketed production laid down in the second subparagraph of Article 34 (2) of Regulation (EU) No 1308/2013. That additional 0,4 % of value of marketed production should be used for measures to control the stink bug. This is necessary to reinforce the financial stability of producer organisations in the fruit and vegetables sector in the affected regions, increase their resilience and improve their ability to implement approved operational programmes in the subsequent years.
- (11) In view of the financial instability of the producer organisations in the fruit and vegetables sector in the affected regions and considering the necessity to implement additional measures to control the stink bug, the limit of Union financial assistance of 50 % referred to in Article 34(1) of Regulation (EU) No 1308/2013 should be increased to 60 % for all measures in operational programmes targeting the stink bug in the affected regions.
- (12) In view of the implementation of operational programmes by calendar years and considering that the calculation of value of marketed production that determines the amount of Union financial assistance is based on the previous calendar year, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (13) This Regulation should apply as from 1 January 2020. This is necessary, given that the emergency measures concern the level and scope of Union financial assistance for producer organisations affected by the damage to the fruit and vegetables production caused by the stink bug. These producer organisations need to start applying these measures in their operational programmes as from January 2020, to be able to urgently address the damage to their fruit and vegetables production caused by the stink bug and to ensure the continuity of their operational programmes and their economic stability and viability already in 2020.
- (14) The measures provided for in this Regulation are in accordance with the opinion of Committee for Common Organisation of Agricultural Markets and Horticultural products,

HAS ADOPTED THIS REGULATION:

Article 1

Scope

This Regulation applies to recognised producer organisations operating in the Italian regions of Emilia Romagna, Veneto, Trentino Alto-Adige, Lombardia, Piemonte and Friuli Venezia Giulia, whose fruit and vegetables production in 2019 was affected by the Asian brown marmorated stink bug (*Halyomorpha halys*).

Article 2

Emergency measures for resolving the specific problem of producer organisations in the affected regions

1. The Union financial assistance to mutual funds referred to in point (d) of Article 33(3) of Regulation (EU) No 1308/2013 shall also cover support for the starting capital of mutual funds. It shall be dedicated to the compensation of producer members for the income lost due to the damage caused to the fruit and vegetables production by the Asian brown marmorated stink bug (*Halyomorpha halys*) in the regions referred to in Article 1.
2. The ceiling of 4,6 % of value of marketed production referred to in the second subparagraph of Article 34(2) of Regulation (EU) No 1308/2013 shall be increased by 0,4 % and the amount corresponding to the additional 0,4 % shall be used for crisis prevention and management measures aimed at addressing damage caused by the Asian brown marmorated stink bug (*Halyomorpha halys*) in the regions referred to in Article 1.
3. At the request of producer organisations, the 50 % limit of Union financial assistance referred to in Article 34(1) of Regulation (EU) No 1308/2013 shall be increased to 60 % for measures targeting the Asian brown marmorated stink bug (*Halyomorpha halys*) in operational programmes of producer organisations operating in the regions referred to in Article 1.

*Article 3***Entry into force and date of application**

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 January 2020 until 31 December 2020.

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

Done at Brussels, 30 March 2020.

For the Commission

The President

Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/466**of 30 March 2020****on temporary measures to contain risks to human, animal and plant health and animal welfare during certain serious disruptions of Member States' control systems due to coronavirus disease (COVID-19)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽¹⁾, and in particular Article 141(1) thereof,

Whereas:

- (1) Regulation (EU) 2017/625 lays down rules for, inter alia, the performance of official controls and of other official activities by the competent authorities of Member States. It also empowers the Commission to adopt, by means of an implementing act, appropriate temporary measures necessary to contain risks to, inter alia, human, animal and plant health and animal welfare, if it has evidence of a serious disruption in a Member State's control system.
- (2) The ongoing crisis related to coronavirus disease (COVID-19) represents an exceptional and unprecedented challenge for the capacity of Member States to fully conduct official controls and other official activities in accordance with EU legislation.
- (3) In its 'Guidelines for border management measures to protect health and ensure the availability of goods and essential services' ⁽²⁾, the Commission stressed that in the current situation, the smooth functioning of the Single Market should not be impacted. In addition, Member States should continue to ensure the circulation of goods.
- (4) In accordance with Regulation (EU) 2017/625, Member States are obliged to set up a control system, composed of competent authorities designated to perform official controls and other official activities. In particular, in accordance with Article 5(1)(e) of that Regulation, competent authorities are to have, or to have access to, a sufficient number of suitably qualified and experienced staff so that official controls and other official activities can be performed efficiently and effectively.
- (5) During the ongoing crisis related to COVID-19, Member States have put in place considerable movement restrictions for their populations, in order to protect human health.
- (6) A number of Member States have informed the Commission that, as a consequence of such movement restrictions, their the capacity to deploy suitable staff for official controls and other official activities, as required by Regulation (EU) 2017/625, is seriously impacted.

⁽¹⁾ OJ L 95, 7.4.2017, p. 1.

⁽²⁾ C(2020) 1753 final of 16 March 2020.

- (7) A number of Member States have informed the Commission specifically of difficulties to perform official controls and other official activities which require the physical presence of control staff. In particular, difficulties arise regarding the clinical examination of animals, certain checks on products of animal origin, plants and plant products and on food and feed of non-animal origin, and regarding the testing of samples in official laboratories designated by Member States.
- (8) In accordance with EU legislation regulating trade of live animals and germinal products within the Single Market, notably Council Directives 64/432/EEC ⁽³⁾, 88/407/EEC ⁽⁴⁾, 89/556/EEC ⁽⁵⁾, 90/429/EEC ⁽⁶⁾, 91/68/EEC ⁽⁷⁾, 92/65/EEC ⁽⁸⁾, 2006/88/EC ⁽⁹⁾, 2009/156/EC ⁽¹⁰⁾ and 2009/158/EC ⁽¹¹⁾, consignments of animals and germinal products are to be accompanied by originals of animal health certificates throughout their movements between Member States.
- (9) A number of Member States have also informed the Commission that official controls and other official activities resulting in the signature and issuance of original paper official certificates and official attestations which should accompany consignments of animals and germinal products moved between Member States or entering the Union, can currently not be performed in accordance with EU legislation.
- (10) Therefore, an alternative to the presentation of original paper official certificates and official attestations should be temporarily authorised taking into account the use by registered users of the Trade Control and Expert System (TRACES) as referred to in Commission Implementing Regulation (EU) 2019/1715 ⁽¹²⁾ and the current technical inability of TRACES to issue electronic certificates in accordance with that Implementing Regulation. This alternative should be without prejudice to the obligation of operators in accordance with Regulation (EU) 2017/625 to present original documents, when technically feasible.
- (11) In view of these specific circumstances, measures should be taken to avoid serious health risks for staff of the competent authorities without jeopardising the prevention of risks to human, animal and plant health arising from animals, plants and their products and without jeopardising the prevention of risks to animal welfare. At the same time, the proper functioning of the Single Market, based on Union agri-food chain legislation should be ensured.
- (12) Member States with serious difficulties to operate their existing control systems should therefore be able to apply the temporary measures laid down in this Regulation, to the extent necessary to manage the related serious disruptions of their control systems. Member States should take all necessary action to remedy the serious disruption in their control systems as soon as possible.
- (13) Member States applying the temporary measures provided for in this Regulation should inform the Commission and the other Member States thereof as well as of measures taken to remedy the difficulties in carrying out official controls and other official activities in accordance with Regulation (EU) 2017/625.

⁽³⁾ Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ L 121, 29.7.1964, p. 1977/64).

⁽⁴⁾ Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species (OJ L 194, 22.7.1988, p. 10).

⁽⁵⁾ Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ L 302, 19.10.1989, p. 1).

⁽⁶⁾ Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ L 224, 18.8.1990, p. 62).

⁽⁷⁾ Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals (OJ L 46, 19.2.1991, p. 19).

⁽⁸⁾ Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC (OJ L 268, 14.9.1992, p. 54).

⁽⁹⁾ Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (OJ L 328, 24.11.2006, p. 14).

⁽¹⁰⁾ Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae (OJ L 192, 23.7.2010, p. 1).

⁽¹¹⁾ Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (OJ L 343, 22.12.2009, p. 74).

⁽¹²⁾ Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019 laying down rules for the functioning of the information management system for official controls and its system components (the IMSOC Regulation) (OJ L 261, 14.10.2019, p. 37).

- (14) This Regulation should be applicable for two months, in order to facilitate the planning and the performance of official controls and other official activities during the crisis linked to COVID-19. In view of the information received from a number of Member States, which suggests that temporary measures should be provided for immediately, this Regulation should enter into force on the day following the day of its publication.
- (15) 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

This Regulation lays down temporary measures necessary to contain widespread risks to human, animal and plant health and animal welfare, in order to address serious disruptions in the functioning of Member States' control systems in view of the crisis linked to COVID-19.

Article 2

Member States that wish to apply the temporary measures laid down in this Regulation shall inform the Commission and the other Member States thereof, as well as of measures taken to remedy their difficulties in carrying out official controls and other official activities in accordance with Regulation (EU) 2017/625.

Article 3

Official controls and other official activities may exceptionally be performed by one or more natural persons specifically authorised by the competent authority on the basis of their qualifications, training and practical experience, who are in contact with the competent authority by any available means of communication, and who are required to follow the instructions of the competent authority for the performance of such official controls and other official activities. Such persons shall act impartially, and they shall be free from any conflict of interest as regards the official controls and other official activities performed by them.

Article 4

Official controls and other official activities on official certificates and official attestations may exceptionally be performed by way of an official control performed on an electronic copy of the original of such certificates or attestations, or on an electronic format of the certificate or attestation produced and submitted in TRACES, provided the person responsible for presenting the official certificate or official attestation presents to the competent authority a statement affirming that the original of the official certificate or official attestation will be submitted as soon as technically feasible. When performing such official controls and other official activities, the competent authority shall take into account the risk of non-compliance of animals and goods concerned and operators' past record as regards the outcome of official controls performed on them and their compliance with the rules referred to in Article 1(2) of Regulation (EU) 2017/625.

Article 5

Official controls and other official activities may exceptionally be performed:

- (a) in the case of analyses, testing or diagnoses to be performed by official laboratories, by any laboratory designated for this purpose by the competent authority on a temporary basis;
- (b) in the case of physical meetings with operators and their staff in the context of official control methods and techniques referred to in Article 14 of Regulation (EU) 2017/625, via available means of distance communication.

Article 6

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 until 1 June 2020.

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

Done at Brussels, 30 March 2020.

For the Commission

The President

Ursula VON DER LEYEN

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2020/467

of 25 March 2020

fixing the definitive allocation of Union aid to Member States for school fruit and vegetables and for school milk for the period from 1 August 2020 to 31 July 2021 and amending Implementing Decision C(2019) 2249 final

(notified under document C(2020) 1795)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) No 1370/2013 of 16 December 2013 determining measures on fixing certain aids and refunds related to the common organisations of the markets in agricultural products ⁽¹⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) Pursuant to Article 3 of Commission Implementing Regulation (EU) 2017/39 ⁽²⁾, Member States wishing to participate in the Union aid scheme for the supply of fruit and vegetables, bananas and milk in educational establishments (the school scheme) are to submit to the Commission by 31 January each year their request for Union aid relating to the next school year and, if applicable, update the request for Union aid relating to the ongoing school year.
- (2) In accordance with the first subparagraph of Article 137(1) of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, the Union programmes and activities committed under the multiannual financial framework for the years 2014-2020 or previous financial perspectives are to be implemented in 2019 and 2020 with regard to the United Kingdom on the basis of the applicable Union law.
- (3) In order to ensure the effective implementation of the school scheme, the allocation of Union aid for school fruit and vegetables and for school milk among participating Member States should be fixed on the basis of the amounts indicated in the request for Union aid by those Member States and taking into account the transfers between Member State's indicative allocations referred to in Article 23a(4)(a) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ⁽³⁾.
- (4) All Member States notified the Commission of their request for Union aid for the period from 1 August 2020 to 31 July 2021, specifying the amount of aid required for school fruit and vegetables or for school milk, or for both parts of the scheme. In the case of Belgium, France, Cyprus and Sweden the amounts requested took account of the transfers between the indicative allocations.
- (5) In order to maximise the full potential of available funds, the unrequested Union aid should be reallocated to Member States participating in the school scheme that indicate, in their request for Union aid, their willingness to use more than their indicative allocation, should additional resources be available.
- (6) In their request for Union aid for the period from 1 August 2020 to 31 July 2021, Sweden and the United Kingdom sought less than the indicative allocation for school fruit and vegetables and/or for school milk. Bulgaria, Czechia, Denmark, Germany, Estonia, Ireland, Spain, Croatia, Italy, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Austria, Poland, Romania, Slovenia, Slovakia and Sweden notified their willingness to use more than the indicative allocation for school fruit and vegetables and/or for school milk.

⁽¹⁾ OJ L 346, 20.12.2013, p. 12.

⁽²⁾ Commission Implementing Regulation (EU) 2017/39 of 3 November 2016 on rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments (OJ L 5, 10.1.2017, p. 1).

⁽³⁾ 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 (OJ L 347, 20.12.2013, p. 671).

- (7) On the basis of the notified information by Member States, the definitive allocation of Union aid for school fruit and vegetables and for school milk for the period from 1 August 2020 to 31 July 2021 should be fixed.
- (8) Commission Implementing Decision C(2019) 2249 ⁽⁴⁾ final fixed the definitive allocation of Union aid for school fruit and vegetables and for school milk among Member States participating in the school scheme for the period from 1 August 2019 to 31 July 2020. Some Member States updated their request for Union aid relating to that school year. Germany, Spain, Luxembourg, the Netherlands and Austria notified transfers between the definitive allocation for school fruit and vegetables and the definitive allocation for school milk. Belgium, the Netherlands and Portugal sought less than the definitive allocation for school fruit and vegetables and/or for school milk. Czechia, Germany, Estonia, Ireland, Spain, Latvia, Lithuania, Luxembourg, Hungary, Austria, Romania and Slovakia notified their willingness to use more than the definitive allocation for school fruit and vegetables and/or for school milk.
- (9) Based on the notified information by Member States, Implementing Decision C(2019) 2249 final should be amended.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS DECISION:

Article 1

The definitive allocation of Union aid for school fruit and vegetables and for school milk among Member States participating in the school scheme for the period from 1 August 2020 to 31 July 2021 is set out in Annex I.

Article 2

Annex I to Implementing Decision C(2019) 2249 final is replaced by the text set out in Annex II to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 25 March 2020.

For the Commission

Janusz WOJCIECHOWSKI

Member of the Commission

⁽⁴⁾ Commission Implementing Decision C(2019) 2249 final of 27 March 2019 fixing the definitive allocation of Union aid to Member States for school fruit and vegetables and for school milk for the period from 1 August 2019 to 31 July 2020 and amending Implementing Decision C(2018) 1762 final.

ANNEX I

School year 2020/2021

(in EUR)

Member State	Definitive allocation for school fruit and vegetables	Definitive allocation for school milk
Belgium	3 405 459	1 613 200
Bulgaria	2 562 226	1 145 871
Czechia	3 918 810	1 813 713
Denmark	2 249 220	1 578 867
Germany	24 582 347	10 712 157
Estonia	542 176	727 890
Ireland	2 238 463	1 029 094
Greece	3 218 885	1 550 685
Spain	16 237 995	6 302 784
France	17 990 469	17 123 194
Croatia	1 636 896	874 426
Italy	20 493 267	9 016 105
Cyprus	390 044	400 177
Latvia	769 194	736 593
Lithuania	1 089 604	1 082 982
Luxembourg	333 895	204 752
Hungary	3 666 098	1 927 193
Malta	319 478	200 892
Netherlands	6 683 866	2 401 061
Austria	2 796 946	1 250 119
Poland	14 394 215	10 941 915
Portugal	3 283 397	2 220 981
Romania	7 866 848	10 771 254
Slovenia	701 580	359 649
Slovakia	2 098 537	1 004 766
Finland	1 599 047	3 824 689
Sweden	0	9 217 369
United Kingdom	0	4 898 661
Total	145 068 962	104 931 038

ANNEX II

‘ANNEX I

School year 2019/2020

(in EUR)

Member State	Definitive allocation for school fruit and vegetables	Definitive allocation for school milk
Belgium	2 506 459	855 200
Bulgaria	2 592 914	1 156 473
Czechia	4 163 260	2 103 744
Denmark	1 807 661	1 460 645
Germany	26 436 867	10 437 134
Estonia	573 599	765 332
Ireland	2 266 887	1 201 217
Greece	3 218 885	1 550 685
Spain	17 454 573	6 136 910
France	17 990 469	17 123 194
Croatia	1 660 486	800 354
Italy	20 811 379	9 120 871
Cyprus	390 044	400 177
Latvia	814 976	788 002
Lithuania	1 144 738	1 150 401
Luxembourg	381 828	165 000
Hungary	3 886 202	2 171 100
Malta	296 797	211 122
Netherlands	7 255 860	1 320 848
Austria	3 116 669	1 113 019
Poland	14 579 625	11 005 606
Portugal	1 553 912	2 151 570
Romania	6 866 848	11 301 317
Slovenia	708 635	362 276
Slovakia	2 206 132	1 140 984
Finland	1 599 047	3 824 689
Sweden	0	8 998 717
United Kingdom	0	4 898 661
Total	146 284 753	103 715 247'

RULES OF PROCEDURE

DECISION OF THE MANAGEMENT BOARD OF THE EUROPEAN CENTRE FOR DISEASE PREVENTION AND CONTROL

of 9 September 2019

on internal rules concerning restrictions of certain rights of data subjects in relation to processing of personal data in the framework of the functioning of the European Centre for Disease Prevention and Control

THE MANAGEMENT BOARD OF THE EUROPEAN CENTRE FOR DISEASE PREVENTION AND CONTROL (hereafter 'ECDC')

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

Having regard to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ⁽¹⁾, and in particular Article 25 thereof,

Having regard to Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European centre for disease prevention and control ⁽²⁾, and in particular Article 20(4) thereof,

Having regard to the rules of procedure of the Management Board of the ECDC, and in particular Article 10 thereof,

Having regard to the opinion of the EDPS of 22 July 2019 and to the EDPS Guidance on Article 25 of the new Regulation and internal rules,

After consulting the Staff Committee, Whereas:

- (1) ECDC carries out its activities in accordance with Regulation (EC) No 851/2004.
- (2) In accordance with Article 25(1) of Regulation (EU) 2018/1725 restrictions of the application of Articles 14 to 22, 35 and 36, as well as Article 4 of that Regulation in so far as its provisions correspond to the rights and obligations provided for in Articles 14 to 22 should be based on internal rules to be adopted by ECDC, where these are not based on legal acts adopted on the basis of the Treaties.
- (3) These internal rules, including its provisions on the assessment of the necessity and proportionality of a restriction, should not apply where a legal act adopted on the basis of the Treaties provides for a restriction of data subject rights.
- (4) Where ECDC performs its duties with respect to data subject's rights under Regulation (EU) 2018/1725, it shall consider whether any of the exemptions laid down in that Regulation apply.
- (5) Within the framework of its administrative functioning, ECDC may conduct administrative inquiries, disciplinary proceedings, carry out preliminary activities related to cases of potential irregularities reported to OLAF, process whistleblowing cases, process (formal and informal) procedures of harassment, process internal and external complaints, conduct internal audits, process health data of ECDC staff, carry out investigations by the Data Protection Officer in line with Article 45(2) of Regulation (EU) 2018/1725 and internal (IT) security investigations.

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ OJ L 142, 30.4.2004, p. 1.

- (6) ECDC processes several categories of personal data, including hard data ('objective' data such as identification data, contact data, professional data, administrative details, data received from specific sources, electronic communications and traffic data) and/or soft data ('subjective' data related to the case such as reasoning, behavioural data, appraisals, performance and conduct data and data related to or brought forward in connection with the subject matter of the procedure or activity).
- (7) ECDC, represented by its Director, acts as the data controller irrespective of further delegations of the controller role within the ECDC to reflect operational responsibilities for specific personal data processing operations.
- (8) The personal data are stored securely in an electronic environment or on paper preventing unlawful access or transfer of data to persons who do not have a need to know. The personal data processed are retained for no longer than necessary and appropriate for the purposes for which the data are processed for the period specified in the data protection notices, privacy statements or records of ECDC.
- (9) The internal rules should apply to all processing operations carried out by ECDC in the performance of administrative inquiries, disciplinary proceedings, preliminary activities related to cases of potential irregularities reported to OLAF, whistleblowing procedures, (formal and informal) procedures for cases of harassment, processing internal and external complaints, internal audits, the investigations carried out by the Data Protection Officer in line with Article 45(2) of Regulation (EU) 2018/1725, (IT) security investigations handled internally or with external involvement (e.g. CERT-EU) and in relation to the handling of personal files of staff members.
- (10) They should apply to processing operations carried out prior to the opening of the procedures referred to above, during these procedures and during the monitoring of the follow-up to the outcome of these procedures. It should also include assistance and cooperation provided by ECDC to national authorities and international organisations outside of its administrative investigations.
- (11) In the cases where these internal rules apply ECDC has to give justifications explaining why the restrictions are strictly necessary and proportionate in a democratic society and respect the essence of the fundamental rights and freedoms.
- (12) Within this framework ECDC is bound to respect, to the maximum extent possible, the fundamental rights of the data subjects during the above procedures, in particular, those relating to the right of provision of information, access and rectification, right to erasure, restriction of processing, right of communication of a personal data breach to the data subject or confidentiality of communication as enshrined in Regulation (EU) 2018/1725.
- (13) However, ECDC may be obliged to restrict the information to data subject and other data subject's rights to protect, in particular, its own investigations, the investigations and proceedings of other public authorities, as well as the rights of other persons related to its investigations or other procedures.
- (14) ECDC may thus restrict the information for the purpose of protecting the investigation and the fundamental rights and freedoms of other data subjects.
- (15) ECDC should periodically monitor that the conditions that justify the restriction apply and lift the restriction as far as they do no longer apply.
- (16) The Controller should inform the Data Protection Officer at the moment of deferral and during the revisions,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

1. This Decision lays down rules relating to the conditions under which ECDC in the framework of its procedures set out paragraph 2 may restrict the application of the rights enshrined in Articles 14 to 21, 35 and 36, as well as Article 4 thereof, following Article 25 of the Regulation (EU) 2018/1725.

2. Within the framework of the administrative functioning of ECDC, this Decision applies to the processing operations on personal data by ECDC for the purposes of: conducting administrative inquiries, disciplinary proceedings, preliminary activities related to cases of potential irregularities reported to OLAF, processing whistleblowing cases, (formal and informal) procedures of harassment, processing internal and external complaints, conducting internal audits, investigations carried out by the Data Protection Officer in line with Article 45(2) of Regulation (EU) 2018/1725 and (IT) security investigations handled internally or with external involvement (e.g. CERT-EU) and in relation to the handling of personal files of staff members (where they may contain data of psychological or psychiatric nature).
3. The categories of data concerned are hard data ('objective' data such as identification data, contact data, professional data, administrative details, data received from specific sources, electronic communications and traffic data) and/or soft data ('subjective' data related to the case such as reasoning, behavioural data, appraisals, performance and conduct data and data related to or brought forward in connection with the subject matter of the procedure or activity).
4. Where ECDC performs its duties with respect to data subject's rights under Regulation (EU) 2018/1725, it shall consider whether any of the exemptions laid down in that Regulation apply.
5. Subject to the conditions set out in this Decision, the restrictions may apply to the following rights: provision of information to data subjects, right of access, rectification, erasure, restriction of processing, communication of a personal data breach to the data subject or confidentiality of communication.

Article 2

Specification of the controller and safeguards

1. The safeguards in place to avoid data breaches, leakages or unauthorised disclosure are the following:
 - (a) paper documents shall be kept in secured cupboards and be accessible only to authorized staff;
 - (b) all electronic data shall be stored securely inside IT applications according to ECDC's security standards, as well as in specific electronic folders and be accessible only to authorised staff. Appropriate levels of access shall be granted individually;
 - (c) the database shall be password-protected and be accessible only to authorised users. E- records shall be held securely to safeguard the confidentiality and privacy of the data therein;
 - (d) all persons having access to the data are bound by the obligation of confidentiality or confidentiality agreements.
2. The controller of the processing operations is ECDC, represented by its Director, who may delegate the function of the controller. Data subjects shall be informed of the delegated controller by way of the data protection notices or records published on the website and/or the intranet of ECDC.
3. The retention period of the personal data referred to in Article 1(3) shall be no longer than necessary and appropriate for the purposes for which the data are processed. It shall in any event not be longer than the retention period specified in the data protection notices, privacy statements or records referred to in Article 5(1).
4. Where ECDC considers to apply a restriction, the risk to the rights and freedoms of the data subject shall be weighed, in particular, against the risk to the rights and freedoms of other data subjects and the risk of cancelling the effect of ECDC's investigations or procedures for example by destroying evidence. The risks to the rights and freedoms of the data subject concern primarily, but are not limited to, reputational risks and risks to the right of defence and the right to be heard.

Article 3

Restrictions

1. Any restriction shall only be applied by ECDC to safeguard:
 - (a) the prevention, investigation, detection and prosecution of criminal offences, including the safeguarding against and the prevention of threats to public security;
 - (b) the internal security of Union institutions and bodies, including of their electronic communications networks;

- (c) the prevention, investigation, detection and prosecution of breaches of ethics for regulated professions;
- (d) a monitoring, inspection or regulatory function connected, even occasionally, to the exercise of official authority in the cases referred to in point (a);
- (e) the protection of the data subject or the rights and freedoms of others;

2. As a specific application of the purposes described in paragraph 1 above, ECDC may apply restrictions in relation to personal data exchanged with Commission services or other Union institutions, bodies, agencies and offices, competent authorities of Member States or third countries or international organisations, in the following circumstances:

- (a) where the exercise of those rights and obligations could be restricted by Commission services or other Union institutions, bodies, agencies and offices on the basis of other acts provided for in Article 25 of Regulation (EU) 2018/1725 or in accordance with Chapter IX of that Regulation or with the founding acts of other Union institutions, bodies, agencies and offices;
- (b) where the exercise of those rights and obligations could be restricted by competent authorities of Member States on the basis of acts referred to in Article 23 of Regulation (EU) 2016/679 of the European Parliament and of the Council ⁽³⁾, or under national measures transposing Articles 13(3), 15(3) or 16(3) of Directive (EU) 2016/680 of the European Parliament and of the Council ⁽⁴⁾;
- (c) where the exercise of those rights and obligations could jeopardise ECDC's cooperation with third countries or international organisations in the conduct of its tasks.

Before applying restrictions in the circumstances referred to in points (a) and (b) of the first subparagraph, ECDC shall consult the relevant Commission services, Union institutions, bodies, agencies, offices or the competent authorities of Member States unless it is clear to ECDC that the application of a restriction is provided for by one of the acts referred to in those points.

3. Any restriction shall be necessary and proportionate taking into account the risks to the rights and freedoms of data subjects and respect the essence of the fundamental rights and freedoms in a democratic society.

4. If the application of restriction is considered, a necessity and proportionality test shall be carried out based on the present rules. It shall be documented through an internal assessment note for accountability purposes on a case by case basis.

5. Restrictions shall be lifted as soon as the circumstances that justify them no longer apply. In particular, where it is considered that the exercise of the restricted right would no longer cancel the effect of the restriction imposed or adversely affect the rights or freedoms of other data subjects.

Article 4

Review by the Data Protection Officer

1. ECDC shall, without undue delay, inform its Data Protection Officer ('the DPO') whenever the controller restricts the application of data subjects' rights, or extends the restriction, in accordance with this Decision. The controller shall provide the DPO access to the record containing the assessment of the necessity and proportionality of the restriction and document the date of informing the DPO in the record.

2. The DPO may request the controller in writing to review the application of the restrictions. The controller shall inform the DPO in writing about the outcome of the requested review.

3. The controller shall inform the DPO when the restriction has been lifted.

⁽³⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁴⁾ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

*Article 5***Provision of information to data subject**

1. In duly justified cases and under the conditions stipulated in this decision, the right to information may be restricted by the controller in the context of the following processing operations:

- (a) the performance of administrative inquiries and disciplinary proceedings;
- (b) preliminary activities related to cases of potential irregularities reported to OLAF;
- (c) whistleblowing procedures;
- (d) (formal and informal) procedures for cases of harassment;
- (e) processing internal and external complaints;
- (f) internal audits;
- (g) the investigations carried out by the Data Protection Officer in line with Article 45(2) of Regulation (EU) 2018/1725;
- (h) (IT) security investigations handled internally or with external involvement (e.g. CERT-EU).

ECDC shall include in the data protection notices, privacy statements or records in the sense of Article 31 of Regulation (EU) 2018/1725, published on its website and/or on the intranet informing data subjects of their rights in the framework of a given procedure, information relating to the potential restriction of these rights. The information shall cover which rights may be restricted, the reasons and the potential duration.

2. Without prejudice to the provisions of paragraph 3, ECDC, where proportionate, shall also inform individually all data subjects, which are considered persons concerned in the specific processing operation, of their rights concerning present or future restrictions without undue delay and in a written form.

3. Where ECDC restricts, wholly or partly, the provision of information to the data subjects referred to in paragraph 2, it shall record the reasons for the restriction, the legal ground in accordance with Article 3 of this Decision, including an assessment of the necessity and proportionality of the restriction.

The record and, where applicable, the documents containing underlying factual and legal elements shall be registered. They shall be made available to the European Data Protection Supervisor on request.

4. The restriction referred to in paragraph 3 shall continue to apply as long as the reasons justifying it remain applicable.

Where the reasons for the restriction no longer apply, ECDC shall provide information to the data subject on the principal reasons on which the application of a restriction is based. At the same time, ECDC shall inform the data subject of the right of lodging a complaint with the European Data Protection Supervisor at any time or of seeking a judicial remedy in the Court of Justice of the European Union.

ECDC shall review the application of the restriction every six months from its adoption and at the closure of the relevant inquiry, procedure or investigation. Thereafter, the controller shall monitor the need to maintain any restriction every six months.

*Article 6***Right of access by data subject**

1. In duly justified cases and under the conditions stipulated in this decision, the right to access may be restricted by the controller in the context of the following processing operations, where necessary and proportionate:

- (a) the performance of administrative inquiries and disciplinary proceedings;
- (b) preliminary activities related to cases of potential irregularities reported to OLAF;
- (c) whistleblowing procedures;

- (d) (formal and informal) procedures for cases of harassment;
- (e) processing internal and external complaints;
- (f) internal audits;
- (g) the investigations carried out by the Data Protection Officer in line with Article 45(2) of Regulation (EU) 2018/1725;
- (h) (IT) security investigations handled internally or with external involvement (e.g. CERT-EU);
- (i) in relation to direct access to documents related to medical data of psychological or psychiatric nature included in the personnel file of ECDC staff members.

Where data subjects request access to their personal data processed in the context of one or more specific cases or to a particular processing operation, in accordance with Article 17 of Regulation (EU) 2018/1725, ECDC shall limit its assessment of the request to such personal data only.

2. Where ECDC restricts, wholly or partly, the right of access, referred to in Article 17 of Regulation (EU) 2018/1725, it shall take the following steps:

- (a) it shall inform the data subject concerned, in its reply to the request, of the restriction applied and of the principal reasons thereof, and of the possibility of lodging a complaint with the European Data Protection Supervisor or of seeking a judicial remedy in the Court of Justice of the European Union;
- (b) it shall document in an internal assessment note the reasons for the restriction, including an assessment of the necessity, proportionality of the restriction and its duration.

The provision of information referred to in point (a) may be deferred, omitted or denied if it would cancel the effect of the restriction in accordance with Article 25(8) of Regulation (EU) 2018/1725.

ECDC shall review the application of the restriction every six months from its adoption and at the closure of the relevant investigation. Thereafter, the controller shall monitor the need to maintain any restriction every six months.

3. The record and, where applicable, the documents containing underlying factual and legal elements shall be registered. They shall be made available to the European Data Protection Supervisor on request.

Article 7

Right of rectification, erasure and restriction of processing

1. In duly justified cases and under the conditions stipulated in this decision, the right to rectification, erasure and restriction may be restricted by the controller in the context of the following processing operations, where necessary and appropriate:

- (a) the performance of administrative inquiries and disciplinary proceedings;
- (b) preliminary activities related to cases of potential irregularities reported to OLAF;
- (c) whistleblowing procedures;
- (d) (formal and informal) procedures for cases of harassment;
- (e) processing internal and external complaints;
- (f) internal audits;
- (g) the investigations carried out by the Data Protection Officer in line with Article 45(2) of Regulation (EU) 2018/1725;
- (h) (IT) security investigations handled internally or with external involvement (e.g. CERT-EU).

2. Where ECDC restricts, wholly or partly, the application of the right to rectification, erasure and restriction of processing referred to in Articles 18, 19(1) and 20(1) of Regulation (EU) 2018/1725, it shall take the steps set out in Article 6(2) of this Decision and register the record in accordance with Article 6(3) thereof.

*Article 8***Communication of a personal data breach to the data subject and confidentiality of electronic communications**

1. In duly justified cases and under the conditions stipulated in this decision, the right to the communication of a personal data breach may be restricted by the controller in the context of the following processing operations, where necessary and appropriate:

- (a) the performance of administrative inquiries and disciplinary proceedings;
- (b) preliminary activities related to cases of potential irregularities reported to OLAF;
- (c) whistleblowing procedures;
- (d) (formal and informal) procedures for cases of harassment;
- (e) processing internal and external complaints;
- (f) internal audits;
- (g) the investigations carried out by the Data Protection Officer in line with Article 45(2) of Regulation (EU) 2018/1725;
- (h) (IT) security investigations handled internally or with external involvement (e.g. CERT-EU)

2. In duly justified cases and under the conditions stipulated in this decision, the right to confidentiality of electronic communications may be restricted by the controller in the context of the following processing operations, where necessary and appropriate:

- (a) the performance of administrative inquiries and disciplinary proceedings;
- (b) preliminary activities related to cases of potential irregularities reported to OLAF;
- (c) whistleblowing procedures;
- (d) formal procedures for cases of harassment;
- (e) processing internal and external complaints;
- (f) (IT) security investigations handled internally or with external involvement (e.g. CERT-EU).

3. Where ECDC restricts the communication of a personal data breach to the data subject or the confidentiality of electronic communications referred to in Articles 35 and 36 of Regulation (EU) 2018/1725, it shall record and register the reasons for the restriction in accordance with Article 5(3) of this decision. Article 5(4) of this Decision shall apply.

*Article 9***Entry into force**

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

Done at Stockholm, 9 September 2019.

For the European Centre for Disease Prevention and Control

Anni VIROLAINEN-JULKUNEN

Chairperson of the Management Board

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2020

OF THE EU-KINGDOM OF MOROCCO ASSOCIATION COMMITTEE

of 16 March 2020

concerning the exchange of information between the European Union and the Kingdom of Morocco for the purpose of evaluating the impact of the Agreement in the form of an Exchange of Letters on the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part [2020/468]

THE EU-KINGDOM OF MOROCCO ASSOCIATION COMMITTEE,

Having regard to the Euro-Mediterranean Agreement of 26 February 1996 establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, and in particular Article 83 thereof,

Having regard to the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco of 25 October 2018 on the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part,

Whereas:

- (1) The Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Morocco on the amendment of Protocols 1 and 4 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part ('the Agreement in the form of an Exchange of Letters') entered into force on 19 July 2019.
- (2) The Agreement in the form of an Exchange of Letters was concluded without prejudice to the respective positions of the European Union with regard to the status of Western Sahara and of the Kingdom of Morocco with regard to that region.
- (3) Under the Agreement in the form of an Exchange of Letters, products originating in Western Sahara that are subject to controls by the customs authorities of the Kingdom of Morocco benefit from the same trade preferences as those granted by the European Union to products covered by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part ('the Association Agreement').
- (4) In a spirit of partnership and in order to allow the parties to assess the impact of the Agreement in the form of an Exchange of Letters, in particular on sustainable development and with regard to the advantages for the people concerned and the exploitation of the natural resources of the territories in question, the European Union and the Kingdom of Morocco have agreed to exchange information at least once a year by means of the Association Committee.
- (5) The specific arrangements for the evaluation exercise are to be adopted by the Association Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. In a spirit of partnership and in order to allow the parties to assess the impact of the Agreement in the form of an Exchange of Letters during its application from a sustainable development perspective, the European Union and the Kingdom of Morocco have agreed to exchange information by means of the Association Committee on an annual basis.

2. The European Union and the Kingdom of Morocco shall exchange data considered relevant in the main areas of activity concerned as well as statistical, economic, social and environmental information, in particular with regard to the advantages of the Agreement in the form of an Exchange of Letters for the people concerned and the exploitation of the natural resources of the territories in question. A list of relevant information is set out in the Annex to this Decision.

The exchange shall be based on a prior written communication sent by the end of March each year; the communication may be followed by requests for clarification and supplementary questions raised in the subject areas covered by this Decision. Responses shall be provided by the end of June each year.

3. In a spirit of partnership and in order to allow them to assess the impact of the Agreement the form of an Exchange of Letters, the parties have also agreed that the Kingdom of Morocco may, on the basis of existing information systems, ask the European Union for information on production and trade in specific product categories of particular interest to the Kingdom of Morocco.

For this purpose, the Kingdom of Morocco shall send its request in writing to the European Union by the end of March each year; the communication may be followed by requests for clarification and supplementary questions. Responses shall be provided by the end of June each year.

4. The parties shall take note of those exchanges within the Association Committee once a year.

5. The minutes, including the Association Committee's conclusions, shall be approved by the parties by the end of the month following that in which the meeting takes place.

Article 2

The Annex shall form an integral part of this Decision.

Article 3

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

Done at Brussels, 16 March 2020.

For the EU-Kingdom of Morocco
Association Committee
R. GILI

ANNEX

**RELEVANT INFORMATION FOR THE PURPOSES OF THE EXCHANGE OF INFORMATION PROVIDED FOR IN
THE AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS**

The information exchanged is to be used to update the joint report of 11 June 2018 by the Commission and the European External Action Service (EEAS) ⁽¹⁾. The exchange of information is therefore to include detailed information that allows for the impact of the Agreement in the form of an Exchange of Letters to be evaluated during its implementation, including general information on the territories and people concerned. This information is intended solely for the purposes of evaluation and the updating of the report by the Commission and the EEAS. The following are examples of relevant information:

1. Information provided by the Kingdom of Morocco:

(a) General information:

- * Socioeconomic and environmental statistics.

(b) Information on the main export sectors of the economy:

- * production by type of product;
- * the area farmed and the volume harvested;
- * exports to the European Union in terms of volume and value;
- * economic activities of local operators related to the sectors covered by the Agreement in the form of an Exchange of Letters, and employment generated;
- * sustainable management of resources;
- * production establishments.

2. Information provided by the EU:

Information on trade in products exported to the Kingdom of Morocco by customs code and in terms of volume and value, as well as, where such data are available, on the production of specific products.

3. Other relevant information:

As stated in the correspondence exchanged by the European Commission and the Mission of the Kingdom of Morocco to the European Union on 6 December 2018, the Kingdom of Morocco is setting up a mechanism for collecting information on exports covered by the Association Agreement, as amended by the Exchange of Letters, which will systematically and regularly provide and make available each month precise data so that the European Union has transparent and reliable information on the origin of these exports to the Union, by region ⁽²⁾. The European Commission will have direct access to such data and will share them with the customs authorities of the Member States of the European Union.

For its part, the Kingdom of Morocco will have transparent and reliable statistical information on exports from the European Union to the Kingdom of Morocco.

⁽¹⁾ 'Report on benefits for the people of Western Sahara and public consultation on extending tariff preferences to products from Western Sahara' of 11 June 2018 (SWD (2018) 346 final).

⁽²⁾ NB: This mechanism has been operational since 1 October 2019.

CORRIGENDA

Council Implementing Regulation (EU) 2020/398 of 13 March 2020 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 78 of 13 March 2020)

On page 13, entry 59, second column ('Name'):

for: 'Aleksandr Sergeevich MALYKHIN
Alexander Sergeevich MALYHIN
(Александр Сергеевич МАЛЫХИН)
Oleksandr Serhiyovych (Sergiyovych) Y
(Олександр Сергійович МАЛІХІН)'

read: 'Aleksandr Sergeevich MALYKHIN
Alexander Sergeevich MALYHIN
(Александр Сергеевич МАЛЫХИН)
Oleksandr Serhiyovych (Sergiyovych) MALYKHIN
(Олександр Сергійович МАЛІХІН)'

ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN