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⁽¹⁾ Text with EEA relevance.

EN

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/877

of 3 April 2020

amending and correcting Delegated Regulation (EU) 2015/2446 supplementing Regulation (EU) No 952/2013, and amending Delegated Regulation (EU) 2016/341 supplementing Regulation (EU) No 952/2013, laying down the Union Customs Code

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Articles 7, 10, 24, 88, 131, 156, 160, 168, 175, 183, 212, 216, 253 and 265 thereof,

Whereas:

- (1) The practical implementation of Regulation (EU) No 952/2013 (the Code) in combination with Commission Delegated Regulation (EU) 2015/2446 ⁽²⁾ has shown that some amendments need to be made to that Delegated Regulation in order to better adjust it to the needs of economic operators and customs administrations as well as to take into account legislative developments and developments regarding the deployment of the IT systems established for the purposes of the Code.
- (2) In order to clarify which customs office must ensure that the pre-arrival risk analysis is carried out on the basis of the entry summary information, the definition of ‘customs office of first entry’ in Article 1(15) of Delegated Regulation (EU) 2015/2446 should be amended to spell out that, where that term is used, it refers to the office responsible for the place at which the means of transport is destined to arrive even if, for any reason, the means of transport actually arrives at a different place for which a different office is responsible.
- (3) In order to clearly delimit the scope of application of the rules on the entry summary declaration covering goods in express consignments and of the formalities applicable to the import and to the export of such goods, the terms ‘express consignment’ and ‘express carrier’ should be defined.
- (4) In order to ensure a uniform application of the customs provisions based on the intrinsic value of the goods, a definition of the term ‘intrinsic value’ is needed.
- (5) In line with the Action Plan on Military Mobility ⁽³⁾, there is a need to streamline and simplify the customs formalities for goods moved or used in the context of military activities. That objective should be met by establishing a definition of such goods, and by establishing an EU form 302 as a customs document to be used by the EU Member States, including in the context of military activities pertaining to the Common Security and Defence Policy of the Union.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

⁽³⁾ Joint Communication to the European Parliament and to the Council on the Action Plan on Military Mobility, JOIN(2018) 5 final of 28 March 2018.

- (6) In order to allow that, pursuant to Union legislation other than customs legislation, the economic operator registration and identification number (EORI) is used for identification, persons other than economic operators should be obliged to register in EORI where such registration is required by Union legislation and not only where it is required by the legislation of a Member State. Article 6 of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly.
- (7) Article 13(4) of Delegated Regulation (EU) 2015/2446 provides for a possibility to extend the time limit to take a decision relating to the application of the customs legislation where the competent customs authorities are investigating an infringement of customs legislation. That possibility should also apply for cases in which the competent customs and fiscal authorities are investigating an infringement of tax legislation, as some authorisations can only be granted in the absence of serious or repeated infringements of taxation rules. Article 17(1) of Delegated Regulation (EU) 2015/2446 sets out an obligation for the customs authorities to suspend a decision until it is established whether an economic operator has committed a serious infringement or repeated infringements. That obligation should also cover cases of serious criminal offences relating to the applicant's economic activity but should not extend to infringements or criminal offences committed by persons in charge of the company's customs matters who are not employees of that company, in line with Article 24(1) of Commission Implementing Regulation (EU) 2015/2447 ⁽⁴⁾. Articles 13(4) and 17(1) of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly.
- (8) Article 86(3) of the Code sets out special rules for calculating the amount of a customs debt where the debt is incurred for processed products resulting from the inward processing procedure. At the request of the declarant, that customs debt is determined on the basis of the tariff classification, customs value, quantity, nature and origin of the goods placed under the inward processing procedure at the time of acceptance of the customs declaration relating to those goods. Article 76 of Delegated Regulation (EU) 2015/2446 lays down the conditions under which Article 86(3) of the Code is to apply without a request from the declarant. In order to avoid the circumvention of anti-dumping and countervailing duties, safeguard measures and additional duties resulting from a suspension of concessions that would be applicable to goods when first placed under the inward processing procedure, the obligation to apply Article 86(3) of the Code without a request from the declarant should also cover processed products obtained from such goods placed under inward processing. Article 76 of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly. A transitional period of 1 year should be granted in order to allow economic operators time to adapt to the new rules.
- (9) Article 104(1) of Delegated Regulation (EU) 2015/2446 sets out exceptions from the requirement to lodge an entry summary declaration for goods brought into the customs territory of the Union. In order not to delay the import of organs and other human or animal tissue or human blood suitable for permanent grafting, implantation or transfusion in case of emergency, the exceptions should also cover those goods. In addition, in order to facilitate military mobility, those exceptions should be extended to goods moved under cover of a NATO form 302 or an EU form 302. Furthermore, following the inclusion of Campione d'Italia and the Italian waters of Lake Lugano in the customs territory of the Union ⁽⁵⁾, the exception should no longer apply to goods brought from those territories. Article 104(1) of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly.
- (10) Directive (EU) 2019/883 of the European Parliament and of the Council ⁽⁶⁾ aims to protect the marine environment against the negative effect from discharges of waste from ships using ports located in the Union, by improving the availability and use of adequate port reception facilities and the delivery of waste to those facilities. In order not to jeopardise the objective of that Directive, the customs formalities for such waste should be streamlined and simplified by waiving the obligation to lodge an entry summary declaration and by considering the presentation to

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

⁽⁵⁾ Article 1(1) of Regulation (EU) 2019/474 of the European Parliament and of the Council of 19 March 2019 amending Regulation (EU) No 952/2013 laying down the Union Customs Code (OJ L 83, 25.3.2019, p. 38).

⁽⁶⁾ Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).

customs as a customs declaration for release for free circulation. Those simplifications should apply only if the advance waste notification referred to in Article 6 of Directive (EU) 2019/883 has been made to the competent authorities. Articles 104, 138, 141, and 142 of Delegated Regulation (EU) 2015/2446 should be amended accordingly.

- (11) Article 104 of Delegated Regulation (EU) 2015/2446 sets out a waiver of the obligation to lodge an entry summary declaration for goods in postal consignments and for goods of a value not exceeding EUR 22, until the date of the upgrading of the Import Control System. However, the Commission has, by Commission Implementing Decision (EU) 2019/2151 (the Work Programme) ⁽⁷⁾, decided to set up a new electronic system (ICS2) to support customs pre-arrival security and safety risk analysis and related controls. The implementation of the new system is to be carried out through three releases (release 1, release 2 and release 3). The general reference to the upgrading of the Import Control System in Article 104 of Delegated Regulation (EU) 2015/2446 should therefore be replaced by more specific references to the different releases of the new system, to which the carriers will gradually connect. In accordance with the Work Programme, as regards air transport, postal operators and express carriers will connect to the new system from release 1 but they will only be obliged to lodge the minimum dataset of the entry summary declaration for goods in postal consignments having the Union as final destination and for goods in express consignments. Other economic operators or operations within the field of air transport will be covered by the new system from release 2. For rail, road, sea and inland waterways transport, the relevant economic operators must connect from release 3. Accordingly, the waiver for goods in postal consignments should not apply for air consignments having a Member State as final destination after release 1. In addition, it should not apply for air consignments having a third country as final destination after release 2, and for postal consignments that are transported by sea, inland waterways, road or rail after release 3. Similarly, the waiver for goods not exceeding EUR 22 in express consignments transported by air should not apply after release 1. In addition, it should not apply after release 2 for such goods in air consignments that are neither post nor express consignments. For goods in consignments transported by sea, inland waterways, road or rail it should not apply after release 3. The Member States are to determine, in cooperation with the Commission, the specific dates at which the economic operators are obliged to use the different releases of the new system in accordance with the Annex to the Work Programme. Article 104 of Delegated Regulation (EU) 2015/2446 should be amended accordingly.
- (12) Article 106 of Delegated Regulation (EU) 2015/2446 sets out time limits to lodge the entry summary declaration in case of transport by air. Those time limits should also reflect the decision to set up the electronic system (ICS2) in three releases. The provision should clearly distinguish the general rule on the time limit to submit the entry summary declaration from the time limits to submit the minimum dataset of the entry summary declaration and the time limits to provide other particulars. This is so because, as stated in Article 183 of Implementing Regulation (EU) 2015/2447, from release 2 of the new system, the provision of the particulars of the entry summary declaration by different persons (multiple filing) will be gradually possible. From release 1 of the new system, postal operators and express carriers should be required to submit the minimum dataset of the entry summary declaration as soon as possible and at the latest before the goods are loaded into the aircraft that will bring them into the customs territory of the Union. The obligation to submit the minimum dataset should apply to all air carriers and economic operators involved in air transport activities from release 2. From release 2 of the new system, air carriers should be required to supplement the minimum dataset with the rest of the particulars so that the full entry summary declaration is lodged by the general time limits. However, between the dates of release 1 and release 2, the minimum dataset lodged by the postal operators and express carriers should be considered as the full entry summary declaration for goods in postal consignments and for goods in express consignments with an intrinsic value not exceeding EUR 22. The reason is that in that interval air carriers will not be connected to the new system and therefore they will not be able to supplement the minimum dataset. The rule establishing an obligation on air carriers and economic operators to submit the minimum dataset of entry summary declaration as early as possible, and at the latest before the goods are loaded onto the aircraft on which they are to be brought into the customs territory of the Union, ensures that customs authorities are in position to carry out risk analysis and undertake the necessary measures in the context of air cargo security. This represents an important complementary action to the existing EU regulatory framework for aviation security, namely, Regulation (EC) No 300/2008 of the European Parliament and of the Council ⁽⁸⁾.

⁽⁷⁾ Commission Implementing Decision (EU) 2019/2151 of 13 December 2019 establishing the work programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code (OJ L 325, 16.12.2019, p. 168).

⁽⁸⁾ Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 (OJ L 97, 9.4.2008, p. 72).

- (13) Articles 112 and 113 of Delegated Regulation (EU) 2015/2446 set out obligations for other persons than the carrier to provide particulars of the entry summary declaration as regards, respectively, transport by sea or inland waterways and transport by air. Both articles contain transitional rules suspending the obligations until the upgrade of the Import Control System. Those transitional rules should reflect the fact that the provision of the particulars of the entry summary declaration by different persons will only occur from release 2 of the new system in the case of transport by air, and from release 3 in the case of transport by sea or inland waterways. Accordingly, the obligation of persons other than the carrier to provide the particulars of the entry summary declaration should distinguish between both releases. Moreover, the rule establishing that each person is responsible for the particulars of the entry summary declaration that he or she has submitted should be deleted from Articles 112 and 113 and become a new general provision applicable to any transport mode, and not to air and sea or inland waterways alone. To the extent that the entry summary declaration waiver for postal consignments and goods below EUR 22 will progressively disappear, that provision should also include a new obligation on postal operators and express carriers to provide the particulars of the entry summary declaration to the customs office of first entry, if they have not provided those particulars to the carriers having the obligation to supplement the minimum dataset provided by the postal operators or express carriers. Articles 112 and 113 of Delegated Regulation (EU) 2015/2446 should be amended accordingly, and a new Article 113a should be inserted.
- (14) In order to facilitate military mobility, the EU form 302 should also serve as proof of the customs status of Union goods. Article 127 of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly.
- (15) Article 128d of Delegated Regulation (EU) 2015/2446 sets out the conditions for granting the authorization to draw up the shipping company's manifest after departure. Those conditions should continue to apply as long as that authorization can be granted, regardless of whether or not the UCC Customs Decision System has been deployed. The reference to the UCC Customs Decision System should, therefore, be deleted. Article 128d of Delegated Regulation (EU) 2015/2446 should be amended accordingly.
- (16) Article 141 of Delegated Regulation (EU) 2015/2446 lists certain acts that are to be deemed customs declarations for goods referred to in Articles 138(a) to (d), 139 and 140(1) of that Regulation. The formalities to declare, both for import and for export, organs and other human or animal tissue or human blood suitable for permanent grafting, implantation or transfusion in case of emergency should be as limited as possible in order not to delay their release through cumbersome customs formalities at the border and to ensure their timely usage. Such organs, tissue or blood should therefore be allowed to be declared by any of the acts listed in Article 141 of Delegated Regulation (EU) 2015/2446. Articles 138, 140 and 141 of that Delegated Regulation should therefore be amended accordingly.
- (17) In order to further simplify the movement of goods moved or used in the context of military activities, the presentation to customs of a NATO form 302 or of an EU form 302 should be considered as a customs declaration for release for free circulation with import duty relief as returned goods, for temporary admission, for export or re-export, or for transit. In the absence of an electronic system for the submission of a NATO form 302 or of an EU form 302 to customs, it is also appropriate to allow for the submission of those forms by means other than electronic data-processing techniques. Articles 138 to 142 of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly.
- (18) Once the new value added tax (VAT) rules for distance sales laid down in Council Directive (EU) 2017/2455⁽⁹⁾ enter into force, VAT will be due on all goods imported into the Union, regardless of their value. In order to ensure that VAT is collected for these goods, an electronic customs declaration will be required. The current possibility to declare postal consignments by any act listed in Article 141 of Delegated Regulation (EU) 2015/2446, needs, therefore, to be modified. That possibility should only apply until the end of the deployment window for release 1 of ICS2, since all postal operators should by that time have the electronic data necessary to submit the entry summary declaration. To ensure a proper collection of VAT, that possibility should, in addition, be subject to the approval of customs authorities and be limited to cases in which the import VAT is collected upon entry of the goods under the standard procedure. Articles 138 and 141 of Delegated Regulation (EU) 2015/2446 should be amended accordingly.

⁽⁹⁾ Council Directive (EU) 2017/2455 of 5 December 2017 amending Directive 2006/112/EC and Directive 2009/132/EC as regards certain value added tax obligations for supplies of services and distance sales of goods (OJ L 348, 29.12.2017, p. 7).

- (19) Due to the growth in e-commerce, the number of low value consignments exported from the Union is increasing. Postal operators and express carriers play an important part in those exports. Whilst postal consignments can be declared for export by their exit from the customs territory of the Union in accordance with Article 141(4) of Delegated Regulation (EU) 2015/2446, other commercial goods not exceeding EUR 1 000 in value and 1 000 kg in weight are to be declared for export orally pursuant to Article 137(1)(b) of that Regulation. Since the oral declaration is to be made at the customs office competent for the place of exit, this facilitation does not fit with the business model of express carriers that is based on a single transport contract type facilitation. In case a single transport contract is used, all the exit formalities, including the formal closing of the export movement, can be completed at an inland customs office so that the customs office competent for the place of exit may only request to examine the goods on an ad hoc basis. The information about the exit of the goods is available in the express carrier's records and may be verified by the customs authorities in the framework of post-audit controls. In order to enable the smooth export clearance of low value consignments by express carriers and thus avoid bottlenecks at border customs offices, those consignments should be allowed to be declared by any act listed in Article 141 of Delegated Regulation (EU) 2015/2446. Articles 140 and 141 of that Regulation should be amended accordingly.
- (20) Article 141 of Delegated Regulation (EU) 2015/2446 should also be amended to clarify that means of transport benefiting from total relief from import duty can be declared for temporary admission by the sole act of the goods crossing the frontier of the customs territory of the Union in any of the situations listed in point d) of paragraph 1 of that Article. The same applies for means of transport that are to be released for free circulation as returned goods according to Article 203 of the Code. Such clarification is needed for the sake of legal certainty.
- (21) Article 142 of Delegated Regulation (EU) 2015/2446 lists certain goods that may not be declared orally or in accordance with Article 141 of that Regulation, such as goods subject to an application for the repayment of duty or other charges. As of the entry into force of the new value added tax (VAT) rules for distance sales laid down in Council Directive (EU) 2017/2455, VAT will be due for all goods imported to the Union, regardless of their value. Consequently, if such goods are returned, the declarant is to ask for the repayment of the VAT charged upon the release for free circulation of the goods. In such cases, the declarant will need to provide evidence that the goods left the customs territory of the Union. In order to keep the administrative burden at a reasonable level for low value consignments, re-export of such consignments should be allowed by any other act in accordance with Article 141 of Delegated Regulation (EU) 2015/2446, even if an application for the repayment of the VAT has been submitted. Therefore, Article 142 of Delegated Regulation (EU) 2015/2446 should be amended accordingly.
- (22) In order to clarify that the submission of the data required for the release for free circulation of low value consignments can be made in different electronic formats, the wording of Article 143a should be modified. In addition, a transitional measure should be provided for the declaration of low value consignments in the National Import Systems that have not yet been updated in accordance with the Code. Pursuant to Article 278(2) of the Code and to the Work Programme, Member States can update their National Import Systems until the end of 2022. By contrast, the new VAT measures in Directive (EU) 2017/2455 will enter into force before that date. It is therefore necessary to provide for an alternative dataset for the electronic customs declaration of low value consignments in the non-updated electronic systems that function with the transitional data requirements. Member States should therefore be allowed to provide for the use of the simplified declaration or standard customs declaration dataset set out in Commission Delegated Regulation (EU) 2016/341 ⁽¹⁰⁾, instead of the customs declaration for certain low-value consignments set out in Article 143a(1) of Delegated Regulation (EU) 2015/2446, until the National Import Systems have been updated.
- (23) Article 144 of Delegated Regulation (EU) 2015/2446 sets out rules for customs declaration for goods in postal consignments. Those rules should reflect the changes in the declaration of such goods as of the entry into force of the relevant provisions of Directive (EU) 2017/2455. The rule setting out who is to be considered as debtor and declarant in the declaration of postal consignments by presentation should be deleted because from 1 January 2021 goods in postal consignments not exceeding EUR 150 are to be declared by means of an electronic customs declaration. In that declaration, the debtor and the declarant are to be clearly indicated. A transitional measure should be provided for the declaration of goods in postal consignments with a value of between EUR 150 and

⁽¹⁰⁾ Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (OJ L 69 15.3.2016, p. 1).

EUR 1000 in the Member States that have not yet updated their National Import Systems in accordance with the Code. The possibility to declare for release for free circulation those goods by presentation accompanied by declaration CN22 or CN23 until the end of the period to update the National Import Systems, that is until the end of 2022, should be maintained since the Member States are not obliged to implement the different datasets for electronic declarations until the end of that period. Article 144 of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly.

- (24) Article 146 of Delegated Regulation (EU) 2015/2446 sets out the time limits for lodging the supplementary declaration referred to in the first subparagraph of Article 167(1) of the Code. Those rules should connect in a clearer manner the customs authorities' deadlines for entering the amount of import or export duty in the accounts in accordance with Article 105(1) of the Code and the time limits for the declarants to lodge the different types of supplementary declaration. Accordingly, it should be clarified that supplementary declarations covering a single simplified declaration and giving rise to a single entry in the accounts in accordance with the first subparagraph of Article 105(1) of the Code are supplementary declarations of a general nature. Supplementary declarations of a general nature should be lodged within ten days of the release of the goods. It should further be clarified that supplementary declarations of a periodic or recapitulative nature cover one or several simplified declarations by the same declarant during a fixed period and give rise to a single entry for a global amount of import duty in accordance with the second subparagraph of Article 105(1) of the Code. Those declarations should be lodged within ten days following the end of the period that they cover.

- (25) In order to better adapt the current rules to the needs of economic operators, customs authorities should be allowed to provide declarants with a longer time limit to lodge the supplementary declaration and to obtain the relevant supporting documents where the lodging of the customs declaration cannot lead to the incurrence of a customs debt. The longer time limit should be up to 120 days from the release of the goods in the case of supplementary declarations of a general nature. In addition, the time limit may be up to two years, in exceptional and duly justified circumstances, where the reasons for allowing a longer time limit are related to the customs value of the goods. Article 146 of Delegated Regulation (EU) 2015/2446 and Article 147 of that Regulation, which sets out the time limit for the declarant to be in possession of the supporting documents in the case of supplementary declarations, should therefore be amended accordingly.

- (26) Article 163 of Delegated Regulation (EU) 2015/2446 establishes the cases in which a customs declaration is to be considered as an application for an authorisation for a special procedure other than transit. That provision should also include the destruction of consignments with a value of EUR 150 000 or less in order to facilitate the customs formalities for economic operators in such cases. The destruction of consignments should be possible without the use of the Customs Decision System so that the customs authorities can take a decision on the application at the time when goods to be destroyed are declared for the customs procedure. In addition, sensitive goods listed in Annex 71-02 to Delegated Regulation (EU) 2015/2446 should be excluded from the above-mentioned facilitation, unless they are to be destroyed and the value of the consignment does not exceed EUR 150 000. Article 163 of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly.

- (27) Article 163(2)(g) of Delegated Regulation (EU) 2015/2446 establishes that a customs declaration may not be considered as an application for an authorisation for a special procedure other than transit where Article 167(1)(f) of that Delegated Regulation applies. That provision refers to the processing of sensitive goods, which are already excluded from the scope of Article 163(1)(c) of Delegated Regulation (EU) 2015/2446. In order to avoid this repetition, Article 163(2)(g) of Delegated Regulation (EU) 2015/2446 should be deleted.

- (28) Article 166(1) of Delegated Regulation (EU) 2015/2446 sets out that the condition for granting an authorisation for a processing procedure in Article 211(4)(b) of the Code, namely that the procedure would not adversely affect the essential interests of Union producers (the economic conditions), does not apply to authorisations for inward processing except in certain cases, including applications covering goods subject to measures such as anti-dumping or countervailing duties. Such applications should however be excluded from the examination of the economic conditions, as those duties are meant to protect the essential interests of Union producers. Moreover, the

examination of the economic conditions will no longer be needed in such cases since Article 76 of Delegated Regulation (EU) 2015/2446 as amended by this Regulation provides for an automatic application of the anti-dumping and countervailing duties to the goods placed under inward processing when the procedure is discharged. Article 166(1) of Delegated Regulation (EU) 2015/2446 should be amended accordingly.

- (29) Article 168 of Delegated Regulation (EU) 2015/2446 concerns the calculation of the amount of import duty in certain cases of inward processing. That provision is however redundant, due to the amendments to Articles 76 and 166 of that Delegated Regulation. According to those amendments, the calculation of import duty is made in accordance with Article 86(3) of the Code in the cases mentioned in Article 168 of Delegated Regulation (EU) 2015/2446. In addition, if the goods are subject to agricultural or commercial policy measures the economic conditions have to be examined according to Article 166 of Delegated Regulation (EU) 2015/2446 as amended by this Regulation. Article 168 of Delegated Regulation (EU) 2015/2446 should therefore be deleted.
- (30) Article 177 of Delegated Regulation (EU) 2015/2446 sets out rules concerning accounting segregation where Union goods are stored together with non-Union goods in a storage facility for customs warehousing. In order to avoid any possible misuse of those rules, the storage of Union and non-Union goods together in a storage facility for customs warehousing (common storage) should only be allowed where the goods have the same CN code, commercial quality and technical characteristics. Goods subject to measures such as anti-dumping or countervailing duties should not be allowed to be placed in common storage, unless they have become Union goods after having been subjected to the relevant anti-dumping or countervailing duties. Article 177 of Delegated Regulation (EU) 2015/2446 should be amended accordingly.
- (31) In order to simplify the use of the temporary admission procedure in international maritime traffic, in frontier zones and with respect to certain pedagogical, scientific and technical equipment, the applicant and the holder of the temporary admission procedure should exceptionally be allowed to be established inside the customs territory of the Union, and should not have to be established outside that territory as required in Article 250(2)(c) of the Code. Articles 220, 224, 227, 229 and 230 of Delegated Regulation (EU) 2015/2446 should be amended accordingly.
- (32) Where military goods are declared for temporary admission, they should benefit from total relief of import duty and the period for discharge should be fixed at 24 months, with the possibility of an extension. A new Article 235a should therefore be inserted in Delegated Regulation (EU) 2015/2446 and Article 237 of that Regulation should be amended accordingly.
- (33) Article 245(1) of Delegated Regulation (EU) 2015/2446 sets out exceptions from the requirement to lodge a pre-departure declaration for goods leaving certain Union territories outside the customs territory of the Union. In order to facilitate military mobility, this exception should be extended to goods moved under cover of a NATO form 302 or an EU form 302. In addition, following the inclusion of Campione d'Italia and the Italian waters of Lake Lugano into the customs territory of the Union, that exception should no longer refer to Campione d'Italia and the Italian waters of Lake Lugano. Points (i) and (p) of Article 245(1) of Delegated Regulation (EU) 2015/2446 should therefore be amended accordingly.
- (34) Article 248 of Delegated Regulation (EU) 2015/2446 should be amended to clarify that the customs office of export must invalidate the export declaration and must invalidate the relevant certification of exit of goods, where the customs office of exit has informed that a transport operation that should have terminated outside the customs territory of the Union will terminate inside.
- (35) Annex 71-03 to Delegated Regulation (EU) 2015/2446 provides a list of the usual forms of handling for the purposes of goods placed under a processing procedure pursuant to Article 220 of the Code. In order to avoid the misuse of usual forms of handling to obtain unjustified duty advantages, that Annex should be amended accordingly.
- (36) Point 7 of Annex 71-04 of Delegated Regulation (EU) 2015/2446 sets out the conditions under which recourse to the use of equivalence is permitted under the inward processing arrangements with regard to milk and milk products. The conditions concern the weight of the different components in such products, namely dry matter, fat matter and protein. In order to simplify those provisions, so that milk and milk products are subject to the general rules on equivalence established in third subparagraph of Article 223(1) of the Code, Annex 71-04 of Delegated Regulation (EU) 2015/2446 should be amended accordingly.

- (37) Annex 71-05 to Delegated Regulation (EU) 2015/2446 lists the data elements that are to be made available for the standardised exchange of information between customs authorities in the context of processing procedures. It should be clarified that some data elements can be expressed in measurement units other than kilograms and in currencies other than the euro because, unlike other provisions on data elements to be provided by the economic operators, Articles 176, 181 and Annex 71-05 do not explicitly mention this possibility. It should also be possible for a customs declaration to be considered as an application for an authorisation for inward or outward processing as allowed in Article 163 of Delegated Regulation (EU) 2015/2446. Finally, a new data element should be added in Section B regarding the date on which the customs debt was incurred or on which potential commercial policy measures applied, as this is a relevant data element to be exchanged by the customs authorities when using the INF system. Annex 71-05 to Delegated Regulation (EU) 2015/2446 should be amended accordingly.
- (38) Delegated Regulation (EU) 2016/341 should also be amended to reflect certain changes to other Union legislation. First, the introduction of the Member States' reporting obligation on progress with the electronic systems in Article 278a of the Code is stricter than the reporting obligation set out in Article 56(2) of Delegated Regulation (EU) 2016/341 and the latter should therefore be deleted. Second, Annex 1 to Delegated Regulation (EU) 2016/341, which sets out the common data requirements for declarations, notifications and proof of Union status that apply until the electronic systems of the Code are deployed, should reflect the Commission Decision on the updated Work Programme to deploy the ICS2 system in three releases. That Annex should exclusively refer to the Annexes to that Delegated Regulation providing data requirements for the transition period but should not refer to Annex B to Delegated Regulation (EU) 2015/2446, as this does not apply during the transition. Finally, after the inclusion of the definition of express consignment and express carrier in Article 1 of Delegated Regulation (EU) 2015/2446, the definition of express consignment in Annex 9 to Delegated Regulation (EU) 2016/341 should be deleted to avoid confusion.
- (39) Article 128a of Delegated Regulation (EU) 2015/2446 should be corrected to clarify the instructions on the stamp and signature of certain proofs of union status. First, some instructions are duplicated and therefore one set of such instructions should be deleted. Second, the reference to a special stamp described in Part II, Chapter II of Annex 72-04 to Implementing Regulation (EU) 2015/2447 should be added. Third, authorized issuers and authorized consignors are two distinct authorizations and the provision wrongly refers to authorized consignors in the context of authorizations for issuance of the proof. The provision should refer to 'authorized issuer' instead of 'authorized consignor', in all languages.
- (40) The reference in Article 150 of Delegated Regulation (EU) 2015/2446 to Article 138 of Council Directive 2006/112/EC ⁽¹⁾ is not correct and should be replaced by a reference to Article 143(1) of that Directive, as that Article is the one providing for the applicable VAT exemption.
- (41) The possibility to declare organs and other human or animal tissue or human blood suitable for permanent grafting, implantation or transfusion, in case of emergency by any other act should retroactively apply from 15 March 2020 to facilitate the import of these goods in the crisis created by the coronavirus,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2015/2446

Delegated Regulation (EU) 2015/2446 is amended as follows:

(1) Article 1 is amended as follows:

(a) point 15 is replaced by the following:

'(15) "customs office of first entry" means the customs office which is competent for customs supervision at the place where the means of transport carrying the goods arrives or, where applicable, is destined to arrive, in the customs territory of the Union from a territory outside that territory;'

⁽¹⁾ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).

(b) the following points are added:

- (46) “express consignment” means an individual item conveyed by or under the responsibility of an express carrier;
- (47) “express carrier” means an operator providing integrated services of expedited/time-definite collection, transport, customs clearance and delivery of parcels whilst tracking the location of, and maintaining control over, such items throughout the supply of the service;
- (48) “intrinsic value” means
- (a) for commercial goods: the price of the goods themselves when sold for export to the customs territory of the Union, excluding transport and insurance costs, unless they are included in the price and not separately indicated on the invoice, and any other taxes and charges as ascertainable by the customs authorities from any relevant document(s);
 - (b) for goods of a non-commercial nature: the price which would have been paid for the goods themselves if they were sold for export to the customs territory of the Union;
- (49) “goods to be moved or used in the context of military activities” means any goods to be moved or used:
- (a) in activities arranged by or under the control of the relevant military authorities of one or more Member State(s) or of a third country with which one or more Member State(s) has (have) concluded an agreement to carry out military activities within the customs territory of the Union; or
 - (b) in the context of any military activities undertaken:
 - under the Common Security and Defence Policy of the European Union (CSDP), or
 - under the North Atlantic Treaty, signed in Washington D.C. on 4 April 1949.
- (50) “NATO form 302” means a document for customs purposes as provided for in the relevant procedures implementing the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, signed in London on 19 June 1951;
- (51) “EU form 302” means a document for customs purposes set out in Annex 52-01 and issued by or on behalf of the national competent military authorities of a Member State for goods to be moved or used in the context of military activities;
- (52) “waste from ships” means waste from ships within the meaning of point 3 of Article 2 of Directive (EU) 2019/883 of the European Parliament and of the Council (*);
- (53) “maritime National Single Window” means a maritime National Single Window within the meaning of point 3 of Article 2 of Regulation (EU) 2019/1239 of the European Parliament and of the Council (**).
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- (*) Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC (OJ L 151, 7.6.2019, p. 116).
- (**) Regulation (EU) 2019/1239 of the European Parliament and of the Council of 20 June 2019 establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU (OJ L 198, 25.7.2019, p. 64).’.

(2) In Article 6(1), point (a) is replaced by the following:

‘(a) such registration is required by Union legislation or by the legislation of a Member State;’.

- (3) In Article 13, paragraph 4 is replaced by the following:

‘4. Where there are serious grounds for suspecting an infringement of customs or tax legislation and the customs and fiscal authorities conduct investigations based on those grounds, the time limit to take the decision shall be extended by the time necessary to complete those investigations. That extension shall not exceed nine months. Unless it would jeopardise the investigations, the applicant shall be informed of the extension.’.

- (4) In Article 17(1), the second sub-paragraph is replaced by the following:

‘However, where the customs authority considers that the holder of the decision may not fulfil the criteria set out in Article 39(a) of the Code, the decision shall be suspended until it is established whether a serious infringement or repeated infringements, including a serious criminal offence, have been committed by any of the following persons:

- (a) the holder of the decision;
- (b) the person in charge of the company which is the holder of the decision concerned or exercising control over its management;
- (c) the employee in charge of customs matters in the company which is the holder of the decision concerned.’.

- (5) Article 76 is replaced by the following:

‘Article 76

Derogation for the calculation of the amount of import duty on processed products resulting from inward processing

(Article 86(3) and 86(4) of the Code)

1. Article 86(3) of the Code shall apply without a request from the declarant where all of the following conditions are fulfilled:

- (a) the processed products resulting from the inward processing procedure are imported directly or indirectly by the relevant holder of the authorisation within a period of one year after their re-export;
- (b) the goods would, at the time of the acceptance of the customs declaration for placing the goods under the inward processing procedure, have been subject to an agricultural or commercial policy measure, a provisional or definitive anti-dumping duty, a countervailing duty, a safeguard measure or an additional duty resulting from a suspension of concessions had they been declared for release for free circulation;
- (c) no examination of the economic conditions was required in accordance with Article 166.

2. Article 86(3) of the Code shall also apply without a request from the declarant where the processed products were obtained from goods placed under inward processing which would, at the time of the acceptance of the first customs declaration for placing the goods under the inward processing procedure, have been subject to a provisional or definitive anti-dumping duty, a countervailing duty, a safeguard measure or an additional duty resulting from a suspension of concessions if they were declared for release for free circulation and the case is not covered by Article 167(1) (h), (i), (m) or (p) of this Regulation.

3. Paragraphs 1 and 2 shall not apply where the goods placed under inward processing would not be subject anymore to a provisional or definitive anti-dumping duty, a countervailing duty, a safeguard measure or an additional duty resulting from a suspension of concessions at the time when a customs debt is incurred for the processed products.

4. Paragraph 2 shall not apply to goods declared for inward processing no later than 16 July 2021 if those goods are covered by an authorisation which was granted before 16 July 2020.’

(6) Article 104 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) points (f), (h) and (m) are replaced by the following:

‘(f) goods referred to in Article 138(b) to (d) and (h) or in Article 139(1) which are deemed to be declared in accordance with Article 141 provided that they are not carried under a transport contract;’;

‘(h) goods moved or used in the context of military activities under cover of a NATO form 302 or an EU form 302;’;

‘(m) goods brought into the customs territory of the Union from Ceuta and Melilla, Gibraltar, Heligoland, the Republic of San Marino, the Vatican City State or the municipality of Livigno;’;

(ii) the following point is added:

‘(q) waste from ships, under the condition that the advance waste notification as referred to in Article 6 of Directive (EU) 2019/883 has been made in the maritime National Single Window or through other reporting channels acceptable to the competent authorities including customs.’;

(b) paragraph 2 is replaced by the following:

‘2. The lodging of an entry summary declaration shall be waived in respect of goods in postal consignments, as follows:

(a) where the postal consignments are transported by air and have a Member State as final destination, until the date set out in accordance with the Annex to Commission Implementing Decision (EU) 2019/2151 (*) for the deployment of release 1 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447;

(b) where the postal consignments are transported by air and have a third country or territory as final destination, until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 2 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447;

(c) where the postal consignments are transported by sea, road or rail, until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 3 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447.

(*) Commission Implementing Decision (EU) 2019/2151 of 13 December 2019 establishing the Work Programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code (OJ L 325, 16.12.2019, p.168).’;

(c) paragraph 3 is deleted;

(d) paragraph 4 is replaced by the following:

‘4. The lodging of an entry summary declaration shall be waived in respect of goods in a consignment the intrinsic value of which does not exceed EUR 22, provided that the customs authorities accept, with the agreement of the economic operator, to carry out a risk analysis using the information contained in, or provided by, the system used by the economic operator, as follows:

(a) where the goods are in express consignments that are transported by air, until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 1 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447;

(b) where the goods are transported by air in other than postal or express consignments, until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 2 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447;

(c) where the goods are transported by sea, inland waterways, road or rail, until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 3 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447.’.

- (7) Article 106 is replaced by the following:

'Article 106

Time limits for lodging the entry summary declaration in case of transport by air

(Article 127(2)(b), (3),(6) and (7) of the Code)

1. Where the goods are brought into the customs territory of the Union by air, the full particulars of the entry summary declaration shall be lodged as soon as possible and in any case within the following time limits:

- (a) for flights with a duration of less than four hours, at the latest by the time of the actual departure of the aircraft;
- (b) for other flights, at the latest four hours before the arrival of the aircraft at the first airport in the customs territory of the Union.

2. From the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 1 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, postal operators and express carriers shall lodge, in accordance with Article 183 of Implementing Regulation (EU) 2015/2447, at least the minimum dataset of the entry summary declaration as soon as possible and at the latest before the goods are loaded onto the aircraft on which they are to be brought into the customs territory of the Union.

2a. From the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 2 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, economic operators other than postal operators and express carriers shall lodge at least the minimum dataset of the entry summary declaration as soon as possible and at the latest before the goods are loaded onto the aircraft on which they are to be brought into the customs territory of the Union.

3. From the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for deployment of release 2 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, where only the minimum dataset of the entry summary declaration has been provided within the time limits referred to in paragraphs 2 and 2a, the other particulars shall be provided within the time limits specified in paragraph 1.

4. Until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for deployment of release 2 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, the minimum dataset of the entry summary declaration lodged in accordance with paragraph 2 shall be considered as the full entry summary declaration for goods in postal consignments having a Member State as final destination and for goods in express consignments with an intrinsic value not exceeding EUR 22. '.

- (8) Article 112 is amended as follows:

- (a) paragraph 2 is deleted;
- (b) paragraph 3 is replaced by the following:

'3. Until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 3 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, paragraph 1 of this Article shall not apply.'

- (9) Article 113 is amended as follows:

- (a) paragraphs 2 and 3 are deleted;
- (b) paragraph 4 is replaced by the following:

'4. Until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 2 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, paragraph 1 of this Article shall not apply.'

(10) In Title IV, in Chapter 1, the following Article 113a is added:

'Article 113a

Provision of particulars of the entry summary declaration by other persons

(Article 127 (6) of the Code)

1. Each person submitting the particulars referred to in Article 127(5) of the Code shall be responsible for the particulars that he/she has submitted in accordance with Article 15(2)(a) and (b) of the Code.
2. From the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 2 of the system referred to in Article 182(1) in Implementing Regulation (EU) 2015/2447, where the postal operator does not make the particulars required for the entry summary declaration of postal consignments available to a carrier that is obliged to lodge the rest of the particulars of the declaration through that system, the postal operator of destination, if the goods are consigned to the Union, or the postal operator of the Member State of first entry, if the goods are transiting through the Union, shall provide those particulars to the customs office of first entry in accordance with Article 127(6) of the Code.
3. From the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 2 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, where the express carrier does not make the particulars required for the entry summary declaration of express consignments transported by air available to the carrier, the express carrier shall provide those particulars to the customs office of first entry in accordance with Article 127(6) of the Code.'

(11) Article 127 is replaced by the following:

'Article 127

Proof of the customs status of Union goods in TIR or ATA carnets or NATO forms 302 or EU forms 302

(Article 6(3)(a) of the Code)

Where Union goods are transported in accordance with the TIR Convention, the ATA Convention, the Istanbul Convention or under cover of a NATO form 302 or an EU form 302, the proof of the customs status of Union goods may be submitted by means other than electronic data-processing techniques.'

(12) In Article 128d(1), the introductory sentence is replaced by the following:

'1. The authorisation referred to in Article 128c shall be granted only to international shipping companies which fulfil the following conditions:'.

(13) Article 138 is amended as follows:

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

'(f) until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 1 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, goods in a postal consignment, which benefit from relief from import duty in accordance with Article 23(1) or Article 25(1) of Regulation (EC) No 1186/2009';

(b) the following points are added:

'(g) until the date preceding the date set out in the fourth subparagraph of Article 4(1) of Directive (EU) 2017/2455, goods the intrinsic value of which does not exceed EUR 22;

(h) organs and other human or animal tissue or human blood suitable for permanent grafting, implantation or transfusion, in case of emergency';

(c) the following points are added:

'(i) goods covered by an EU form 302 or by a NATO form 302 which benefit from import duty relief as returned goods in accordance with Article 203 of the Code;

- (j) waste from ships, under the condition that the advance waste notification as referred to in Article 6 of Directive (EU) 2019/883 has been made in the maritime National Single Window or through other reporting channels acceptable to the competent authorities including customs.;

(d) the second paragraph is deleted.

(14) Article 139 is amended as follows:

(a) the following title is inserted:

‘Goods deemed to be declared for temporary admission, transit or re-export in accordance with Article 141

(Article 158(2) of the Code);

(b) the following paragraphs are added:

- ‘3. Where not declared using other means, goods covered by a NATO form 302 or by an EU form 302 shall be deemed to be declared for temporary admission in accordance with Article 141.
- 4. Where not declared using other means, goods covered by a NATO form 302 or by an EU form 302 shall be deemed to be declared for re-export in accordance with Article 141.
- 5. Where not declared using other means, goods covered by an EU form 302 shall be deemed to be declared for transit in accordance with Article 141.’

(15) In Article 140(1), the following points are added:

- ‘(c) items of correspondence;
- (d) goods in a postal or express consignment the value of which does not exceed EUR 1 000 and which are not liable for export duty;
- (e) organs and other human or animal tissue or human blood suitable for permanent grafting, implantation or transfusion, in case of emergency;
- (f) goods covered by a NATO form 302 or by an EU form 302.’

(16) Article 141 is amended as follows:

(a) the title is replaced by the following:

‘Acts deemed to be a customs declaration or a re-export declaration

(Article 158(2) of the Code);

(b) paragraph 1 is amended as follows:

(i) the introductory sentence is replaced by the following:

‘1. In respect of goods referred to in Articles 138(a) to (d) and (h), 139 and 140(1), any of the following acts shall be deemed to be a customs declaration:’

(ii) in point (d), the following points are added:

- ‘(iv) where means of transport as referred to in Article 212 are deemed to be declared for temporary admission in accordance with Article 139(1) of this Regulation;
- (v) where non-Union means of transport complying with the conditions established in Article 203 of the Code are brought to the customs territory of the Union in accordance with Article 138(c) of this Regulation.’;

(c) paragraphs 3 and 4 are replaced by the following:

‘3. Until the date set out in accordance with the Annex to Implementing Decision (EU) 2019/2151 for the deployment of release 1 of the system referred to in Article 182(1) of Implementing Regulation (EU) 2015/2447, goods in a postal consignment can be declared for release for free circulation by their presentation to customs pursuant to Article 139 of the Code provided that all of the following conditions are met:

- (a) the customs authorities have accepted the use of this act and the data provided by the postal operator;
- (b) VAT is not declared under the special scheme set out in Title XII Chapter 6 Section 4 of Directive 2006/112/EC for distance sales of goods imported from third countries or third territories, nor using the special arrangements for declaration and payment of import VAT set out in Title XII Chapter 7 of that Directive;
- (c) the goods benefit from relief from import duty in accordance with Article 23(1) or Article 25(1) of Regulation (EC) No 1186/2009;
- (d) the consignment is accompanied by a CN22 declaration or a CN23 declaration.

4. Goods in a postal consignment the value of which does not exceed EUR 1 000 which are not liable for export duty, shall be deemed to be declared for export by their exit from the customs territory of the Union.’;

(d) between paragraphs 4 and 5, the following paragraph is inserted:

‘4a. Goods in an express consignment the value of which does not exceed EUR 1 000 and which are not liable for export duty shall be deemed to be declared for export by their presentation to the customs office of exit, provided that the data in the transport document and/or invoice are available to and accepted by the customs authorities.’;

(e) the following paragraphs are inserted:

‘6. Goods to be moved or used in the context of military activities under cover of a NATO form 302 shall be deemed to be declared for release for free circulation, temporary admission, export or re-export by their presentation to customs pursuant to Articles 139 or 267(2) of the Code, respectively, provided that the data set out in the NATO form 302 are accepted by and available to the customs authorities.

This form may be submitted by means other than electronic data-processing techniques.

7. Goods to be moved or used in the context of military activities under cover of an EU form 302 shall be deemed to be declared for release for free circulation, temporary admission, transit, export or re-export by their presentation to Customs pursuant to Articles 139 or 267(2) of the Code respectively, provided that the data set out in Annex 52-01 are accepted by and available to the customs authorities.

This form may be submitted by means other than electronic data-processing techniques.

8. Waste from ships shall be deemed to be declared for release for free circulation by their presentation to customs pursuant to Article 139 of the Code, under the condition that the advance waste notification as referred to in Article 6 of Directive (EU) 2019/883 has been made in the maritime National Single Window or through other reporting channels acceptable to the competent authorities including customs.’.

(17) In Article 142, points (b), (c) and (d) are replaced by the following:

‘(b) goods in respect of which an application for the repayment of duty or other charges is made unless such application relates to the invalidation of the customs declaration for release for free circulation of goods subject to relief from import duty in accordance with Article 23(1) or Article 25(1) of Regulation (EC) No 1186/2009;

(c) goods which are subject to prohibitions and restrictions, except for:

- (i) goods moved or used under cover of a NATO form 302 or an EU form 302;
- (ii) waste from ships;

(d) goods which are subject to any other special formality provided for in Union legislation which the customs authorities are required to apply, except for goods moved or used under cover of a NATO form 302 or an EU form 302.’.

(18) Article 143a is amended as follows:

(a) the title and paragraph 1 are replaced by the following:

'Article 143a

Declaration for release for free circulation of consignments of low value

(Article 6(2) of the Code)

1. From the date set out in the fourth subparagraph of Article 4(1) of Directive (EU) 2017/2455, a person may declare for release for free circulation a consignment which benefits from relief from import duty in accordance with Article 23(1) or Article 25(1) of Regulation (EC) No 1186/2009 on the basis of the specific dataset referred to in Annex B, under the condition that the goods in that consignment are not subject to prohibitions and restrictions.'

(b) the following paragraph is added:

'3. Until the dates of the upgrading of the National Import Systems referred to in the Annex to Implementing Decision (EU) 2019/2151, Member States may provide that the declaration referred to in paragraph 1 of this Article shall be subject to the data requirements set out in Annex 9 to Delegated Regulation (EU) 2016/341.'

(19) Article 144 is replaced by the following:

'Article 144

Customs declaration for goods in postal consignments

(Article 6(2) of the Code)

1. A postal operator may lodge a customs declaration for release for free circulation containing the reduced data set referred to in column H6 of Annex B in respect of goods in a postal consignment where the goods fulfil the following conditions:

- (a) their value does not exceed EUR 1 000;
- (b) they are not subject to prohibitions and restrictions.

2. Until the dates of the upgrading of the National Import Systems referred to in the Annex to the Implementing Decision (EU) 2019/2151, Member States may provide that the customs declaration for release for free circulation referred to in paragraph 1 of this Article of goods in postal consignments other than those referred to in Article 143a of this Regulation shall be considered to have been lodged and accepted by the act of their presentation to customs, provided the goods are accompanied by a CN22 declaration or a CN23 declaration.'

(20) Articles 146 and 147 are replaced by the following:

'Article 146

Supplementary declaration

(Article 167(1) of the Code)

1. Where the customs authorities are to enter the amount of import or export duty payable in the accounts in accordance with the first subparagraph of Article 105(1) of the Code, the time limit for lodging the supplementary declaration referred to in the first subparagraph of Article 167(1) of the Code, where that declaration is of a general nature, shall be 10 days from the date of the release of the goods.

2. Where an entry in the accounts takes place in accordance with the second subparagraph of Article 105(1) of the Code or where no customs debt is incurred and the supplementary declaration is of a periodic or recapitulative nature, the period of time covered by the supplementary declaration shall not exceed one calendar month.

3. The time limit for lodging a supplementary declaration of a periodic or recapitulative nature shall be 10 days from the date on which the period of time covered by the supplementary declaration ends.

3a. Where no customs debt is incurred, the time limit for lodging the supplementary declaration may not exceed 30 days from the date of the release of the goods.

3b. The customs authorities shall, in duly justified circumstances, allow for a longer time limit for the lodging of the supplementary declaration referred to in paragraph 1, 3 or 3a. That time limit shall not exceed 120 days from the date of the release of the goods. However, in exceptional duly justified circumstances related to the customs value of goods, that time limit may be further extended to, but may not exceed, two years from the date of the release of the goods.

4. Until the respective dates of deployment of the AES and the upgrading of the relevant National Import Systems referred to in the Annex to Implementing Decision (EU) 2019/2151 and without prejudice to Article 105(1) of the Code, customs authorities may allow for time limits other than those specified in paragraphs 1 to 3b of this Article.

Article 147

Time limit for the declarant to be in possession of the supporting documents in the case of supplementary declarations

(Article 167(1) of the Code)

The supporting documents that were missing when the simplified declaration was lodged shall be in the possession of the declarant within the time limit for lodging the supplementary declaration in accordance with Article 146(1), (3), (3a), (3b) or (4).^{*}

(21) Article 163 is amended as follows:

(a) in paragraph 1, the following point is added:

‘(g) where goods listed in Annex 71-02 whose customs value does not exceed EUR 150 000 are already placed or are to be placed under the inward processing procedure and are to be destroyed under customs supervision due to exceptional and duly justified circumstances.’;

(b) in paragraph 2, point (g) is deleted.

(22) In Article 166(1), point (b) is replaced by the following:

‘(b) where the calculation of the amount of import duty is made in accordance with Article 85 of the Code, the goods intended to be placed under the inward processing procedure would be subject to an agricultural or a commercial policy measure, if they were declared for release for free circulation and the case is not covered by Article 167(1) (h), (i), (m) or (p).’;

(23) In Article 167(1), point (k) is replaced by the following:

‘(k) the processing into products to be incorporated in or used for aircraft for which an authorised release certificate EASA Form 1 or an equivalent certificate as referred to in Article 2 of Council Regulation (EU) No 2018/581 (*) has been issued;

(*) Council Regulation (EU) 2018/581 of 16 April 2018 temporarily suspending the autonomous Common Customs Tariff duties on certain goods of a kind to be incorporated in or used for aircraft, and repealing Regulation (EC) No 1147/2002 (OJ L 98, 18.4.2018, p. 1).’.

(24) Article 168 is deleted.

(25) Article 177 is replaced by the following:

‘Article 177

Storage of Union goods together with non-Union goods in a storage facility

(Article 211(1) of the Code)

1. Where Union goods are stored together with non-Union goods in a storage facility for customs warehousing and it is impossible or would only be possible at a disproportionate cost to identify at all times each type of goods (common storage), the authorisation as referred to in Article 211(1)(b) of the Code shall establish that accounting segregation shall be carried out with regard to each type of goods, customs status and, where appropriate, origin of goods.

2. Union goods stored together with non-Union goods in a storage facility as referred to in paragraph 1 shall share the same eight-digit CN code, the same commercial quality and the same technical characteristics.

3. For the purposes of paragraph 2, non-Union goods which would be subject, at the time where they would be going to be stored together with Union goods, to a provisional or definitive anti-dumping duty, a countervailing duty, a safeguard measure or an additional duty resulting from a suspension of concessions if they were declared for release for free circulation, shall not be considered to have the same commercial quality as the Union goods.

4. Paragraph 3 shall not apply where non-Union goods are stored together with Union goods which were previously declared as non-Union goods for release for free circulation and for which the duties referred to in paragraph 3 have been paid.

(26) In Article 220, the second paragraph is replaced by the following:

‘The applicant and the holder of the procedure may be established inside the customs territory of the Union.’.

(27) In Article 224, the following paragraph is added:

‘The applicant and the holder of the procedure may be established inside the customs territory of the Union for goods mentioned in point (b).’.

(28) In Article 227, the following paragraph is added:

‘The applicant and the holder of the procedure may be established inside the customs territory of the Union.’.

(29) In Article 229, the following paragraph is added:

‘The applicant and the holder of the procedure may be established inside the customs territory of the Union.’.

(30) In Article 230, the following paragraph is added:

‘The applicant and the holder of the procedure may be established inside the customs territory of the Union.’.

(31) The following new Article 235a is inserted:

‘Article 235a

Goods to be moved or used in the context of military activities

(Article 250(2)(d) of the Code)

Total relief from import duty shall be granted for goods to be moved or used in the context of military activities under cover of a NATO form 302 or an EU form 302.

The applicant and the holder of the procedure may be established inside the customs territory of the Union.’.

(32) In Article 237, the following paragraph is added:

‘3. For goods referred to in the first paragraph of Article 235a, the time limit for discharge shall be 24 months from the time the goods are placed under the temporary admission procedure, unless international agreements establish a longer time limit.’.

(33) In Article 245(1), points (i) and (p) are replaced by the following:

‘(i) goods moved or used in the context of military activities under cover of a NATO form 302 or an EU form 302;’;

‘(p) goods dispatched from the customs territory of the Union to Ceuta and Melilla, Gibraltar, Heligoland, the Republic of San Marino, the Vatican City State or the municipality of Livigno.’.

(34) In Article 248, the following paragraph is added:

‘3. Where the customs office of export is informed, in accordance with Article 340 of Implementing Regulation (EU) 2015/2447, that the goods were not taken out of the customs territory of the Union, it shall immediately invalidate the declaration concerned and, where appropriate, it shall immediately invalidate the relevant certification of exit of goods made pursuant to 334(1) of Implementing Regulation (EU) 2015/2447.’.

(35) Annex 52-01, as set out in Annex I to this Regulation, is inserted.

(36) In Annex 71-03, after the first paragraph and before the list of forms of handling, the following two paragraphs are inserted:

‘In addition, none of the following forms of handling may result in an unjustified import duty advantage.

For the purposes of the previous paragraph, any of the usual forms of handling listed below which entail a change in the CN code or in the origin of non-Union goods shall be deemed to result in an unjustified import duty advantage if the goods would be, at the time where the usual forms of handling begin, subject to a provisional or definitive anti-dumping duty, a countervailing duty, a safeguard measure or an additional duty resulting from a suspension of concessions if they were declared for release for free circulation.’.

(37) In Annex 71-04, in Part II ‘INWARD PROCESSING’, point (7) ‘Milk and milk products’ is deleted.

(38) Annex 71-05 is amended as set out in Annex II to this Regulation.

Article 2

Amendments to Delegated Regulation (EU) 2016/341

Delegated Regulation (EU) 2016/341 is amended as follows:

- (1) in Article 56, paragraph 2 is deleted;
- (2) Annex 1 is amended as set out in Annex III to this Regulation;
- (3) in Annex 9, in Appendix A, in the Introductory notes to the tables, point 4.2 is deleted.

Article 3

Corrections to Delegated Regulation (EU) 2015/2446

Delegated Regulation (EU) 2015/2446 is corrected as follows:

- (1) in Article 37, point 8 is replaced by the following:

‘(8) “regional cumulation” means a system whereby products which according to this Section originate in a country which is a member of a regional group are considered as materials originating in another country of the same regional group (or a country of another regional group where cumulation between groups is possible) when further processed or incorporated in a product manufactured there;’;

- (2) in Article 128a(2), points (e) and (f) are replaced by the following:

‘(e) that the front of the commercial documents concerned or box “C”. Office of departure” on the front of the forms used for the purposes of compiling the “T2L” or “T2LF” document and, where appropriate, the continuation sheets, shall be:

- (i) stamped in advance with the stamp of the customs office referred to in point (a) and signed by an official of that office; or

- (ii) stamped by the authorised issuer with a special stamp conforming to the specimen in Part II, Chapter II of Annex 72-04 to Implementing Regulation (EU) 2015/2447. The stamp may be pre-printed on the forms where the printing is entrusted to a printer approved for that purpose. Boxes 1 and 2 and 4 to 6 of the special stamp shall be completed with the following information:
- Coat of arms or any other signs or letter characterising the country,
 - Competent customs office,
 - Date,
 - Authorised issuer,
 - Authorisation number.
- (f) Not later than on consignment of the goods, the authorised issuer shall complete and sign the form. He shall also enter in box “D”. Control by “office of departure” of the “T2L” or “T2LF” document, or in a clearly identifiable space on the commercial document used, the name of the competent customs office, the date of completion of the document, and one of the following endorsements:
- Одобрен издател
 - Emisor autorizado
 - Schválený vydavatel
 - Autoriseret udsteder
 - Zugelassener Aussteller
 - Volitatud väljastaja
 - Εγκεκριμένος εκδότης
 - Authorised issuer
 - Emetteur agréé
 - Ovlaštenog izdavatelja
 - Emittente autorizzato
 - Atzītais izdevējs
 - Igaliotasis išdavėjas
 - Engedélyes kibocsátó
 - Emittent awtorizzato
 - Toegelaten afgever
 - Upoważnionego wystawcę
 - Emissor autorizado
 - Emitent autorizat
 - Schválený vystaviteľ
 - Pooblašćeni izdajatelj
 - Valtuutettu antaja
 - Godkänd utfärdare;
- (3) in Article 150(3), points (a) and (b) are replaced by the following:
- (a) release for free circulation of goods which are exempt from VAT in accordance with point (d) of Article 143(1) of Directive 2006/112/EC and, where applicable, an excise duty suspension in accordance with Article 17 of Directive 2008/118/EC;
- (b) re-import with release for free circulation of goods which is exempt from VAT in accordance with point (d) of Article 143(1) of Directive 2006/112/EC and, where applicable, an excise duty suspension in accordance with Article 17 of Directive 2008/118/EC.’.

Article 4

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

Article 1(13)(b) and Article 1(16)(b)(i) shall apply from 15 March 2020.

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

Done at Brussels, 3 April 2020.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX I

Annex 52-01 is inserted in Delegated Regulation (EU) 2015/2446 as follows:

'Annex 52-01

EU form 302

- (1) The EU form 302 must conform to the specimen set out in this Annex.
- (2) The EU form 302 shall be made out in English or French.
- (3) If completed by hand, entries must be clearly readable.
- (4) Each EU form 302 shall bear a serial number, printed or otherwise, by which it can be identified.

EU FORM 302/FORMULAIRE UE 302

Document for customs purposes for goods used for military activity only and not for commercial gain.

Document à usage douanier relatif à des marchandises utilisées exclusivement pour des activités militaires et sans intention commerciale

Copy n°:

Exemplaire n°:

Serial N°

Numéro

Mission/Exercise/Transport:

Mission/Exercice/Transport:

Mode of transport:

Mode de transport:

Temporary Admission (yes/no):

Admission temporaire (oui/non):

Name and address of transporter:

Nom et adresse du transporteur:

Name and address of consignor

Nom et adresse de l'expéditeur

Name and address of consignee

Nom et adresse du destinataire

Final destination/Destination finale:

Sealed/not sealed (*): when sealed: seal numbers, quantity and sealing authority will be show below.

Scellé/sans scellé (*): si l'envoi a été scellé, indiquer ci-dessous l'espèce, le numéro et le nombre des scellés et l'autorité qui les a apposés.

Remarks: See attached shipping documents

Observations: Voir documents d'expédition en annexe

Seal numbers

Numéros des scellés

(Stamp/Cachet)

I (name in full) certify that the shipment described herein is transported under the authority of the military and contains only goods for their use without any commercial intent.

Je (nom et prénom) certifie que l'envoi décrit ci-dessus est transporté avec l'autorisation des forces militaires et contient uniquement des marchandises destinées à leur usage et sans intention commerciale.

Signature Rank and unit-address/Grade et adresse de l'unité:

Date:

Certificate of receipt/Certificat de réception

I (name in full) certify that the goods listed above have been received as described.

Je (nom et prénom) certifie que les marchandises indiquées ci-dessus ont été reçues et sont conformes.

Signature Rank and unit-address/Grade et adresse de l'unité:

Date:

This is an accountable document which constitutes both an official certificate of import/export authorisation and a customs declaration/Ce document est un document officiel engageant votre responsabilité, servant à la fois de licence d'importation et d'exportation ainsi que de déclaration en douane.

For instructions for use of this document see overleaf/Voir au verso les instructions pour l'utilisation de ce document.

Delete where inapplicable/Biffer la mention inutile.

EU FORM 302/FORMULAIRE UE 302

I undertake

1. to present this import/export notification to the appropriate customs authorities together with such goods as have not been accepted by the EU forces entity led to receive goods.
2. not to hand such goods to any third party or parties without due observance of the current customs and other requisition of the land which delivery of the goods has been refused.
3. to present my credentials to the customs authorities on demand.
4. This form is not to be used for commercial intent (i.e. the buying or selling of products).

Je m'engage

1. à présenter aux autorités douanières compétentes, cette déclaration d'importation/d'exportation, avec les marchandises qui ne seraient pas acceptées par l'unité des Forces UE.
2. à ne céder ces marchandises à de tierces personnes, sans accomplir les formalités douanières et autres prévues par la réglementation en vigueur dans le pays où les marchandises ont été refusées.
3. à présenter mes papiers d'identité sur demande aux autorités douanières.
4. Ce formulaire ne peut pas être utilisé à des fins commerciales (par exemple, pour acheter ou vendre des marchandises).

Signature, name and address of person presenting the goods to customs

Signature, nom et adresse de la personne qui présente les marchandises à la douane

Goods presented to customs authorities (on/at place)

Marchandises présentées aux autorités douanières (date et lieu)

FOR CUSTOMS ONLY/PARTIE RESERVEE A LA DOUANE

	Country Pays	Customs Office Bureau de douanes	Date of crossing Date du passage	Signature of customs officer and remarks Signature du douanier et obs	Official customs stamp Cachet de la douane
Exit Sortie					
Entry Entrée					
Exit Sortie					
Entry Entrée					

INSTRUCTIONS FOR THE CONSIGNOR/INSTRUCTION POUR L'EXPEDITEUR

THE CONSIGNOR will present all copies of the shipment to the transporter. Tampering with the forms by means of erasures of addition there to by the consignor and/or the transporter of their employees will void this declaration.

L'EXPEDITEUR doit remettre tous les exemplaires au transporteur en même temps que l'envoi. L'altération des documents (suppressions ou additions) par l'expéditeur, le transporteur ou leurs employés entraîne automatiquement la nullité de cette déclaration.

DISTRIBUTION OF COPIES

- | | |
|-----------|--|
| Copy n° 1 | Will be handed over to the consignee together with the shipment by the transporter after customs officials have processed and stamped this copy. |
| Copy n° 2 | Should be returned by recipient to the despatching agency together with an acknowledgment of receipt. |
| Copy n° 3 | Is intended for processing and retention by customs officials of origin. |
| Copy n° 4 | Is intended for retention by customs officials of destination. For transit purposes further copies as necessary, to be marked 4a, 4b, etc. are intended for retention by customs officials of transit countries concerned. |
| Copy n° 5 | Is intended for retention by the issuing organisation. |

DESTINATION DES EXEMPLAIRES

Exemplaire n°1	Doit être remis au destinataire avec les marchandises, par le transporteur après avoir été complété et visé par les autorités douanières
Exemplaire n°2	Doit être renvoyé par le destinataire au service d'expédition avec un accusé de réception.
Exemplaire n° 3	Destiné au service des douanes du pays d'expédition qui le complète et le conserve dans ses archives.
Exemplaire n° 4	Destiné au service des douanes du pays destinataire pour le conserver dans ses archives. En cas de transit, seront établis des exemplaires supplémentaires numérotés 4a, 4b, etc. destinés aux services des douanes des pays de transit concernés pour y être conservés.
Exemplaire n°5	Destiné à l'unité militaire qui a établi ce document pour le conserver dans ses archives.'

ANNEX II

Annex 71-05 to Delegated Regulation (EU) 2015/2446 is amended as follows:

(1) In Section A, in the first table, the first column 'Common data elements' is amended as follows:

- (a) the first row 'Authorisation number (M)' is replaced by the following:
'Authorisation/declaration number (M)';
- (b) after the second row 'person making the request (M)', the following row is inserted:
'Declarant (O)';
- (c) the seventh row 'CN Code, net quantity, value (M) of goods' is replaced by the following:
'CN code, net quantity (including net mass and/or supplementary units when applicable), value of goods (indicating the relevant currency) (M)';
- (d) the ninth row 'CN Code, net quantity, value (M) of processed products' is replaced by the following:
'CN code, net quantity (including net mass and/or supplementary units when applicable), value of processed products (indicating the relevant currency) (M)'.

(2) In Section A, in the first table, the second column 'Comments' is amended as follows:

- (a) after the second row 'EORI number used for identification purposes', the following row is inserted:
'Only if this person is different from the holder of the authorisation';
- (b) the seventh row is replaced by the following:
'These data elements are related to the total net quantity of goods for which the INF is requested. Before the relevant customs declaration(s) is (are) lodged, the tariff classification of goods must be the same as the one established in the authorisation granted by the competent customs authorities. Before the relevant customs declaration is lodged, the value can be estimated according to the authorisation granted by the competent customs authorities.';
- (c) the ninth row is replaced by the following:
'These data elements are related to the total net quantity of processed products for which the INF is requested. Before the relevant customs declaration(s) is (are) lodged, the tariff classification of processed products must be the same as the one established in the authorisation granted by the competent customs authorities. Before the relevant customs declaration is lodged, the value can be estimated according to the authorisation granted by the competent customs authorities.'.

(3) In Section A, in the second table, the first column 'Specific data elements IP' is amended as follows:

- (a) the fourth row 'Business Case IP IM/EX' is replaced by the following:
'Business case IP IM/EX (as referred to in Article 1(30))';
- (b) the eighth row 'CN Code, net quantity, value (M)' is replaced by the following:
'CN Code, net quantity (including net mass and/or supplementary units when applicable), value (indicating the relevant currency) (M)';
- (c) the tenth row 'CN Code, net quantity, value (M)' is replaced by the following:
'CN Code, net quantity (including net mass and/or supplementary units when applicable), value (indicating the relevant currency) (M)';
- (d) the twelfth row 'Business Case IP EX/IM' is replaced by the following:
'Business case IP EX/IM (as referred to in Article 1(29))';
- (e) the sixteenth row 'CN Code, net quantity, value (M)' is replaced by the following:
'CN Code, net quantity (including net mass and/or supplementary units when applicable), value (indicating the relevant currency) (M)';

- (f) the nineteenth row 'CN Code, net quantity, value (M)' is replaced by the following:
'CN Code, net quantity (including net mass and/or supplementary units when applicable), value (indicating the relevant currency) (M)'.
- (4) In Section A, in the third table, the first column 'Specific data elements OP' is amended as follows:
- (a) the first row 'Business case OP EX/IM' is replaced by the following:
'Business case OP EX/IM (as referred to in Article 1(28));
- (b) the seventh row 'CN Code, net quantity (M)' is replaced by the following:
'CN Code, net quantity (including net mass and/or supplementary units when applicable) (M)';
- (c) the twelfth row 'CN Code, net quantity, value (M)' is replaced by the following:
'CN Code, net quantity (including net mass and/or supplementary units when applicable), value (indicating the relevant currency) (M)';
- (d) the thirteenth row 'Business case OP IM/EX' is replaced by the following 'Business case OP IM/EX (as referred to in Article 1(27));
- (e) the seventeenth row 'CN Code, net quantity, value (M)' is replaced by the following:
'CN Code, net quantity (including net mass and/or supplementary units when applicable), value (indicating the relevant currency) (M)'.
- (5) In section B, in the first table, the first column 'Common data elements', a new row is added after the eighth row 'MRN (O)':
'Date on which the customs debt is incurred or on which CPM apply (M)'.
-

ANNEX III

In Annex 1 to Delegated Regulation (EU) 2016/341, in the Table Legend, the rows F1a to G1 are replaced by the following:

Annex B matrix Columns	Declarations/notifications/proof of the customs status of Union goods	IT systems as referred to in the Annex to Implementing Decision 2014/255/EU	Transitional data requirements contained in TDA
F1a	Entry summary declaration – Sea and inland waterways – Complete dataset	ICS2 – Release 3	Annex 9 – Appendix A
F2a	Entry summary declaration – Air cargo (gener- al) – Complete dataset	ICS2 – Release 2	Annex 9 – Appendix A
F3a	Entry summary declaration – Express consign- ments – Complete dataset	ICS2 – Release 2	Annex 9 – Appendix A
F5	Entry summary declaration – Road and rail	ICS2 – Release 3	Annex 9 – Appendix A
G1	Diversion Notification	ICS2 – Release 3	Annex 9 – Appendix A'

COMMISSION REGULATION (EU) 2020/878**of 18 June 2020****amending Annex II to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC ⁽¹⁾, and in particular Article 131 thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1907/2006 lays down requirements for the compilation of safety data sheets, used to provide information on chemical substances and mixtures in the Union.
- (2) As of 1 January 2020, Commission Regulation (EU) 2018/1881 ⁽²⁾ amending Annexes I, III and VI to XII to Regulation (EC) No 1907/2006 shall apply. Regulation (EU) 2018/1881 introduces specific requirements for nanoforms of substances. As information related to those requirements is to be included in the safety data sheets, Annex II to Regulation (EC) No 1907/2006 should be modified accordingly.
- (3) The Globally Harmonised System of Classification and Labelling of Chemicals (GHS) developed in the framework of the United Nations, sets out internationally harmonised criteria for the classification and labelling of chemicals and rules on safety data sheets. The Union confirmed its intention to incorporate the GHS criteria into Union law.
- (4) The instruments foreseen by GHS to communicate the hazards of substances and mixtures are labels and safety data sheets. The GHS provisions on safety data sheets are included in Regulation (EC) No 1907/2006. Therefore, the requirements for safety data sheets laid down in Annex II to Regulation (EC) No 1907/2006 should be adapted to the rules for safety data sheets of the sixth and seventh revision of the GHS.
- (5) Annex VIII to Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽³⁾ will allow, inter alia, the possibility that the unique formula identifier be indicated only in the safety data sheet as regards hazardous mixtures supplied for use at industrial sites. It will also require for certain mixtures which are not packaged that the unique formula identifier be indicated in the safety data sheet. For reasons of consistency, Annex II to Regulation (EC) No 1907/2006 should reflect those changes and indicate where the unique formula identifier should appear in the safety data sheet.
- (6) The Commission Communication of 7 November 2018 'Towards a comprehensive European Union framework on endocrine disruptors' ⁽⁴⁾ indicates that the Commission is assessing how to improve the communication through the supply chain for endocrine disruptors under Regulation (EC) No 1907/2006 in the context of the work on safety data sheets. A number of specific requirements for safety data sheets have been identified as relevant for substances and mixtures with endocrine disrupting properties and Annex II of this Regulation should therefore be modified accordingly.

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ Commission Regulation (EU) 2018/1881 of 3 December 2018 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annexes I, III, VI, VII, VIII, IX, X, XI, and XII to address nanoforms of substances (OJ L 308, 4.12.2018, p. 1).

⁽³⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁽⁴⁾ COM(2018)734

- (7) Specific concentration limits, multiplying factors and acute toxicity estimates set in accordance with Regulation (EC) No 1272/2008, are relevant for the safe use of substances and mixtures, and should therefore be provided in safety data sheets, if available.
- (8) Requiring economic operators who have already compiled safety data sheets, to update them immediately in accordance with the provisions of this Regulation would impose a disproportionate burden on them. Operators should rather be allowed to continue providing safety data sheets in accordance with Regulation (EC) No 1907/2006, as amended by Commission Regulation (EU) 2015/830 ^(⁹) for a certain period. This is without prejudice to the obligation to update the safety data sheets in accordance with Article 31(9) of Regulation (EC) No 1907/2006, and to the cases where the unique formula identifier is added to safety data sheets as provided for in section 5 of Part A of Annex VIII to Regulation (EC) No 1272/2008.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1907/2006 is replaced by the text in the Annex to this Regulation.

Article 2

By way of derogation from Article 3, safety data sheets not complying with the Annex to this Regulation may continue to be provided until 31 December 2022.

Article 3

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

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, 18 June 2020.

For the Commission

The President

Ursula VON DER LEYEN

⁽⁹⁾ Commission Regulation (EU) 2015/830 of 28 May 2015 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 132, 29.5.2015, p. 8).

ANNEX

‘ANNEX II

REQUIREMENTS FOR THE COMPILATION OF SAFETY DATA SHEETS

PART A

0.1. **Introduction**

- 0.1.1. This Annex sets out the requirements that the supplier shall fulfil for the compilation of a safety data sheet that is provided for a substance or a mixture in accordance with Article 31.
- 0.1.2. The information on substances provided in the safety data sheet shall be consistent with the information in the registration and in the chemical safety report, where required. Where a chemical safety report has been completed, the relevant exposure scenario(s) shall be placed in an annex to the safety data sheet.
- 0.1.3. The safety data sheet shall mention in each relevant section whether and which different nanoforms it covers and link the relevant safety information to each of those nanoforms. As provided for in Annex VI, the term “nanoform” in this Annex refers to a nanoform or a set of similar nanoforms.

0.2. **General requirements for compiling a safety data sheet**

- 0.2.1. The safety data sheet shall enable users to take the necessary measures relating to protection of human health and safety at the workplace, and protection of the environment. The writer of the safety data sheet shall take into account that a safety data sheet must inform its audience of the hazards of a substance or a mixture and provide information on the safe storage, handling and disposal of the substance or the mixture.
- 0.2.2. The information provided by safety data sheets shall also meet the requirements set out in Directive 98/24/EC. In particular, the safety data sheet shall enable employers to determine whether any hazardous chemical agents are present in the workplace and to assess any risk to the health and safety of workers arising from their use.
- 0.2.3. The information in the safety data sheet shall be written in a clear and concise manner. The safety data sheet shall be prepared by a competent person who shall take into account the specific needs and knowledge of the user audience, as far as they are known. Suppliers of substances and mixtures shall ensure that such competent persons have received appropriate training, including refresher training.
- 0.2.4. The language used in the safety data sheet shall be simple, clear and precise, avoiding jargon, acronyms and abbreviations. Statements such as “may be dangerous”, “no health effects”, “safe under most conditions of use” or “harmless” or any other statements indicating that the substance or mixture is not hazardous or any other statements that are inconsistent with the classification of that substance or mixture shall not be used.
- 0.2.5. The date of compilation of the safety data sheet shall be given on the first page. When a safety data sheet has been revised and the new, revised version is provided to recipients, the changes shall be brought to the attention of the recipients in Section 16 of the safety data sheet, unless the changes have been indicated elsewhere. For the revised safety data sheets, the date of compilation, identified as “Revision: (date)”, shall appear on the first page, as well as one or more indications of which version is replaced, such as version number, revision number, or supersedes date.

0.3. **Safety data sheet format**

- 0.3.1. A safety data sheet is not a fixed length document. The length of the safety data sheet shall be commensurate with the hazard of the substance or mixture and the information available.
- 0.3.2. All pages of a safety data sheet, including any annexes, shall be numbered and shall bear either an indication of the length of the safety data sheet (such as “page 1 of 3”) or an indication whether there is a page following (such as “Continued on next page” or “End of safety data sheet”).

0.4. Safety data sheet content

The information required by this Annex shall be included in the safety data sheet, where applicable and available, in the relevant subsections set out in Part B. The safety data sheet shall not contain blank subsections.

0.5. Other information requirements

The inclusion of additional relevant and available information in the relevant subsections may be necessary in some cases in view of the wide range of properties of substances and mixtures.

Additional safety and environmental information is required to address the needs of seafarers and other transport workers in the bulk transport of dangerous goods in sea-going or inland navigation bulk carriers or tank-vessels subject to International Maritime Organisation (IMO) or national regulations. Subsection 14.7 recommends the inclusion of basic classification information when such cargoes are transported in bulk according to the relevant IMO instruments. In addition, ships carrying oil or oil fuel, as defined in Annex I of MARPOL ⁽¹⁾, in bulk or bunkering oil fuel are required, before loading, to be provided with a "material safety data sheet" in accordance with the IMO's Maritime Safety Committee (MSC) resolution "Recommendations for Material Safety Data Sheets (MSDS) for MARPOL Annex I Oil Cargo and Oil Fuel" (MSC.286(86)). Therefore, in order to have one harmonised safety data sheet for maritime and non-maritime use, the additional provisions of Resolution MSC.286(86) may be included in the safety data sheets, where appropriate, for marine transport of MARPOL Annex I cargoes and marine fuel oils.

0.6. Units

The units of measurement as set out in Council Directive 80/181/EEC ⁽²⁾ shall be used.

0.7. Special cases

Safety data sheets shall also be required for the special cases listed in paragraph 1.3 of Annex I to Regulation (EC) No 1272/2008 for which there are labelling derogations.

1. SECTION 1: Identification of the substance/mixture and of the company/undertaking

This section of the safety data sheet shall prescribe how the substance or mixture shall be identified and how the identified relevant uses, the name of the supplier of the substance or mixture and the contact detail information of the supplier of the substance or mixture, including an emergency contact, shall be provided in the safety data sheet.

1.1. Product identifier

The product identifier shall be provided in accordance with Article 18(2) of Regulation (EC) No 1272/2008 in the case of a substance and in accordance with Article 18(3)(a) of Regulation (EC) No 1272/2008 in the case of a mixture, and as provided on the label in the official language(s) of the Member State(s) where the substance or mixture is placed on the market, unless the Member State(s) concerned provide(s) otherwise.

For substances subject to registration, the product identifier shall be consistent with that provided in the registration and the registration number assigned under Article 20(3) of this Regulation shall also be indicated. Additional identifiers may be provided even if they have not been used in the registration.

Without affecting the obligations of downstream users laid down in Article 39 of this Regulation, the part of the registration number referring to the individual registrant of a joint submission may be omitted by a supplier who is a distributor or a downstream user provided that:

- (a) this supplier assumes the responsibility to provide the full registration number upon request for enforcement purposes or, if the full registration number is not available to him, to forward the request to his supplier, in line with point (b); and

⁽¹⁾ Marpol – Consolidated edition 2006, London, IMO 2007, ISBN 978-92-801-4216-7.

⁽²⁾ Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC (OJ L 39, 15.2.1980, p. 40).

- (b) this supplier provides the full registration number to the Member State authority responsible for enforcement (the enforcement authority) within 7 days upon request, received either directly from the enforcement authority or forwarded by his recipient, or, if the full registration number is not available to him, this supplier shall forward the request to his supplier within 7 days upon request and at the same time inform the enforcement authority thereof.

A single safety data sheet may be provided to cover more than one substance or mixture where the information in that safety data sheet fulfils the requirements of this Annex for each of those substances or mixtures.

Where different forms of a substance are covered by one safety data sheet, relevant information shall be included, clearly indicating which information is related to which form. Alternatively, a separate safety data sheet may be prepared per form or group of forms.

If the safety data sheet pertains to one or more nanoforms, or substances that include nanoforms, this shall be indicated by using the word "nanoform".

Other means of identification

Other names or synonyms by which the substance or mixture is labelled or commonly known may be provided.

Where a mixture has a unique formula identifier (UFI) in accordance with section 5 of Part A of Annex VIII to Regulation (EC) No 1272/2008 and that UFI is indicated in the safety data sheet, then the UFI shall be provided in this subsection.

1.2. Relevant identified uses of the substance or mixture and uses advised against

At least a brief description of the identified uses (for example, floor cleaning, or industrial use in polymer production, or professional use in cleaning agents) relevant for the recipient(s) of the substance or mixture shall be indicated.

The uses which the supplier advises against and the reasons why shall, where applicable, be stated. This need not be an exhaustive list.

Where a chemical safety report is required, the information in this subsection of the safety data sheet shall be consistent with the identified uses in the chemical safety report and the exposure scenarios from the chemical safety report set out in the annex to the safety data sheet.

1.3. Details of the supplier of the safety data sheet

The supplier of the safety data sheet, whether it is the manufacturer, importer, only representative, downstream user or distributor, shall be identified. The full address and telephone number of the supplier shall be given as well as an email address for a competent person responsible for the safety data sheet.

In addition, if the supplier is not located in the Member State where the substance or mixture is placed on the market and he has nominated a responsible person for that Member State, a full address and telephone number for that responsible person shall be given.

Where an only representative has been appointed, details of the non-Union manufacturer or formulator may also be provided.

For registrants, the information on the supplier of the safety data sheet and, if provided, on the supplier of the substance or mixture, shall be consistent with the information on the identity of the manufacturer, importer or only representative provided in the registration.

1.4. Emergency telephone number

References to emergency information services shall be provided. If an official advisory body exists in the Member State where the substance or mixture is placed on the market (this may be the body responsible for receiving information relating to health referred to in Article 45 of Regulation (EC) No 1272/2008), its telephone number shall be given and can suffice. If availability of such services is limited for any reasons, such as hours of operation, or if there are limits on specific types of information provided, this shall be clearly stated.

2. SECTION 2: Hazards identification

This section of the safety data sheet shall describe the hazards of the substance or mixture and the appropriate warning information associated with those hazards.

2.1. Classification of the substance or mixture

The classification of the substance or the mixture which results from the application of the classification criteria in Regulation (EC) No 1272/2008 shall be given. Where the supplier has notified information regarding the substance to the classification and labelling inventory in accordance with Article 40 of Regulation (EC) No 1272/2008, or has provided that information as part of a registration pursuant to this Regulation, the classification given in the safety data sheet shall be the same as the classification provided in that notification or registration.

If the mixture does not meet the criteria for classification in accordance with Regulation (EC) No 1272/2008, this shall be clearly stated.

Information on the substances in the mixture is provided under subsection 3.2.

If the classification, including the hazard statements, is not written out in full, reference shall be made to section 16 where the full text of each classification, including each hazard statement, shall be given.

The most important adverse physical, human health and environmental effects shall be listed in accordance with sections 9 to 12 of the safety data sheet, in such a way as to allow non-experts to identify the hazards of the substance or mixture.

2.2. Label elements

Based on the classification, at least the following elements appearing on the label in accordance with Regulation (EC) No 1272/2008 shall be provided: hazard pictogram(s), signal word(s), hazard statement(s) and precautionary statement(s). A graphical reproduction of the full hazard pictogram in black and white or a graphical reproduction of the symbol only may be substituted for the colour pictogram provided in Regulation (EC) No 1272/2008.

The applicable label elements in accordance with Article 25(1) to (6) and Article 32(6) of Regulation (EC) No 1272/2008 shall be provided.

2.3. Other hazards

Information shall be provided on whether the substance meets the criteria for persistent, bioaccumulative and toxic or very persistent and very bioaccumulative in accordance with Annex XIII, whether the substance was included in the list established in accordance with Article 59(1) for having endocrine disrupting properties, and whether the substance is a substance identified as having endocrine disrupting properties in accordance with the criteria set out in Commission Delegated Regulation (EU) 2017/2100 ⁽³⁾ or Commission Regulation (EU) 2018/605 ⁽⁴⁾. For a mixture, information shall be provided for each such substance that is present in the mixture at a concentration equal to or greater than 0,1 % by weight.

Information shall be provided on other hazards which do not result in classification but which may contribute to the overall hazards of the substance or mixture, such as formation of air contaminants during hardening or processing, dustiness, explosive properties which do not fulfil the classification criteria of part 2 Section 2.1 of Annex I to Regulation (EC) No 1272/2008, dust explosion hazards, cross-sensitisation, suffocation, freezing, high potency for odour or taste, or environmental effects like hazards to soil-dwelling organisms, or photochemical ozone creation potential. The statement "May form explosible dust-air mixture if dispersed" is appropriate in the case of a dust explosion hazard.

3. SECTION 3: Composition/information on ingredients

This section of the safety data sheet shall describe the chemical identity of the ingredient(s) of the substance or mixture, including impurities and stabilising additives as set out below. Appropriate and available safety information on surface chemistry shall be indicated.

3.1. Substances

The chemical identity of the main constituent of the substance shall be provided by providing at least the product identifier or one of the other means of identification given in subsection 1.1.

⁽³⁾ Commission Delegated Regulation (EU) 2017/2100 of 4 September 2017 setting out scientific criteria for the determination of endocrine-disrupting properties pursuant to Regulation (EU) No 528/2012 of the European Parliament and Council (OJ L 301, 17.11.2017, p. 1).

⁽⁴⁾ Commission Regulation (EU) 2018/605 of 19 April 2018 amending Annex II to Regulation (EC) No 1107/2009 by setting out scientific criteria for the determination of endocrine disrupting properties (OJ L 101, 20.4.2018, p. 33).

The chemical identity of any impurity, stabilising additive, or individual constituent other than the main constituent, which is itself classified and which contributes to the classification of the substance shall be provided as follows:

- (a) the product identifier in accordance with Article 18(2) of Regulation (EC) No 1272/2008;
- (b) if the product identifier is not available, one of the other names (usual name, trade name, abbreviation) or identification numbers.

The specific concentration limit, the M-factor and the acute toxicity estimate for substances included in Part 3 of Annex VI to Regulation (EC) No 1272/2008 or determined in accordance with Annex I to that Regulation shall be indicated, if available.

If the substance is registered and it covers a nanoform, the particle characteristics that specify the nanoform, as described in Annex VI, shall be indicated.

If the substance is not registered, but the safety data sheet covers nanoforms, the particle characteristics of which have impact on the safety of the substance, those characteristics shall be indicated.

Suppliers of substances may choose to list in addition all constituents including non-classified ones.

This subsection may also be used to provide information on multi-constituent substances.

3.2. Mixtures

The product identifier, the concentration or concentration ranges and the classifications shall be provided for at least all substances referred to in points 3.2.1 or 3.2.2. Suppliers of mixtures may choose to list in addition all substances in the mixture, including substances not meeting the criteria for classification. This information shall enable the recipient to identify readily the hazards of the substances in the mixture. The hazards of the mixture itself shall be given in section 2.

The concentrations of the substances in a mixture shall be described as either of the following:

- (a) exact percentages in descending order by mass or volume, if technically possible;
- (b) ranges of percentages in descending order by mass or volume, if technically possible.

When using a range of percentages, if the effects of the mixture as a whole are not available, the health and environmental hazards shall describe the effects of the highest concentration of each ingredient.

If the effects of the mixture as a whole are available, the classification determined from this information shall be included under section 2.

Where the use of an alternative chemical name is permitted in accordance with Article 24 of Regulation (EC) No 1272/2008, that name can be used.

3.2.1. For a mixture meeting the criteria for classification in accordance with Regulation (EC) No 1272/2008, the following substances (see also Table 1.1) shall be indicated, together with their concentration or concentration range in the mixture:

- (a) substances presenting a health or environmental hazard within the meaning of Regulation (EC) No 1272/2008, if those substances are present in concentrations equal to or greater than the lowest of any of the following:
 - (i) the generic cut-off values set out in Table 1.1 of Annex I to Regulation (EC) No 1272/2008;
 - (ii) the generic concentration limits given in parts 3 to 5 of Annex I to Regulation (EC) No 1272/2008, taking into account the concentrations specified in the notes to certain tables in part 3 in relation to the obligation to make available a safety data sheet for the mixture upon request, and for aspiration hazard (Section 3.10 of Annex I to Regulation (EC) No 1272/2008) $\geq 1\%$;
 - (iii) the specific concentration limits given in Part 3 of Annex VI to Regulation (EC) No 1272/2008;

- (iv) if a M-factor has been given in Part 3 of Annex VI to Regulation (EC) No 1272/2008, the generic cut-off value in Table 1.1 of Annex I to that Regulation, adjusted using the calculation set out in Section 4.1 of Annex I to that Regulation;
 - (v) the specific concentration limits provided to the classification and labelling inventory established under Regulation (EC) No 1272/2008;
 - (vi) one tenth of the specific concentration limit for a substance classified as skin sensitiser or respiratory sensitiser with a specific concentration limit;
 - (vii) the concentration limits set out in Annex II to Regulation (EC) No 1272/2008;
 - (viii) if an M-factor has been provided to the classification and labelling inventory established under Regulation (EC) No 1272/2008, the generic cut-off value in Table 1.1 of Annex I to that Regulation, adjusted using the calculation set out in Section 4.1 of Annex I to that Regulation;
- (b) substances for which there are Union workplace exposure limits which are not already included under point (a);
- (c) provided that the concentration of an individual substance is equal to or greater than 0,1 %, substances that meet any of the following criteria:
- substances that are persistent, bioaccumulative and toxic or very persistent and very bioaccumulative in accordance with the criteria set out in Annex XIII,
 - substances included in the list established in accordance with Article 59(1) for reasons other than the hazards referred to in point (a) of this subsection such as endocrine disrupting properties,
 - substances identified as having endocrine disrupting properties in accordance with the criteria set out in Delegated Regulation (EU) 2017/2100 or Regulation (EU) 2018/605.

Table 1.1

List of hazard classes, hazard categories and concentration limits for which a substance shall be listed as a substance in a mixture in subsection 3.2.1

Hazard class and category	Concentration limit (%)
Acute toxicity, category 1, 2 and 3	≥ 0,1
Acute toxicity, category 4	≥ 1
Skin corrosion/irritation, category 1, categories 1A, 1B, 1C and category 2	≥ 1
Serious damage to eyes/eye irritation, category 1 and 2	≥ 1
Respiratory sensitiser category 1 or category 1B	≥ 0,1
Respiratory sensitiser category 1A	≥ 0,01
Skin sensitiser category 1 or category 1B	≥ 0,1
Skin sensitiser category 1A	≥ 0,01
Germ cell mutagenicity category 1A and 1B	≥ 0,1
Germ cell mutagenicity category 2	≥ 1
Carcinogenicity category 1A, 1B and 2	≥ 0,1
Reproductive toxicity, category 1A, 1B, 2 and effects on or via lactation	≥ 0,1
Specific target organ toxicity (STOT) – single exposure, category 1, 2 and 3	≥ 1
Specific target organ toxicity (STOT) – repeated exposure, category 1 and 2	≥ 1

Hazard class and category	Concentration limit (%)
Aspiration toxicity	≥ 1
Hazardous to the aquatic environment – Acute, category 1	$\geq 0,1$
Hazardous to the aquatic environment – Chronic, category 1	$\geq 0,1$
Hazardous to the aquatic environment – Chronic, category 2, 3 and 4	≥ 1
Hazardous for the ozone layer	$\geq 0,1$

3.2.2. For a mixture not meeting the criteria for classification in accordance with Regulation (EC) No 1272/2008, substances present in an individual concentration equal to or greater than the following concentrations shall be indicated, together with their concentration or concentration range:

- (a) 1 % by weight in non-gaseous mixtures and 0,2 % by volume in gaseous mixtures for:
 - (i) substances which present a health or environmental hazard within the meaning of Regulation (EC) No 1272/2008; or
 - (ii) substances for which Union workplace exposure limits have been assigned;
- (b) 0,1 % by weight for substances that meet any of the following criteria:
 - substances that are persistent, bioaccumulative and toxic in accordance with the criteria set out in Annex XIII,
 - substances that are very persistent and very bioaccumulative in accordance with the criteria set out in Annex XIII,
 - substances included in the list established in accordance with Article 59(1) for reasons other than the hazards referred to in point (a) of this subsection such as endocrine disrupting properties;
 - identified as having endocrine disrupting properties in accordance with the criteria set out in Delegated Regulation (EU) 2017/2100 or Regulation (EU) 2018/605;
- (c) 0,1 % of a substance classified as skin sensitiser category 1 or 1B, respiratory sensitiser category 1 or 1B, or carcinogenic category 2;
- (d) 0,01 % of a substance classified as skin sensitiser category 1A or respiratory sensitiser category 1A;
- (e) one tenth of the specific concentration limit for a substance classified as skin sensitiser or respiratory sensitiser with a specific concentration limit;
- (f) 0,1 % of a substance classified as toxic to reproduction categories 1A, 1B or 2, or with effects on or via lactation.

3.2.3. For the substances indicated in subsection 3.2:

- the classification of the substance according to Regulation (EC) No 1272/2008, including the hazard class (es) and category code(s) as provided in Table 1.1 of Annex VI to that Regulation as well as the hazard statements and supplemental hazard statements, shall be provided. The hazard statements and the supplemental hazard statements do not need to be written out in full in this subsection; their codes shall be sufficient. In cases where they are not written out in full, reference shall be made to section 16, where the full text of each relevant hazard statement shall be listed. If the substance does not meet the classification criteria, the reason for indicating the substance in subsection 3.2 shall be described, such as “non-classified vPvB substance” or “substance with a Union workplace exposure limit”.
- the specific concentration limit, the M-factor and the acute toxicity estimate for the substance in Part 3 of Annex VI to Regulation (EC) No 1272/2008 or as determined in accordance with Annex I to that Regulation shall be indicated, if available.
- if the substance as used in the mixture is in nanoform and is as such registered or addressed by the downstream user chemical safety report, the particle characteristics that specify the nanoform, as described in Annex VI, shall be indicated. If the substance as used in the mixture is in nanoform but is not registered or addressed by the downstream user chemical safety report, the particle characteristics which have impact on the safety of the mixture, shall be provided.

- 3.2.4. For the substances indicated in subsection 3.2 the name and, if available, the registration number, as assigned under Article 20(3) of this Regulation, shall be given.

Without affecting the obligations of downstream users laid down in Article 39 of this Regulation, the part of the registration number referring to the individual registrant of a joint submission may be omitted by the supplier of the mixture provided that:

- (a) this supplier assumes the responsibility to provide the full registration number upon request for enforcement purposes or, if the full registration number is not available to him, to forward the request to his supplier, in line with point (b); and
- (b) this supplier provides the full registration number to the Member State authority responsible for enforcement (hereinafter referred to as the enforcement authority) within seven days upon request, received either directly from the enforcement authority or forwarded by his recipient, or, if the full registration number is not available to him, this supplier shall forward the request to his supplier within seven days upon request and at the same time inform the enforcement authority thereof.

The EC number, if available, shall be given in accordance with Regulation (EC) No 1272/2008. The CAS number, if available, and the IUPAC name, if available, may also be given.

For substances indicated in this subsection by means of an alternative chemical name in accordance with Article 24 of Regulation (EC) No 1272/2008, the registration number, EC number and other precise chemical identifiers are not necessary.

4. **SECTION 4: First aid measures**

This section of the safety data sheet shall describe the initial care in such a way that an untrained responder can understand and provide it without the use of sophisticated equipment and without the availability of a wide selection of medications. If medical attention is required, the instructions shall state this, including its urgency.

4.1. **Description of first aid measures**

- 4.1.1. First aid instructions shall be provided by relevant routes of exposure. Subdivisions shall be used to indicate the procedure for each route, such as inhalation, skin, eye and ingestion.

- 4.1.2. Advice shall be provided as to whether:

- (a) immediate medical attention is required and if delayed effects can be expected after exposure;
- (b) movement of the exposed individual from the area to fresh air is recommended;
- (c) removal and handling of clothing and shoes from the individual is recommended; and
- (d) personal protective equipment for first aid responders is recommended.

4.2. **Most important symptoms and effects, both acute and delayed**

Briefly summarised information shall be provided on the most important symptoms and effects, both acute and delayed, from exposure.

4.3. **Indication of any immediate medical attention and special treatment needed**

Where appropriate, information shall be provided on clinical testing and medical monitoring for delayed effects, specific details on antidotes (where they are known) and contraindications.

For some substances or mixtures, it may be important to emphasise that special means to provide specific and immediate treatment shall be available at the workplace.

5. **SECTION 5: Firefighting measures**

This section of the safety data sheet shall describe the requirements for fighting a fire caused by the substance or mixture, or arising in its vicinity.

5.1. **Extinguishing media**

Suitable extinguishing media:

Information shall be provided on the appropriate extinguishing media.

Unsuitable extinguishing media:

Indications shall be given whether any extinguishing media are inappropriate for a particular situation involving the substance or mixture (e.g. avoid high pressure media which could cause the formation of a potentially explosible dust-air mixture).

5.2. Special hazards arising from the substance or mixture

Information shall be provided on hazards that may arise from the substance or mixture, like hazardous combustion products that form when the substance or mixture burns, such as “may produce toxic fumes of carbon monoxide if burning” or “produces oxides of sulphur and nitrogen on combustion”.

5.3. Advice for firefighters

Advice shall be provided on any protective actions to be taken during firefighting, such as “keep containers cool with water spray”, and on special protective equipment for firefighters, such as boots, overalls, gloves, eye and face protection and breathing apparatus.

6. SECTION 6: Accidental release measures

This section of the safety data sheet shall recommend the appropriate response to spills, leaks, or releases, to prevent or minimise the adverse effects on persons, property and the environment. It shall distinguish between responses to large and small spills, in cases where the spill volume has a significant impact on the hazard. If the procedures for containment and recovery indicate that different practices are required, these shall be indicated in the safety data sheet.

6.1. Personal precautions, protective equipment and emergency procedures

6.1.1. For non-emergency personnel

Advice shall be provided related to accidental spills and release of the substance or mixture such as:

- (a) the wearing of suitable protective equipment (including personal protective equipment referred to under section 8 of the safety data sheet) to prevent any contamination of skin, eyes and personal clothing;
- (b) removal of ignition sources, provision of sufficient ventilation, control of dust; and
- (c) emergency procedures such as the need to evacuate the danger area or to consult an expert.

6.1.2. For emergency responders

Advice shall be provided related to suitable fabric for personal protective clothing (such as “appropriate: butylene”; “not appropriate: PVC”).

6.2. Environmental precautions

Advice shall be provided on any environmental precautions to be taken related to accidental spills and release of the substance or mixture, such as keeping away from drains, surface and ground water.

6.3. Methods and material for containment and cleaning up

6.3.1. Appropriate advice shall be provided on how to contain a spill. Appropriate containment techniques may include any of the following:

- (a) bunding, covering of drains;
- (b) capping procedures.

6.3.2. Appropriate advice shall be provided on how to clean-up a spill. Appropriate clean-up procedures may include any of the following:

- (a) neutralisation techniques;
- (b) decontamination techniques;

- (c) adsorbent materials;
- (d) cleaning techniques;
- (e) vacuuming techniques;
- (f) equipment required for containment/clean-up (include the use of non-sparking tools and equipment where applicable).

6.3.3. Any other information shall be provided relating to spills and releases, including advice on inappropriate containment or clean-up techniques, such as by indications like “never use ...”.

6.4. **Reference to other sections**

If appropriate sections 8 and 13 shall be referred to.

7. **SECTION 7: Handling and storage**

This section of the safety data sheet shall provide advice on safe handling practices. It shall emphasise precautions that are appropriate to the identified uses referred to under subsection 1.2 and to the unique properties of the substance or mixture.

Information in this section of the safety data sheet shall relate to the protection of human health, safety and the environment. It shall assist the employer in devising suitable working procedures and organisational measures according to Article 5 of Directive 98/24/EC and Article 5 of Directive 2004/37/EC.

Where a chemical safety report is required, the information in this section of the safety data sheet shall be consistent with the information given for the identified uses in the chemical safety report and the exposure scenarios showing control of risk from the chemical safety report set out in the annex to the safety data sheet.

In addition to information given in this section, relevant information may also be found in section 8.

7.1. **Precautions for safe handling**

7.1.1. Recommendations shall be specified to:

- (a) allow safe handling of the substance or mixture, such as containment and measures to prevent fire as well as aerosol and dust generation;
- (b) prevent handling of incompatible substances or mixtures;
- (c) draw attention to operations and conditions which create new risks by altering the properties of the substance or mixture, and to appropriate countermeasures; and
- (d) reduce the release of the substance or mixture to the environment, such as avoiding spills or keeping away from drains.

7.1.2. Advice on general occupational hygiene shall be provided, such as:

- (a) not to eat, drink and smoke in work areas;
- (b) to wash hands after use; and
- (c) to remove contaminated clothing and protective equipment before entering eating areas.

7.2. **Conditions for safe storage, including any incompatibilities**

The advice provided shall be consistent with the physical and chemical properties described in section 9 of the safety data sheet. If relevant, advice shall be provided on specific storage requirements including:

- (a) how to manage risks associated with:
 - (i) explosive atmospheres;
 - (ii) corrosive conditions;
 - (iii) flammability hazards;
 - (iv) incompatible substances or mixtures;

- (v) evaporative conditions; and
 - (vi) potential ignition sources (including electrical equipment);
- (b) how to control the effects of:
 - (i) weather conditions;
 - (ii) ambient pressure;
 - (iii) temperature;
 - (iv) sunlight;
 - (v) humidity; and
 - (vi) vibration;
- (c) how to maintain the integrity of the substance or mixture by the use of:
 - (i) stabilisers; and
 - (ii) antioxidants;
- (d) other advice including:
 - (i) ventilation requirements;
 - (ii) specific designs for storage rooms or vessels (including retention walls and ventilation);
 - (iii) quantity limits under storage conditions (if relevant); and
 - (iv) packaging compatibilities.

7.3. **Specific end use(s)**

For substances and mixtures designed for specific end use(s), recommendations shall relate to the identified use (s) referred to in subsection 1.2 and be detailed and operational. If an exposure scenario is attached, reference to it may be made or the information as required in subsections 7.1 and 7.2 shall be provided. If an actor in the supply chain has carried out a chemical safety assessment for the mixture, it is sufficient that the safety data sheet and the exposure scenarios are consistent with the chemical safety report for the mixture, rather than with the chemical safety reports for each substance in the mixture. If industry or sector specific guidance is available, detailed reference to it (including source and issuing date) may be made.

8. **SECTION 8: Exposure controls/personal protection**

This section of the safety data sheet shall describe the applicable occupational exposure limits and necessary risk management measures.

Where a chemical safety report is required, the information in this section of the safety data sheet shall be consistent with the information given for the identified uses in the chemical safety report and the exposure scenarios showing control of risk from the chemical safety report set out in the annex to the safety data sheet.

8.1. **Control parameters**

- 8.1.1. Where available, the following national limit values, including the legal basis of each of them, which are currently applicable in the Member State in which the safety data sheet is being provided shall be listed for the substance or for each of the substances in the mixture. When listing occupational exposure limit values, the chemical identity as specified in section 3 shall be used.
 - 8.1.1.1. the national occupational exposure limit values that correspond to Union occupational exposure limit values in accordance with Directive 98/24/EC, including any notations as referred to in Article 2(3) of Commission Decision 2014/113/EU ^(*);
 - 8.1.1.2. the national occupational exposure limit values that correspond to Union limit values in accordance with Directive 2004/37/EC, including any notations as referred to in Article 2(3) of Decision 2014/113/EU;

(*) Commission Decision 2014/113/EU of 3 March 2014 on setting up a Scientific Committee on Occupational Exposure Limits for Chemical Agents and repealing Decision 95/320/EC (OJ L 62, 4.3.2014, p. 18).

- 8.1.1.3. any other national occupational exposure limit values;
- 8.1.1.4. the national biological limit values that correspond to Union biological limit values in accordance with Directive 98/24/EC, including any notations as referred to in Article 2(3) of Decision 2014/113/EU;
- 8.1.1.5. any other national biological limit values.
- 8.1.2. Information on currently recommended monitoring procedures shall be provided at least for the most relevant substances.
- 8.1.3. If air contaminants are formed when using the substance or mixture as intended, applicable occupational exposure limit values and/or biological limit values for these shall also be listed.
- 8.1.4. Where a chemical safety report is required or where a DNEL as referred to in Section 1.4 of Annex I or a PNEC as referred to in Section 3.3 of Annex I is available, the relevant DNELs and PNECs for the substance shall be given for the exposure scenarios from the chemical safety report set out in the annex to the safety data sheet.
- 8.1.5. Where a control banding approach is used to decide on risk management measures in relation to specific uses, sufficient detail shall be given to enable effective management of the risk. The context and limitations of the specific control banding recommendation shall be made clear.

8.2. **Exposure controls**

The information required in this subsection shall be provided, unless an exposure scenario containing that information is attached to the safety data sheet.

Where the supplier has waived a test under Section 3 of Annex XI, he shall indicate the specific conditions of use relied on to justify the waiving.

Where a substance has been registered as an isolated intermediate (on-site or transported), the supplier shall indicate that this safety data sheet is consistent with the specific conditions relied on to justify the registration in accordance with Article 17 or 18.

8.2.1. *Appropriate engineering controls*

The description of appropriate exposure control measures shall relate to the identified use(s) of the substance or mixture as referred to in subsection 1.2. This information shall be sufficient to enable the employer to carry out an assessment of risk to the safety and health of workers arising from the presence of the substance or mixture in accordance with Articles 4 to 6 of Directive 98/24/EC and Articles 3 to 5 of Directive 2004/37/EC, where appropriate.

This information shall complement that already given under section 7.

8.2.2. *Individual protection measures, such as personal protective equipment*

- 8.2.2.1. The information on use of personal protective equipment shall be consistent with good occupational hygiene practices and in conjunction with other control measures, including engineering controls, ventilation and isolation. Where appropriate, section 5 shall be referred to for specific fire/chemical personal protective equipment advice.

8.2.2.2. Taking into account Regulation (EU) 2016/425 of the European Parliament and of the Council ⁽⁶⁾ and referring to the appropriate CEN standards, detailed specifications shall be given on which equipment will provide adequate and suitable protection, including:

(a) Eye/face protection

The type of eye/face protection equipment required shall be specified based on the hazard of the substance or mixture and potential for contact, such as safety glasses, safety goggles, face-shield.

(b) Skin protection

(i) *Hand protection*

The type of gloves to be worn when handling the substance or mixture shall be clearly specified based on the hazard of the substance or mixture and potential for contact and with regard to the amount and duration of dermal exposure, including:

- the type of material and its thickness,
- the typical or minimum breakthrough times of the glove material,

If necessary, any additional hand protection measures shall be indicated.

(ii) *Other*

If it is necessary to protect a part of the body other than the hands, the type and quality of protection equipment required shall be specified, such as gauntlets, boots, bodysuit based on the hazards associated with the substance or mixture and the potential for contact.

If necessary, any additional skin protection measures and specific hygiene measures shall be indicated.

(c) Respiratory protection

For gases, vapours, mist or dust, the type of protective equipment to be used shall be specified based on the hazard and potential for exposure, including air-purifying respirators, specifying the proper purifying element (cartridge or canister), the adequate particulate filters and the adequate masks, or self-contained breathing apparatus.

(d) Thermal hazards

When specifying protective equipment to be worn for materials that represent a thermal hazard, special consideration shall be given to the construction of the personal protective equipment.

8.2.3. *Environmental exposure controls*

The information required by the employer to fulfil his commitments under Union environmental protection legislation shall be specified.

Where a chemical safety report is required, a summary of the risk management measures that adequately control exposure of the environment to the substance shall be given for the exposure scenarios set out in the annex to the safety data sheet.

9. **SECTION 9: Physical and chemical properties**

This section of the safety data sheet shall describe the empirical data relating to the substance or mixture, if relevant. Article 8(2) of Regulation (EC) No 1272/2008 shall apply.

To enable proper control measures to be taken, all relevant information on the substance or mixture shall be provided. The information in this section shall be consistent with the information provided in the registration or in the chemical safety report, where required, and with the classification of the substance or mixture.

In the case of a mixture, where information does not apply to the mixture as a whole, the entries shall clearly indicate to which substance in the mixture the data apply.

⁽⁶⁾ Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC (OJ L 81, 31.3.2016, p. 51).

Reported properties shall be clearly identified and reported in the appropriate measurement units. The method of determination shall be provided, including measurement and reference conditions, if relevant for the interpretation of the numerical value. Unless specified otherwise, standard conditions of temperature and pressure are 20 °C and 101,3 kPa, respectively.

The properties listed in subsections 9.1 and 9.2 may be presented in a form of a list. Within the subsections, the order of listing the properties may be different if deemed appropriate.

9.1. **Information on basic physical and chemical properties**

Each safety data sheet shall include the properties mentioned below. If it is stated that a particular property does not apply or if information on a particular property is not available, this shall be clearly indicated, giving the reasons where possible.

(a) *Physical state*

The physical state (gas, liquid or solid) shall generally be indicated at standard conditions of temperature and pressure.

The definitions of the terms gas, liquid and solid, as provided in Section 1.0 of Annex I to Regulation (EC) No 1272/2008, shall apply.

(b) *Colour*

The colour of the substance or mixture as supplied shall be indicated.

In cases where one safety data sheet is used to cover variants of a mixture which may have different colours, the term “various” can be used to describe the colour.

(c) *Odour*

A qualitative description of the odour shall be given if it is well-known or described in the literature.

If available, the odour threshold shall be indicated (qualitatively or quantitatively).

(d) *Melting point/freezing point*

Does not apply to gases.

Melting point and freezing point shall be indicated at standard pressure.

In case the melting point is above the measuring range of the method, it shall be indicated up to which temperature no melting point was observed.

If decomposition or sublimation occur prior to or during melting, it shall be indicated.

As regards waxes and pastes, the softening point/range may be indicated instead of the melting point and freezing point.

As regards mixtures, if it is technically not possible to determine the melting point/freezing point, this shall be indicated.

(e) *Boiling point or initial boiling point and boiling range*

These properties shall be indicated at standard pressure. A boiling point at lower pressure might however be indicated, in case the boiling point is very high or in case decomposition occurs before boiling at standard pressure.

If the boiling point is above the measuring range of the method, the temperature up to which no boiling point was observed shall be indicated.

If decomposition occurs prior to or during boiling, this shall be indicated.

As regards mixtures, if it is technically not possible to determine their boiling point or range, this shall be indicated; in that case, the boiling point of the lowest boiling ingredient shall also be indicated.

(f) *Flammability*

Applies to gases, liquids and solids.

It shall be indicated whether the substance or mixture is ignitable, i.e. capable of catching fire or being set on fire, even if not classified for flammability.

If available and appropriate, further information may be indicated, such as whether the effect of ignition is other than a normal combustion (e.g. an explosion) and the ignitability under non-standard conditions.

More specific information on the flammability may be indicated based on the respective hazard classification. The information provided in subsection 9.2.1 shall not be provided in this point.

(g) *Lower and upper explosion limit* (7)

Do not apply to solids.

As regards flammable liquids, at least the lower explosion limit shall be indicated. If the flash point is approximately – 25 °C or higher, it may not be possible to determine the upper explosion limit at standard temperature; in that case, it is recommended to indicate the upper explosion limit at a higher temperature. If the flash point is higher than 20 °C, it may not be possible to determine the lower or the upper explosion limit at standard temperature; in that case, it is recommended to indicate both the lower and the upper explosion limits at a higher temperature.

(h) *Flash point*

Does not apply to gases, aerosols and solids.

For mixtures, a value for the mixture shall be indicated, if available. Otherwise, the flash point(s) of the substance(s) with the lowest flash point(s) shall be indicated.

(i) *Auto-ignition temperature*

Only applies to gases and liquids.

As regards mixtures the auto-ignition temperature for the mixture shall be indicated, if available. If the value for the mixture is not available, the auto-ignition temperature(s) of the ingredients with the lowest auto-ignition temperature(s) shall be indicated.

(j) *Decomposition temperature*

Only applies to self-reactive substances and mixtures, organic peroxides, and other substances and mixtures that may decompose.

The self-accelerating decomposition temperature (SADT) and the volume to which it applies, or the decomposition onset temperature shall be indicated.

It shall be indicated whether the temperature given is the SADT or the decomposition onset temperature.

If no decomposition was observed, it shall be indicated up to which temperature no decomposition was observed, e.g. “no decomposition observed up to x °C”.

(k) *pH*

Does not apply to gases.

The pH of the substance or mixture as supplied, or where the product is a solid, the pH of an aqueous liquid or solution at a given concentration, shall be indicated.

The concentration of the test substance or mixture in water shall be indicated.

(l) *Kinematic viscosity*

Only applies to liquids.

The measurement unit shall be mm^2/s .

For non-Newtonian liquids, the thixotropic or rheopexic behaviour shall be indicated.

(m) *Solubility*

Solubility shall generally be indicated at standard temperature.

The solubility in water shall be indicated.

The solubility in other polar and non-polar solvents may also be included.

(7) Note: The term ‘explosion limit’ is synonymous to ‘flammability limit’, used outside the Union.

As regards mixtures, it shall be indicated if the mixture is fully or only partially soluble in or miscible with water or other solvent.

As regards nanoforms, the dissolution rate in water or in other relevant biological or environmental media shall be indicated in addition to the water solubility.

(n) *Partition coefficient n-octanol/water (log value)*

Does not apply to inorganic and ionic liquids and does not generally apply to mixtures.

It shall be indicated whether the reported value is based on testing or on calculation.

As regards nanoforms of a substance for which the n-octanol/water partition coefficient does not apply, the dispersion stability in different media shall be indicated.

(o) *Vapour pressure*

Vapour pressure shall generally be indicated at standard temperature.

As regards volatile fluids, the vapour pressure at 50 °C shall also be indicated.

In cases where one safety data sheet is used to cover variants of a liquid mixture or liquefied gas mixture, a range for the vapour pressure shall be indicated.

As regards liquid mixtures or liquefied gas mixtures, a range for the vapour pressure or at least the vapour pressure of the most volatile ingredient(s), where the vapour pressure of the mixture is predominantly determined by that or those ingredient(s), shall be indicated.

The saturated vapour concentration may also be indicated.

(p) *Density and/or relative density*

Only apply to liquids and solids.

Density and relative density shall generally be indicated at standard conditions of temperature and pressure.

The absolute density and/or the relative density based on water at 4 °C as reference (also referred to as the specific gravity) shall be indicated.

In cases where variations in density are possible, e.g. due to batch manufacture, or where one safety data sheet is used to cover several variants of a substance or mixture, a range may be indicated.

The safety data sheet shall indicate whether the absolute density (units e.g. g/cm³ or kg/m³) and/or the relative density (dimensionless) is being reported.

(q) *Relative vapour density*

Only applies to gases and liquids.

As regards gases, the relative density of the gas based on air at 20 °C as reference shall be indicated.

As regards liquids, the relative vapour density based on air at 20 °C as reference shall be indicated.

As regards liquids, the relative density D_m of the vapour/air-mixture at 20 °C may also be indicated.

(r) *Particle characteristics*

Only apply to solids.

The particle size (median equivalent diameter, method of calculation of the diameter (number-, surface- or volume-based) and the range in which this median value varies), shall be indicated. Other properties may also be indicated, such as size distribution (e.g. as a range), shape and aspect ratio, aggregation and agglomeration state, specific surface area and dustiness. If the substance is in nanoform or if the mixture supplied contains a nanoform, those characteristics shall be indicated in this subsection, or referred to if already specified elsewhere in the safety data sheet.

9.2. Other information

In addition to the properties mentioned in subsection 9.1, other physical and chemical parameters shall be indicated, such as the properties listed in subsections 9.2.1 and 9.2.2, if their indication is relevant for the safe use of the substance or mixture.

9.2.1. Information with regard to physical hazard classes

This subsection lists properties, safety characteristics and test results, which may be useful to include in the safety data sheet when a substance or mixture is classified in the respective physical hazard class. Data deemed relevant with regard to a specific physical hazard but not resulting in classification (e.g. negative test results close to the criterion), may also be appropriate to indicate.

The name of the hazard class to which the data relate may be indicated together with the data.

(a) Explosives

This point also applies to substances and mixtures referred to in Note 2 of section 2.1.3 of Annex I of Regulation (EC) No 1272/2008, and to other substances and mixtures which show a positive effect if heated under confinement.

The following information may be provided:

- (i) sensitivity to shock;
- (ii) effect of heating under confinement;
- (iii) effect of ignition under confinement;
- (iv) sensitivity to impact;
- (v) sensitivity to friction;
- (vi) thermal stability;
- (vii) package (type, size, net mass of substance or mixture), based on which the “division” within the explosive class was assigned, or based on which the substance or mixture was exempted from classification as explosive.

(b) Flammable gases

As regards pure flammable gas, the following information may be provided in addition to data on the explosion limits referred to in point (g) of subsection 9.1:

- (i) the T_{Ci} (maximum content of flammable gas which, when mixed with nitrogen, is not flammable in air, in mol. %);
- (ii) the fundamental burning velocity if the gas is classified as Category 1B based on fundamental burning velocity.

As regards a flammable gas mixture, the following information may be provided in addition to data on the explosion limits referred to in point (g) of subsection 9.1:

- (i) explosion limits, if tested, or an indication of whether the classification and category assignment is based on calculation;
- (ii) fundamental burning velocity if the gas mixture is classified as Category 1B based on fundamental burning velocity.

(c) Aerosols

The following total percentage (by mass) of flammable components may be provided, unless the aerosol is classified as Aerosol category 1 because it contains more than 1 % (by mass) flammable components or has a heat of combustion of at least 20 kJ/g and is not submitted to the flammability classification procedures (see the Note in Paragraph 2.3.2.2 of Annex I to Regulation (EC) No 1272/2008);

(d) Oxidising gases

As regards pure gas, the C_i (coefficient of oxygen equivalency) as per ISO 10156 “Gases and gas mixtures – Determination of fire potential and oxidizing ability for the selection of cylinder valve outlets”, or as per an equivalent method, may be provided;

As regards a gas mixture, the words “oxidising gas Category 1 (tested as per ISO 10156 (or as per an equivalent method))” may be indicated as regards tested mixtures, or the calculated oxidising power as per ISO 10156 or as per an equivalent method;

(e) Gases under pressure

As regards pure gas, critical temperature may be provided.

As regards gas mixture, pseudo-critical temperature may be provided;

(f) Flammable liquids

When the substance or mixture is classified as flammable liquid, data on the boiling point and flash point do not need to be provided under this point as that data are to be indicated in accordance with the subsection 9.1. Information on sustained combustibility may be provided.

(g) Flammable solids

The following information may be provided:

- (i) burning rate, or burning time as regards metal powders,
- (ii) statement on whether the wetted zone has been passed;

(h) Self-reactive substances and mixtures

In addition to the indication of the SADT as specified in point (j) of subsection 9.1, the following information may be provided:

- (i) decomposition temperature,
- (ii) detonation properties,
- (iii) deflagration properties,
- (iv) effect of heating under confinement,
- (v) explosive power, if applicable;

(i) Pyrophoric liquids

Information on whether spontaneous ignition or charring of filter paper occurs may be provided.

(j) Pyrophoric solids

The following information may be provided:

- (i) statement on whether spontaneous ignition occurs when poured or within five minutes thereafter, as regards solids in powder form,
- (ii) statement on whether pyrophoric properties could change over time.

(k) Self-heating substances and mixtures

The following information may be provided:

- (i) statement on whether spontaneous ignition occurs and the maximum temperature rise obtained,
- (ii) results of screening tests referred to in section 2.11.4.2 of Annex I to Regulation (EC) No 1272/2008, if relevant and available;

(l) Substances and mixtures, which emit flammable gases in contact with water

The following information may be provided:

- (i) identity of the emitted gas, if known,
- (ii) statement on whether the emitted gas ignites spontaneously,
- (iii) gas evolution rate;

(m) Oxidising liquids

Information on whether spontaneous ignition occurs when mixed with cellulose may be provided.

(n) Oxidizing solids

Information on whether spontaneous ignition occurs when mixed with cellulose may be provided.

(o) Organic peroxides

In addition to the indication of the SADT as specified in point (j) of subsection 9.1, the following information may be provided:

- (i) decomposition temperature,
- (ii) detonation properties,
- (iii) deflagration properties,
- (iv) effect of heating under confinement,
- (v) explosive power;

(p) Corrosive to metals

The following information may be provided:

- (i) metals that are corroded by the substance or mixture,
- (ii) corrosion rate and statement on whether it refers to steel or aluminium,
- (iii) reference to other sections of the safety data sheet with regard to compatible or incompatible materials.

(q) Desensitised explosives

The following information may be provided:

- (i) desensitising agent used,
- (ii) exothermic decomposition energy,
- (iii) corrected burning rate (A_c);
- (iv) explosive properties of the desensitised explosive in that state.

9.2.2. *Other safety characteristics*

Properties, safety characteristics and test results listed below may be useful to indicate as regards a substance or a mixture:

- (a) mechanical sensitivity;
- (b) self-accelerating polymerisation temperature;
- (c) formation of explosible dust/air mixtures;
- (d) acid/alkaline reserve;
- (e) evaporation rate;
- (f) miscibility;
- (g) conductivity;
- (h) corrosiveness;
- (i) gas group;
- (j) redox potential;
- (k) radical formation potential;
- (l) photocatalytic properties.

Other physical and chemical parameters shall be indicated if their indication is relevant for the safe use of the substance or mixture.

10. **SECTION 10: Stability and reactivity**

This section of the safety data sheet shall describe the stability of the substance or mixture and the possibility of hazardous reactions occurring under certain conditions of use and also if released into the environment, including, where appropriate, a reference to the test methods used. If it is stated that a particular property does not apply or if information on a particular property is not available, the reasons shall be given.

10.1. Reactivity

10.1.1. The reactivity hazards of the substance or mixture shall be described. Specific test data shall be provided for the substance or mixture as a whole, where available. However, the information may also be based on general data for the class or family of substance or mixture if such data adequately represent the anticipated hazard of the substance or mixture.

10.1.2. If data for mixtures are not available, data on substances in the mixture shall be provided. In determining incompatibility, the substances, containers and contaminants that the substance or mixture might be exposed to during transportation, storage and use shall be considered.

10.2. Chemical stability

It shall be indicated if the substance or mixture is stable or unstable under normal ambient and anticipated storage and handling conditions of temperature and pressure. Any stabilisers which are, or may need to be, used to maintain the chemical stability of the substance or mixture shall be described. The safety significance of any change in the physical appearance of the substance or mixture shall be indicated. As regards desensitised explosives, information on the shelf life and instructions on how to verify desensitisation shall be provided, and it shall be indicated that removal of the desensitising agent will turn the product into an explosive.

10.3. Possibility of hazardous reactions

If relevant, it shall be stated if the substance or mixture may react or polymerise, releasing excess pressure or heat, or creating other hazardous conditions. The conditions under which the hazardous reactions may occur shall be described.

10.4. Conditions to avoid

Conditions such as temperature, pressure, light, shock, static discharge, vibrations or other physical stresses that might result in a hazardous situation shall be listed ("conditions to avoid") and if appropriate a brief description of measures to be taken to manage risks associated with such hazards shall be given. As regards desensitised explosives, information on measures to be taken in order to avoid the unintentional removal of the desensitising agent shall be provided, and conditions to avoid shall be listed if the substance or mixture is not sufficiently desensitised.

10.5. Incompatible materials

Families of substances or mixtures or specific substances, such as water, air, acids, bases, oxidising agents, with which the substance or mixture could react to produce a hazardous situation (like an explosion, a release of toxic or flammable materials, or a liberation of excessive heat), shall be listed and if appropriate a brief description of measures to be taken to manage risks associated with such hazards shall be given.

10.6. Hazardous decomposition products

Known and reasonably anticipated hazardous decomposition products produced as a result of use, storage, spill and heating shall be listed. Hazardous combustion products shall be included in section 5 of the safety data sheet.

11. SECTION 11: Toxicological information

This section of the safety data sheet is meant for use primarily by medical professionals, occupational health and safety professionals and toxicologists. A concise but complete and comprehensible description of the various toxicological (health) effects and the available data used to identify those effects shall be provided, including where appropriate information on toxicokinetics, metabolism and distribution. The information in this section shall be consistent with the information provided in the registration and/or in the chemical safety report where required, and with the classification of the substance or mixture.

11.1. Information on hazard classes as defined in Regulation (EC) No 1272/2008

The relevant hazard classes, for which information shall be provided, are:

- (a) acute toxicity;
- (b) skin corrosion/irritation;
- (c) serious eye damage/irritation;

- (d) respiratory or skin sensitisation;
- (e) germ cell mutagenicity;
- (f) carcinogenicity;
- (g) reproductive toxicity;
- (h) STOT-single exposure;
- (i) STOT-repeated exposure;
- (j) aspiration hazard.

These hazards shall always be listed on the safety data sheet.

For substances subject to registration, brief summaries of the information derived from the application of Annexes VII to XI shall be given, including, where appropriate, a reference to the test methods used. For substances subject to registration, the information shall also include the result of the comparison of the available data with the criteria given in Regulation (EC) No 1272/2008 for CMR, categories 1A and 1B, following point 1.3.1 of Annex I to this Regulation.

- 11.1.1. Information shall be provided for each hazard class or differentiation. If it is stated that the substance or mixture is not classified for a particular hazard class or differentiation, the safety data sheet shall clearly state whether this is due to lack of data, technical impossibility to obtain the data, inconclusive data or data which are conclusive although insufficient for classification; in the latter case the safety data sheet shall specify “based on available data, the classification criteria are not met”.
- 11.1.2. The data included in this subsection shall apply to the substance or mixture as placed on the market. In the case of a mixture, the data should describe the toxicological properties of the mixture as a whole, except if Article 6 (3) of Regulation (EC) No 1272/2008 applies. If available, the relevant toxicological properties of the hazardous substances in a mixture shall also be provided, such as the LD50, acute toxicity estimates or LC50.
- 11.1.3. Where there is a substantial amount of test data on the substance or mixture, it may be necessary to summarise results of the critical studies used, for example, by route of exposure.
- 11.1.4. Where the classification criteria for a particular hazard class are not met, information supporting this conclusion shall be provided.
- 11.1.5. *Information on likely routes of exposure*

Information shall be provided on likely routes of exposure and the effects of the substance or mixture via each possible route of exposure, that is, through ingestion (swallowing), inhalation or skin/eye exposure. If health effects are not known, this shall be stated.
- 11.1.6. *Symptoms related to the physical, chemical and toxicological characteristics*

Potential adverse health effects and symptoms associated with exposure to the substance or mixture and its ingredients or known by-products shall be described. Available information shall be provided on the symptoms related to the physical, chemical, and toxicological characteristics of the substance or mixture following exposure. The first symptoms at low exposures through to the consequences of severe exposure shall be described, such as “headaches and dizziness may occur, proceeding to fainting or unconsciousness; large doses may result in coma and death”.
- 11.1.7. *Delayed and immediate effects as well as chronic effects from short and long-term exposure*

Information shall be provided on whether delayed or immediate effects can be expected after short- or long-term exposure. Information on acute and chronic health effects relating to human exposure to the substance or mixture shall also be provided. Where human data are not available, information on the experimental data shall be summarised, with details on either animal data and the species clearly identified or the in vitro tests and the cell types clearly identified. It shall be indicated whether toxicological data is based on human or animal data or on in vitro tests.

11.1.8. *Interactive effects*

Information on interactions shall be included if relevant and available.

11.1.9. *Absence of specific data*

It may not always be possible to obtain information on the hazards of a substance or mixture. In cases where data on the specific substance or mixture are not available, data on similar substances or mixtures, if appropriate, may be used, provided the relevant similar substance or mixture is identified. Where specific data are not used, or where data are not available, this shall be clearly stated.

11.1.10. *Mixtures*

For a given health effect, if a mixture has not been tested for its health effects as a whole, relevant information on relevant substances listed under section 3 shall be provided.

11.1.11. *Mixture versus substance information*

11.1.11.1. The substances in a mixture may interact with each other in the body, resulting in different rates of absorption, metabolism and excretion. As a result, the toxic actions may be altered and the overall toxicity of the mixture may be different from that of the substances in it. This shall be taken into account when providing toxicological information in this subsection of the safety data sheet.

11.1.11.2. It is necessary to consider whether the concentration of each substance is sufficient to contribute to the overall health effects of the mixture. The information on toxic effects shall be presented for each substance, except for the following cases:

- (a) if the information is duplicated, it shall be listed only once for the mixture overall, such as when two substances both cause vomiting and diarrhoea;
- (b) if it is unlikely that these effects will occur at the concentrations present, such as when a mild irritant is diluted to below a certain concentration in a non-irritant solution;
- (c) where information on interactions between substances in a mixture is not available, assumptions shall not be made and instead the health effects of each substance shall be listed separately.

11.2 **Information on other hazards**

11.2.1. *Endocrine disrupting properties*

Information on adverse health effects caused by endocrine disrupting properties shall be provided, where available, for the substances identified as having endocrine disrupting properties in Subsection 2.3. This information shall consist of brief summaries of the information derived from application of the assessment criteria laid down in the corresponding Regulations ((EC) No 1907/2006, (EU) 2017/2100, (EU) 2018/605), that is relevant to assess endocrine disrupting properties for human health.

11.2.2. *Other information*

Other relevant information on adverse health effects shall be included even when not required by the classification criteria.

12. **SECTION 12: Ecological information**

This section of the safety data sheet shall provide information to enable evaluation of the environmental impact of the substance or mixture where it is released to the environment. Subsections 12.1 to 12.7 of the safety data sheet shall provide a short summary of the data including, where available, relevant test data and clearly indicating species, media, units, test duration and test conditions. This information may assist in handling spills, and evaluating waste treatment practices, control of release, accidental release measures and transport. If it is stated that a particular property does not apply (because the available data shows that the substance or mixture does not meet the criteria for classification) or if information on a particular property is not available, the reasons shall be indicated. Additionally, if a substance or mixture is not classified for other reasons (for example, due to the technical impossibility of obtaining the data or to inconclusive data) this should be clearly stated on the safety data sheet.

Some properties are substance specific, i.e. bioaccumulation, persistence and degradability, and that information shall be given, where available and appropriate, for each relevant substance in the mixture (i.e. those which are required to be listed in section 3 of the safety data sheet and are hazardous to the environment or PBT/vPvB – substances). Information shall also be provided for hazardous transformation products arising from the degradation of substances and mixtures.

The information in this section shall be consistent with the information provided in the registration and/or in the chemical safety report where required, and with the classification of the substance or mixture.

Where reliable and relevant experimental data are available, that data shall be provided and take precedence over information obtained from models.

12.1. **Toxicity**

Information on toxicity using data from tests performed on aquatic and/or terrestrial organisms shall be provided when available. This shall include relevant available data on aquatic toxicity, both acute and chronic for fish, crustaceans, algae and other aquatic plants. In addition, toxicity data on soil micro- and macroorganisms and other environmentally relevant organisms, such as birds, bees and plants, shall be included when available. Where the substance or mixture has inhibitory effects on the activity of microorganisms, the possible impact on sewage treatment plants shall be mentioned.

Where experimental data are not available, the supplier shall consider whether reliable and relevant information obtained from models can be provided.

For substances subject to registration, summaries of the information derived from the application of Annexes VII to XI of this Regulation shall be included.

12.2. **Persistence and degradability**

Degradability is the potential for the substance or the appropriate substances in a mixture to degrade in the environment, either through biodegradation or other processes, such as oxidation or hydrolysis. Persistence is the lack of demonstration of degradation in the situations defined in Sections 1.1.1 and 1.2.1 of Annex XIII. Test results relevant to assess persistence and degradability shall be given where available. If degradation half-lives are quoted it must be indicated whether these half-lives refer to mineralisation or to primary degradation. The potential of the substance or certain substances in a mixture to degrade in sewage treatment plants shall also be mentioned.

Where experimental data are not available, the supplier shall consider whether reliable and relevant information obtained from models can be provided.

This information shall be given where available and appropriate, for each individual substance in the mixture, which is required to be listed in section 3 of the safety data sheet.

12.3. **Bioaccumulative potential**

Bioaccumulative potential is the potential of the substance or certain substances in a mixture to accumulate in biota and, eventually, to pass through the food chain. Test results relevant to assess the bioaccumulative potential shall be given. This shall include reference to the octanol-water partition coefficient (K_{ow}) and bioconcentration factor (BCF), or other relevant parameters related to bioaccumulation, if available.

Where experimental data are not available, it shall be considered whether model predictions can be provided.

This information shall be given where available and appropriate, for each individual substance in the mixture which is required to be listed in section 3 of the safety data sheet.

12.4. **Mobility in soil**

Mobility in soil is the potential of the substance or the components of a mixture, if released to the environment, to move under natural forces to the groundwater or to a distance from the site of release. The potential for mobility in soil shall be given where available. Information on mobility in soil can be determined from relevant mobility data such as adsorption studies or leaching studies, known or predicted distribution to environmental compartments, or surface tension. For example, soil adsorption coefficient (K_{oc}) values can be predicted from K_{ow} . Leaching and mobility can be predicted from models.

This information shall be given where available and appropriate, for each individual substance in the mixture which is required to be listed in section 3 of the safety data sheet.

12.5. Results of PBT and vPvB assessment

Where a chemical safety report is required, the results of the PBT and vPvB assessment as set out in the chemical safety report shall be given.

12.6. Endocrine disrupting properties

Information on adverse effects on the environment caused by endocrine disrupting properties shall be provided where available, for the substances identified as having endocrine disrupting properties in subsection 2.3. This information shall consist of brief summaries of the information derived from application of the assessment criteria laid down in the corresponding Regulations ((EC) No 1907/2006, (EU) 2017/2100, (EU) 2018/605), that is relevant to assess endocrine disrupting properties for the environment.

12.7. Other adverse effects

Information on any other adverse effects on the environment shall be included where available, such as environmental fate (exposure), photochemical ozone creation potential, ozone depletion potential or global warming potential.

13. SECTION 13: Disposal considerations

This section of the safety data sheet shall provide information for proper waste management of the substance or mixture and/or its container to assist in the determination of safe and environmentally preferred waste management options, consistent with the requirements of Directive 2008/98/EC of the European Parliament and of the Council ⁽⁸⁾ by the Member State in which the safety data sheet is being supplied. Information relevant for the safety of persons conducting waste management activities shall complement the information given in section 8.

Where a chemical safety report is required and where a waste stage analysis has been performed, the information on the waste management measures shall be consistent with the identified uses in the chemical safety report and the exposure scenarios from the chemical safety report set out in the annex to the safety data sheet.

13.1. Waste treatment methods

This subsection of the safety data sheet shall:

- (a) specify waste treatment containers and methods including the appropriate methods of waste treatment of both the substance or mixture and any contaminated packaging (for example, incineration, recycling, landfilling);
- (b) specify the physical/chemical properties that may affect waste treatment options;
- (c) discourage sewage disposal;
- (d) identify, where appropriate, any special precautions for any recommended waste treatment option.

Any relevant Union provisions relating to waste or, in their absence, any relevant national or regional provisions in force shall be referred to.

14. SECTION 14: Transport information

This section of the safety data sheet shall provide basic classification information for the transport/shipment of substances or mixtures mentioned in section 1 by road, rail, sea, inland waterways or air. Where such information is not available or relevant this shall be stated.

Where relevant, this section shall provide information on the transport classification for each of the following international agreements which are transposing the UN Model Regulations for specific transport modes: the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID) and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), all three of which have been implemented by Directive 2008/68/EC of the European Parliament and of the Council ⁽⁹⁾, as well as

⁽⁸⁾ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

⁽⁹⁾ Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

the International Maritime Dangerous Goods (IMDG) Code ⁽¹⁰⁾ for the transport of packaged goods and the relevant IMO codes for the transport of bulk cargo by sea ⁽¹¹⁾ and the Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) ⁽¹²⁾.

14.1. UN number or ID number

The UN number or the ID number (i.e. the four-figure identification number of the substance, mixture or article preceded by the letters “UN” or “ID”) from the UN Model Regulations, IMDG, ADR, RID, ADN or ICAO TI shall be provided.

14.2. UN proper shipping name

The proper shipping name as provided in column 2, “Name and description”, of Table A of Chapter 3.2 Dangerous Goods List of the UN Model Regulations, in ADR, in RID and in Tables A and C of Chapter 3.2 of ADN, supplemented, when applicable, with the technical name in brackets as required, shall be provided, unless it was used as the product identifier in subsection 1.1. If the UN number and the proper shipping name remain unchanged in different transport modes, it is not necessary to repeat this information. As regards maritime transport, in addition to the UN proper shipping name, the technical name for goods to be transported covered by the IMDG Code shall be indicated, where appropriate.

14.3. Transport hazard class(es)

The transport hazard class (and subsidiary risks) assigned to the substances or mixtures on the basis of the predominant hazard that they present according to the UN Model Regulations shall be provided. As regards inland transport, the transport hazard class (and subsidiary risks) assigned to the substances or mixtures on the basis of the predominant hazard that they present according to ADR, RID and ADN shall be provided.

14.4. Packing group

The packing group number from the UN Model Regulations shall be provided, if applicable, as required by the UN Model Regulations, ADR, RID and ADN. The packing group number is assigned to certain substances in accordance with their degree of hazard.

14.5. Environmental hazards

It shall be indicated whether the substance or mixture is environmentally hazardous according to the criteria of the UN Model Regulations (as reflected in ADR, RID and ADN), and whether it is a marine pollutant according to the IMDG Code and the Emergency Response Procedures for Ships Carrying Dangerous Goods. If the substance or mixture is authorised or intended for carriage by inland waterways in tank-vessels, it shall be indicated whether the substance or mixture is environmentally hazardous in tank-vessels only according to ADN.

14.6. Special precautions for user

Information shall be provided on any special precautions, which a user should or must take or be aware of in connection with transport or conveyance either within or outside his premises, for all relevant modes of transport.

⁽¹⁰⁾ Compliance with the IMDG Code is mandatory for the carriage of packaged dangerous goods by sea as provided for in Chapter VII/Reg. 3 of SOLAS and MARPOL Annex III Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form.

⁽¹¹⁾ The IMO has developed various legal instruments related to dangerous and polluting goods differentiating between how the goods are carried (packaged and bulk) and by type of cargo (solid, liquid and liquefied gases). Rules on the carriage of dangerous cargoes and the ships that carry these cargoes are found in the International Convention for the Safety of Life at Sea (SOLAS, 1974), as amended, and the International Convention on Maritime Pollution (MARPOL 73/78), as amended. These conventions are supplemented by the following codes: IMDG, IMSBC, IBC and IGC.

⁽¹²⁾ IATA, 2007-2008 edition.

14.7. Maritime transport in bulk according to IMO instruments

This subsection only applies when cargoes are intended to be carried in bulk according to IMO instruments: Chapter VI or Chapter VII of SOLAS ⁽¹³⁾, Annex II or Annex V of MARPOL, the IBC Code ⁽¹⁴⁾, the IMSBC Code ⁽¹⁵⁾, and the IGC Code ⁽¹⁶⁾ or its earlier versions, namely EGC Code ⁽¹⁷⁾ or GC Code ⁽¹⁸⁾.

As regards liquid bulk cargoes, the product name shall be provided (if different from that given in subsection 1.1) as required by the shipment document and in accordance with the name used in the lists of product names given in chapters 17 or 18 of the IBC Code or the latest edition of the IMO's Maritime Environment Protection Committee (MEPC).2/Circular ⁽¹⁹⁾. Ship type required and pollution category shall be indicated, as well as the IMO hazard class, in accordance with Annex I (3) B (a) of Directive 2002/59/EC of the European Parliament and of the Council ⁽²⁰⁾.

As regards solid bulk cargoes, the bulk cargo shipping name shall be provided. It shall be indicated whether or not the cargo is considered harmful to the marine environment (HME) according to Annex V of MARPOL, whether it is a material hazardous only in bulk (MHB) ⁽²¹⁾ according to the IMSBC Code, and as which cargo group it should be considered according to the IMSBC.

As regards liquefied gas cargoes in bulk, the product name and the ship type required according to the IGC Code or its earlier versions, namely EGC Code or GC Code shall be provided.

15. SECTION 15: Regulatory information

This section of the safety data sheet shall describe the other regulatory information on the substance or mixture that is not already provided in the safety data sheet (such as whether the substance or mixture is subject to Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer ⁽²²⁾, Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC ⁽²³⁾ or Regulation (EC) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of dangerous chemicals ⁽²⁴⁾).

15.1. Safety, health and environmental regulations/legislation specific for the substance or mixture

Information shall be provided regarding relevant Union safety, health and environmental provisions (for example, Seveso category/named substances in Annex I to Council Directive 96/82/EC ⁽²⁵⁾) or regarding the national regulatory status of the substance or mixture (including the substances in the mixture), including advice on action that should be taken by the recipient as a result of these provisions. Where relevant the national laws of the relevant Member States which implement these provisions and any other national measures that may be relevant shall be mentioned.

If the substance or mixture covered by this safety data sheet is the subject of specific provisions in relation to the protection of human health or the environment at Union level (such as authorisations given under Title VII or restrictions under Title VIII) these provisions shall be mentioned. Where an authorisation granted under Title VII imposes conditions or monitoring arrangements to a downstream user of the substance or mixture, they shall be provided.

⁽¹³⁾ SOLAS means the International Convention for the Safety of Life at Sea, 1974, as amended.

⁽¹⁴⁾ IBC Code means the International Code for the Construction and Equipment of Ships carrying dangerous Chemicals in Bulk, as amended.

⁽¹⁵⁾ IMSBC Code means the International Maritime Solid Bulk Cargoes Code, as amended.

⁽¹⁶⁾ IGC Code means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, including applicable amendments in accordance with which the vessel has been certified.

⁽¹⁷⁾ EGC Code means the Code for Existing Ships Carrying Liquefied Gases in Bulk, as amended.

⁽¹⁸⁾ GC Code means the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (Gas Carrier Code), as amended.

⁽¹⁹⁾ MEPC.2/Circular, Provisional categorisation of liquid substances, version 19, effective 17 December 2013.

⁽²⁰⁾ Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5.8.2002, p. 10).

⁽²¹⁾ Materials hazardous only in bulk (MHB) means materials which may possess chemical hazards when carried in bulk other than materials classified as dangerous goods in the IMDG Code.

⁽²²⁾ OJ L 286, 31.10.2009, p. 1.

⁽²³⁾ OJ L 158, 30.4.2004, p. 7.

⁽²⁴⁾ OJ L 201, 27.7.2012, p. 60.

⁽²⁵⁾ OJ L 10, 14.1.1997, p. 13.

15.2. Chemical safety assessment

This subsection of the safety data sheet shall indicate whether the supplier has carried out a chemical safety assessment for the substance or the mixture.

16. SECTION 16: Other information

This section of the safety data sheet shall contain other information that is not included in sections 1 to 15, including information on the revision of the safety data sheet such as:

- (a) in the case of a revised safety data sheet, a clear indication of where changes have been made to the previous version of the safety data sheet, unless such indication is given elsewhere in the safety data sheet, with an explanation of the changes, if appropriate. A supplier of a substance or mixture shall be able to provide an explanation of the changes upon request;
- (b) a key or legend to abbreviations and acronyms used in the safety data sheet;
- (c) key literature references and sources for data;
- (d) in the case of mixtures, an indication of which of the methods of evaluating information referred to in Article 9 of Regulation (EC) No 1272/2008 was used for the purpose of classification;
- (e) a list of relevant hazard statements and/or precautionary statements. Write out the full text of any statements, which are not written out in full under sections 2 to 15;
- (f) advice on any training appropriate for workers to ensure protection of human health and the environment.

PART B

The safety data sheet shall include the following 16 headings in accordance with Article 31(6) and in addition the subheadings also listed except section 3, where only subsection 3.1 or subsection 3.2 needs to be included as appropriate:

SECTION 1: Identification of the substance/mixture and of the company/undertaking

- 1.1. Product identifier
- 1.2. Relevant identified uses of the substance or mixture and uses advised against
- 1.3. Details of the supplier of the safety data sheet
- 1.4. Emergency telephone number

SECTION 2: Hazards identification

- 2.1. Classification of the substance or mixture
- 2.2. Label elements
- 2.3. Other hazards

SECTION 3: Composition/information on ingredients

- 3.1. Substances
- 3.2. Mixtures

SECTION 4: First aid measures

- 4.1. Description of first aid measures
- 4.2. Most important symptoms and effects, both acute and delayed
- 4.3. Indication of any immediate medical attention and special treatment needed

SECTION 5: Firefighting measures

- 5.1. Extinguishing media
- 5.2. Special hazards arising from the substance or mixture
- 5.3. Advice for firefighters

SECTION 6: Accidental release measures

- 6.1. Personal precautions, protective equipment and emergency procedures
- 6.2. Environmental precautions
- 6.3. Methods and material for containment and cleaning up
- 6.4. Reference to other sections

SECTION 7: Handling and storage

- 7.1. Precautions for safe handling
- 7.2. Conditions for safe storage, including any incompatibilities
- 7.3. Specific end use(s)

SECTION 8: Exposure controls/personal protection

- 8.1. Control parameters
- 8.2. Exposure controls

SECTION 9: Physical and chemical properties

- 9.1. Information on basic physical and chemical properties
- 9.2. Other information

SECTION 10: Stability and reactivity

- 10.1. Reactivity
- 10.2. Chemical stability
- 10.3. Possibility of hazardous reactions
- 10.4. Conditions to avoid
- 10.5. Incompatible materials
- 10.6. Hazardous decomposition products

SECTION 11: Toxicological information

- 11.1. Information on hazard classes as defined in Regulation (EC) No 1272/2008
- 11.2. Information on other hazards

SECTION 12: Ecological information

- 12.1. Toxicity
- 12.2. Persistence and degradability
- 12.3. Bioaccumulative potential
- 12.4. Mobility in soil
- 12.5. Results of PBT and vPvB assessment
- 12.6. Endocrine disrupting properties
- 12.7. Other adverse effects

SECTION 13: Disposal considerations

- 13.1. Waste treatment methods

SECTION 14: Transport information

- 14.1. UN number or ID number
- 14.2. UN proper shipping name
- 14.3. Transport hazard class(es)
- 14.4. Packing group
- 14.5. Environmental hazards
- 14.6. Special precautions for user
- 14.7. Maritime transport in bulk according to IMO instruments

SECTION 15: Regulatory information

- 15.1. Safety, health and environmental regulations/legislation specific for the substance or mixture
- 15.2. Chemical safety assessment

SECTION 16: Other information'

COMMISSION IMPLEMENTING REGULATION (EU) 2020/879**of 23 June 2020****amending Implementing Regulation (EU) No 897/2014 as regards specific provisions to align the provisions for the implementation of cross-border cooperation programmes financed under the European Neighbourhood Instrument with specific measures in response to the COVID-19 pandemic**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument ⁽¹⁾, and in particular Article 12(1) thereof,

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action ⁽²⁾, and in particular Article 6(2) thereof,

Whereas:

- (1) The implementation of cross-border cooperation programmes both under the European Neighbourhood Instrument and the European territorial cooperation (ETC) goal in accordance with Commission Implementing Regulation (EU) No 897/2014 ⁽³⁾ has been affected by the consequences of the COVID-19 pandemic in an unprecedented manner. That exceptional situation needs to be addressed with specific measures, which should enable cross-border cooperation programmes under the European Neighbourhood Instrument to contribute to the response to the rapidly emerging needs in a flexible and effective way with regard to the most affected sectors, such as healthcare, business - including small and medium-sized enterprises - and labour market, and to foster the socio-economic recovery in the programmes' areas.
- (2) Measures comparable to those introduced by Regulations (EU) 2020/460 ⁽⁴⁾ and (EU) 2020/558 ⁽⁵⁾ of the European Parliament and of the Council that are currently to apply to the cross-border cooperation programmes under the ETC goal should apply to the cross-border cooperation programmes under the European Neighbourhood Instrument.
- (3) With a view to alleviating the budgetary charges incumbent on the participating countries or beneficiaries of the EU assistance in the context of the COVID-19 pandemic, the co-financing rule shall not apply to the Union contribution concerning the expenditure incurred and paid as included in the programme annual accounts for the accounting year beginning on 1 July 2020 and ending on 30 June 2021.
- (4) Because of the accumulation of delays at the beginning of the programming period and further slowdown of the implementation of projects caused by the COVID-19 pandemic, the deadline of 31 December 2021 for signing all contracts other than already concluded large infrastructure projects should be extended by another year until 31 December 2022. For the same reasons, project activities financed by the programmes cannot be expected to end on 31 December 2022. That deadline should therefore be extended by another year until 31 December 2023.

⁽¹⁾ OJ L 77, 15.3.2014, p. 27.

⁽²⁾ OJ L 77, 15.3.2014, p. 95.

⁽³⁾ Commission Implementing Regulation (EU) No 897/2014 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument (OJ L 244, 19.8.2014, p. 12).

⁽⁴⁾ Regulation (EU) 2020/460 of the European Parliament and of the Council of 30 March 2020 amending Regulations (EU) No 1301/2013, (EU) No 1303/2013 and (EU) No 508/2014 as regards specific measures to mobilise investments in the healthcare systems of Member States and in other sectors of their economies in response to the COVID-19 outbreak (Coronavirus Response Investment Initiative) (OJ L 99, 31.3.2020, p. 5).

⁽⁵⁾ Regulation (EU) 2020/558 of the European Parliament and of the Council of 23 April 2020 amending Regulations (EU) No 1301/2013 and (EU) No 1303/2013 as regards specific measures to provide exceptional flexibility for the use of the European Structural and Investments Funds in response to the COVID-19 outbreak (OJ L 130, 24.4.2020, p. 1).

- (5) Because of the different containment measures implemented in the participating countries, it may be difficult or even impossible for audit authorities to make on the spot audits and apply a statistical sampling method during a certain period. Therefore, as regards the accounting year from 1 July 2019 to 30 June 2020, audit authorities should be allowed to make use of a non-statistical sampling method.
- (6) The selection of the projects may be done through an award without a call for proposals in exceptional cases and with a due justification in the context of the COVID-19 pandemic. The procedural steps to be taken by the Commission should be shortened by not requiring the submission of the full project application to the Commission for the assessment of the project.
- (7) In Implementing Regulation (EU) No 897/2014 the term 'final reports' is used in two different contexts. That Implementing Regulation should therefore clearly distinguish between those final reports which cover the programme, on the one hand, and those final reports which concern the implementation of a specific project, on the other hand.
- (8) The eligibility of expenditure fostering the crisis response capacities in the context of the COVID-19 pandemic should be exceptionally allowed as of 1 February 2020.
- (9) Unlike Article 65(2) of Regulation (EU) No 1303/2013 of the European Parliament and of the Council ⁽⁶⁾, which sets out 31 December 2023 as the final date for eligibility of expenditure with regard to cross-border cooperation programmes financed under the ETC goal, Implementing Regulation (EU) No 897/2014 does not set out such a date linked to expenditure with regard to cross-border cooperation programmes under the European Neighbourhood Instrument, but sets out certain deadlines linked to the project cycle and project activities. In order to ensure consistency between the provisions of Regulation (EU) No 1303/2013 and Implementing Regulation (EU) No 897/2014, the implementation of both types of cross-border cooperation programmes should be aligned to the extent possible. However, for reasons of legal certainty, the period during which activities linked to the closure of the programme and of projects may be carried out, namely between 1 January 2024 and 30 September 2024, should not be shortened. It is therefore appropriate to continue allowing for the eligibility of such activities and the respective expenditure thereof between 1 January 2024 and 30 September 2024. With regard to those periods, it is appropriate to extend the period of execution of programmes by one year, namely until 31 December 2025.
- (10) In order to ensure legal certainty for participating countries, it is appropriate to align the specific arrangements and procedures for the final accounting year and for the programme closure with the provisions applicable to cross-border cooperation programmes under the ETC goal. In addition, full use of the Union contribution through cross-border cooperation programmes under the European Neighbourhood Instrument should be allowed to benefit from the additional flexibility provided for the calculation of the payment of the final balance at the end of the programming period.
- (11) Because of the urgency of the situation related to the COVID-19 pandemic, it is appropriate to provide for prompt application of the measures provided for in this Regulation, which should therefore enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (12) Implementing Regulation (EU) No 897/2014 should therefore be amended accordingly.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Regulation (EU) No 232/2014,

⁽⁶⁾ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) No 897/2014 is amended as follows:

(1) in Article 12, the following paragraph 4 is added:

‘4. By way of derogation from paragraphs 1 and 2, and in accordance with Article 6(1), no co-financing of the Union contribution shall be required for expenditure incurred and paid as included in the programme annual accounts for the accounting year from 1 July 2020 to 30 June 2021.’;

(2) in Article 15, ‘31 December 2024’ is replaced by ‘31 December 2025’;

(3) Article 18 is amended as follows:

(a) in paragraph 2, ‘31 December 2021’ is replaced by ‘31 December 2022’;

(b) in paragraph 3, ‘31 December 2022’ is replaced by ‘31 December 2023’;

(4) in Article 19, paragraph 1 is replaced by the following:

‘1. Only activities linked to the closure of projects by beneficiaries in accordance with point (a)(iii) of Article 48(2) or linked to the closure of programmes under technical assistance may be carried out between 1 January 2024 and 30 September 2024.’;

(5) in Article 28, the following paragraph 1a is inserted:

‘1a. For the purposes of paragraph 1, the COVID-19 pandemic shall constitute a duly justified case that the audit authority may invoke based on their professional judgement to use a non-statistical sampling method for the accounting year from 1 July 2019 to 30 June 2020.’;

(6) Article 41 is amended as follows:

(a) in paragraph 1, the following point (c) is inserted:

‘(c) the project is implemented in order to foster crisis response capacities in the context of the COVID-19 pandemic.’;

(b) the following paragraph 4a is inserted:

‘4a. By way of derogation to the procedure set out in paragraph 4, projects proposed for selection without a call for proposals under point (c) of paragraph 1 shall be assessed by the Commission on the basis of a project summary. The Commission shall notify its assessment to the managing authority within two months of the document submission date. This deadline may be extended where necessary. In case of a negative assessment the Commission shall notify the managing authority of its reasons.’;

(7) Article 48 is amended as follows:

(a) in paragraph 2, points (ii) and (iii) are replaced by the following:

‘(ii) costs incurred should be paid before the submission of the final project reports. They may be paid afterwards, provided they are listed in the final report together with the estimated date of payment;

(iii) an exception is made for costs relating to final project reports, including expenditure verification, audit and final evaluation of the project, which may be incurred after the implementation period of the project.’;

(b) the following paragraph 2a is inserted:

‘2a. Notwithstanding Article 19(1), expenditure shall not be eligible for the Union contribution, where it is paid after 31 December 2023.’;

(c) the following paragraph 3a is inserted:

‘3a. By way of derogation from paragraph 3, costs of projects fostering crisis response capacities in the context of the COVID-19 pandemic shall be eligible as of 1 February 2020.’;

(8) Article 64 is replaced by the following:

'Article 64

Payment of the final balance

1. The managing authority shall submit the payment request of the final balance accompanied by the documents referred to in Article 68 and Article 77(5).
2. The final balance shall be paid no later than three months after the date of clearance of accounts of the final accounting year or one month after the date of acceptance of the final implementation report, whichever date is later.
3. Payment of the final balance for the programme in the final accounting year may exceed up to 10 % of the Union contribution for each thematic objective as laid down in the Commission implementing decision approving the programme.

The Union contribution through payment of the final balance in the final accounting year shall not exceed the total Union contribution to each programme as laid down in the Commission implementing decision approving the programme.;

(9) Article 77 is amended as follows:

(a) in paragraph 5, '30 September 2024' is replaced by '15 February 2025';

(b) the following paragraph 6 is added:

'6. The deadlines set out in paragraphs 1 and 5 may exceptionally be extended by the Commission to 1 March, upon communication by the managing authority concerned.'

Article 2

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

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

Done at Brussels, 23 June 2020.

For the Commission

The President

Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/880**of 24 June 2020****amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin**

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 183(b) thereof,

Having regard to Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009 ⁽²⁾, and in particular Article 5(6)(a) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin.
- (3) Regulation (EC) No 1484/95 should be amended accordingly.
- (4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 24 June 2020.

*For the Commission,
On behalf of the President,
Wolfgang BURTSCHER
Director-General
Directorate-General for Agriculture and Rural
Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 150, 20.5.2014, p. 1.

⁽³⁾ Commission Regulation (EC) No 1484/95 of 28 June 1995 laying down detailed rules for implementing the system of additional import duties and fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation No 163/67/EEC (OJ L 145, 29.6.1995, p. 47).

ANNEX

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security under Article 3 (EUR/100 kg)	Origin ⁽¹⁾
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65% chickens”, frozen	136,1	0	AR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	251,1 189,6 249,6 240,9	15 35 15 18	AR BR CL TH
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	199,7	26	BR’

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7).

COMMISSION IMPLEMENTING REGULATION (EU) 2020/881**of 25 June 2020****accepting a request for new exporting producer treatment with regard to the definitive anti-dumping measures imposed on imports of ceramic tableware and kitchenware originating in the People's Republic of China by Implementing Regulation (EU) 2019/1198**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ (the 'basic Regulation'),

Having regard to Commission Implementing Regulation (EU) 2019/1198 of 12 July 2019 imposing a definitive anti-dumping duty on imports of ceramic tableware and kitchenware originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 ⁽²⁾ ('the original Regulation'), and, in particular, Article 2 thereof,

Whereas:

A. MEASURES IN FORCE

- (1) On 13 May 2013, the Council imposed a definitive anti-dumping duty on imports into the Union of ceramic tableware and kitchenware ('the product concerned') originating in the People's Republic of China (the PRC) by Council Implementing Regulation (EU) No 412/2013 ⁽³⁾.
- (2) On 12 July 2019, following an expiry review pursuant to Article 11(2) of the basic Regulation, the Commission extended the measures for another five years by Implementing Regulation (EU) 2019/1198.
- (3) On 28 November 2019, following an anti-circumvention investigation pursuant to Articles 13(3) and 14(5) of the basic Regulation, the Commission amended Regulation (EU) 2019/1198 by Commission Implementing Regulation (EU) 2019/2131 ⁽⁴⁾.
- (4) In the original investigation, sampling was applied for investigating the exporting producers in the PRC in accordance with Article 17 of Regulation (EU) 2016/1036.
- (5) The Commission imposed individual anti-dumping duty rates ranging from 13,1 % to 23,4 % on imports of the product concerned for the sampled exporting producers. For the cooperating exporting producers that were not included in the sample, a duty rate of 17,9 % was imposed. The cooperating exporting producers not included in the sample are listed in Annex I of Implementing Regulation (EU) 2019/2131. Furthermore, a country-wide duty rate of 36,1 % was imposed on the product concerned from companies in the PRC which either did not make themselves known or did not cooperate with the investigation.
- (6) Pursuant to Article 2 of Implementing Regulation (EU) 2019/1198, the Commission may amend Annex I of that Regulation, by granting a new exporting producer the duty rate applicable to the cooperating companies not sampled or not granted individual treatment, namely the weighted average duty rate of 17,9 %, where any new exporting producer in the PRC provides sufficient evidence to the Commission that:
 - (a) it did not export to the Union the product concerned during the period of investigation on which the measures are based, that is from 1 January 2011 to 31 December 2011 ('the original investigation period');

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ OJ L 189, 15.7.2019, p. 8.

⁽³⁾ Council Implementing Regulation (EU) No 412/2013 of 13 May 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of ceramic tableware and kitchenware originating in the People's Republic of China (OJ L 131, 15.5.2013, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2019/2131 of 28 November 2019 amending Implementing Regulation (EU) 2019/1198 imposing a definitive anti-dumping duty on imports of ceramic tableware and kitchenware originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council (OJ L 321, 12.12.2019, p. 139).

- (b) it is not related to any of the exporters or producers in the PRC which are subject to the anti-dumping measures imposed by the original Regulation; and
- (c) it has actually exported to the Union the product concerned after the end of the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union.

B. REQUEST FOR NEW EXPORTING PRODUCER TREATMENT

- (7) The group of related companies Huatai Ceramics Industry Limited, Hunan, China and Kerun Ceramics Manufactory Ltd. ('Huatai and Kerun' or the 'applicant'), submitted a request to the Commission to be granted new exporting producer treatment ('NEPT') and hence be subject to the duty rate applicable to the cooperating companies in the PRC not included in the sample, which is 17,9 %. The applicant claimed that it met all three conditions set out in Article 2 of the original Regulation.
- (8) In order to determine whether the applicant fulfilled the conditions for being granted NEPT, as set out in Article 2 of the original Regulation ('the NEPT conditions'), the Commission first sent a questionnaire to the applicant requesting evidence showing that it met the NEPT conditions.
- (9) Following the analysis of the questionnaire reply, the Commission requested further information and supporting evidence, which was submitted by the applicant.
- (10) The Commission sought to verify all information it deemed necessary for the purpose of determining whether the applicant met the NEPT conditions. To this end, the Commission analysed the evidence submitted by the applicant in its questionnaire reply, consulting various online databases including Orbis ⁽⁵⁾ and Qichacha ⁽⁶⁾ and cross-checking company information with information submitted in previous cases. In parallel, the Commission also informed the Union industry about the applicant's request and invited it to provide any comments if needed. No comments from Union industry were received.

C. ANALYSIS OF THE REQUEST

- (11) With regard to the condition set out in Article 2(a) of the original Regulation that the applicant did not export the product concerned to the Union during the period of investigation on which the measures are based, that is from 1 January 2011 to 31 December 2011 ('the original investigation period'), the Commission established that the applicant indeed did not export to the EU during the IP. Huatai was established in September 2010 as a domestic seller of ceramics. Its articles of association show that it did not have an export license until March 2012 and was not able to produce the product concerned until December 2012, which is after the IP. Kerun was established in October 2004. It did not obtain a license to produce the product concerned until July 2018 and did not get an export license until May 2019, both of which are after the IP. Therefore, the applicant fulfils this condition.
- (12) With regard to the condition set out in Article 2(b) of the original Regulation that the applicant is not related to any exporters or producers which are subject to the anti-dumping measures imposed by the original Regulation, the Commission established that the applicant was related to one of its main customers, the Malaysian trading company Fluxline Trading SDN BHD. However, this company is not located in the PRC and was not subject to the anti-dumping measures imposed by the original Regulation. No other relationships as defined by Commission Implementing Regulation (EU) 2015/2447 ⁽⁷⁾ were identified. Therefore, the applicant fulfils this condition.

⁽⁵⁾ Orbis is a global data provider of corporate information covering more than 220 million companies across the globe. It mainly provides standardised information on private companies and corporate structures.

⁽⁶⁾ Qichacha is a private, for-profit Chinese-owned database that delivers business data, credit information, and analytics on China-based private and public companies to consumers/professionals.

⁽⁷⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558). Article 127 stipulates that two persons shall be deemed to be related if one of the following conditions is fulfilled: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party directly or indirectly owns or controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they control a third person directly or indirectly; (h) they are members of the same family. Persons who are associated in business with one another in that one is the sole agent, sole distributor or sole concessionaire, however described, of the other shall be deemed to be related only if they fall within the criteria referred to in the preceding sentence.

- (13) With regard to the condition set out in Article 2(c) of the original Regulation, that the applicant has actually exported the product concerned to the Union after the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union, the Commission established that the applicant had exported to the Union in 2019, therefore after the original investigation period. The applicant submitted invoices, a packing list, a bill of lading and a receipt of payment for an order placed in 2019 by a company in Austria. Therefore, the applicant fulfils this condition.
- (14) Accordingly, the applicant fulfils all three conditions to be granted NEPT, as set out in Article 2 of the original Regulation and the request should therefore be accepted. Consequently, the applicant should be subject to an anti-dumping duty of 17,9 % for cooperating companies not included in the sample of the original investigation.

D. DISCLOSURE

- (15) The applicant and the Union industry were informed of the essential facts and considerations based on which it was considered appropriate to grant the anti-dumping duty rate applicable to the cooperating companies not included in the sample of the original investigation to Huatai Ceramics Industry Limited, Hunan, China and Kerun Ceramics Manufactory Ltd. ('Huatai and Kerun').
- (16) The parties were granted the possibility to submit comments. No comments were received.
- (17) The Regulation is in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The following company is added to the list of cooperating companies not included in the sample of Implementing Regulation (EU) 2019/1198, and specifically to Annex I of Implementing Regulation (EU) 2019/1198:

Company	TARIC additional code
'Huatai Ceramics Industry Limited, Hunan, China and Kerun Ceramics Manufactory Ltd.	C551'

Article 2

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

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

Done at Brussels, 25 June 2020.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/882**of 25 June 2020****accepting a request for new exporting producer treatment with regard to the definitive anti-dumping measures imposed on imports of ceramic tableware and kitchenware originating in the People's Republic of China by Implementing Regulation (EU) 2019/1198**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ (the 'basic Regulation'),

Having regard to Commission Implementing Regulation (EU) 2019/1198 of 12 July 2019 imposing a definitive anti-dumping duty on imports of ceramic tableware and kitchenware originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 ⁽²⁾ ('the original Regulation'), and, in particular, Article 2 thereof,

Whereas,

A. MEASURES IN FORCE

- (1) On 13 May 2013, the Council imposed a definitive anti-dumping duty on imports into the Union of ceramic tableware and kitchenware ('the product concerned') originating in the People's Republic of China (the PRC) by Council Implementing Regulation (EU) No 412/2013 ⁽³⁾.
- (2) On 12 July 2019, following an expiry review pursuant to Article 11(2) of the basic Regulation, the Commission extended the measures for another five years by Implementing Regulation (EU) 2019/1198.
- (3) On 28 November 2019, following an anti-circumvention investigation pursuant to Articles 13(3) and 14(5) of the basic Regulation, the Commission amended Regulation (EU) 2019/1198 by Commission Implementing Regulation (EU) 2019/2131 ⁽⁴⁾.
- (4) In the original investigation, sampling was applied for investigating the exporting producers in the PRC in accordance with Article 17 of the basic Regulation.
- (5) The Commission imposed individual anti-dumping duty rates ranging from 13,1 % to 23,4 % on imports of the product concerned for the sampled exporting producers. For the cooperating exporting producers that were not included in the sample, a duty rate of 17,9 % was imposed. The cooperating exporting producers not included in the sample are listed in Annex I to Regulation (EU) 2019/2131. Furthermore, a country-wide duty rate of 36,1 % was imposed on the product concerned from companies in the PRC which either did not make themselves known or did not cooperate with the investigation.
- (6) Pursuant to Article 2 of the original Regulation, the Commission may amend Annex I to that Regulation, by granting a new exporting producer the duty rate applicable to the cooperating companies not sampled or not granted individual treatment, namely the weighted average duty rate of 17,9 %, where any new exporting producer in the PRC provides sufficient evidence to the Commission that:

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ OJ L 189, 15.7.2019, p. 8.

⁽³⁾ Council Implementing Regulation (EU) No 412/2013 of 13 May 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of ceramic tableware and kitchenware originating in the People's Republic of China (OJ L 131, 15.5.2013, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2019/2131 of 28 November 2019 amending Implementing Regulation (EU) 2019/1198 imposing a definitive anti-dumping duty on imports of ceramic tableware and kitchenware originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council (OJ L 321, 12.12.2019, p. 139).

- (a) it did not export to the Union the product concerned during the period of investigation on which the measures are based, that is from 1 January 2011 to 31 December 2011 ('the original investigation period');
- (b) it is not related to any of the exporters or producers in the PRC which are subject to the anti-dumping measures imposed by the original Regulation; and
- (c) it has actually exported to the Union the product concerned after the end of the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union.

B. REQUEST FOR NEW EXPORTING PRODUCER TREATMENT

- (7) The company Hunan Huazhi Ceramic Co., Ltd. ('Huazhi' or the 'applicant') submitted a request to the Commission to be granted new exporting producer treatment ('NEPT') and hence be subject to the duty rate applicable to the cooperating companies in the PRC not included in the sample, which is 17,9 %. The applicant claimed that it met all three conditions set out in Article 2 of the original Regulation.
- (8) In order to determine whether the applicant fulfilled the conditions for being granted NEPT, as set out in Article 2 of the original Regulation ('the NEPT conditions'), the Commission first sent a questionnaire to the applicant requesting evidence showing that it met the NEPT conditions.
- (9) Following the analysis of the questionnaire reply, the Commission requested further information and supporting evidence, which was submitted by the applicant.
- (10) The Commission sought to verify all information it deemed necessary for the purpose of determining whether the applicant met the NEPT conditions. To this end, the Commission analysed the evidence submitted by the applicant in its questionnaire reply, consulting various online databases including Orbis ⁽⁵⁾ and Qichacha ⁽⁶⁾ and cross-checking company information with information submitted in previous cases. In parallel, the Commission also informed the Union industry about the applicant's request and invited it to provide any comments if needed. No comments from Union industry were received.

C. ANALYSIS OF THE REQUEST

- (11) With regard to the condition set out in Article 2(a) of the original Regulation that the applicant did not export the product concerned to the Union during the period of investigation on which the measures are based, that is from 1 January 2011 to 31 December 2011 ('the original investigation period'), the Commission established that the applicant did not exist as a company at the time. The Articles of Association of Huazhi date from October 2013 and its business license from November 2013. Therefore, the applicant could not have exported the product concerned to the Union during the period of investigation and thus fulfils this condition.
- (12) With regard to the condition set out in Article 2(b) of the original Regulation that the applicant is not related to any exporters or producers which are subject to the anti-dumping measures imposed by the original Regulation, the Commission established that the two shareholders of Huazhi had no other shareholdings. Although Huazhi had as one of its prime customers a Chinese producer of the product concerned subject to anti-dumping measures, no relationship as defined by Commission Implementing Regulation (EU) 2015/2447 ⁽⁷⁾ was identified between the two. Therefore, the applicant fulfils this condition.

⁽⁵⁾ Orbis is a global data provider of corporate information covering more than 220 million companies across the globe. It mainly provides standardised information on private companies and corporate structures.

⁽⁶⁾ Qichacha is a private, for-profit Chinese-owned database that delivers business data, credit information, and analytics on China-based private and public companies to consumers/professionals.

⁽⁷⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558) Article 127 stipulates that two persons shall be deemed to be related if one of the following conditions is fulfilled: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party directly or indirectly owns or controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they control a third person directly or indirectly; (h) they are members of the same family. Persons who are associated in business with one another in that one is the sole agent, sole distributor or sole concessionaire, however described, of the other shall be deemed to be related only if they fall within the criteria referred to in the preceding sentence.

- (13) With regard to the condition set out in Article 2(c) of the original Regulation, that the applicant has actually exported the product concerned to the Union after the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union, the Commission established that the applicant had exported to the Union in 2019, therefore after the original investigation period. The applicant submitted invoices, a packing list, a bill of lading and a receipt of payment for an order placed in 2019 by a company in France. Therefore, the applicant fulfils this condition.
- (14) Accordingly, the applicant fulfils all three conditions to be granted NEPT, as set out in Article 2 of the original Regulation and the request should therefore be accepted. Consequently, the applicant should be subject to an anti-dumping duty of 17,9 % for cooperating companies not included in the sample of the original investigation.

D. DISCLOSURE

- (15) The applicant and the Union industry were informed of the essential facts and considerations based on which it was considered appropriate to grant the anti-dumping duty rate applicable to the cooperating companies not included in the sample of the original investigation to Hunan Huazhi Ceramic Co., Ltd. ('Huazhi').
- (16) The parties were granted the possibility to submit comments. No comments were received.
- (17) The Regulation is in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The following company is added to the list of cooperating companies not included in the sample of Implementing Regulation (EU) 2019/1198, and specifically to Annex I to Implementing Regulation (EU) 2019/1198:

Company	TARIC additional code
Hunan Huazhi Ceramic Co., Ltd.	C550

Article 2

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

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

Done at Brussels, 25 June 2020.

For the Commission

The President

Ursula VON DER LEYEN

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2020/883

of 25 June 2020

amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States

(notified under document C(2020) 4375)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽³⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Commission Implementing Decision 2014/709/EU ⁽⁴⁾ lays down animal health control measures in relation to African swine fever in certain Member States, where there have been confirmed cases of that disease in domestic or feral pigs (the Member States concerned). The Annex to that Implementing Decision demarcates and lists certain areas of the Member States concerned in Parts I to IV thereof, differentiated by the level of risk based on the epidemiological situation as regards that disease. The Annex to Implementing Decision 2014/709/EU has been amended several times to take account of changes in the epidemiological situation in the Union as regards African swine fever that need to be reflected in that Annex. The Annex to Implementing Decision 2014/709/EU was last amended by Commission Implementing Decision (EU) 2020/860 ⁽⁵⁾, following changes in the epidemiological situation as regards that disease in Slovakia and Poland.
- (2) Since the date of adoption of Implementing Decision (EU) 2020/860, there have been new occurrences of African swine fever in a feral pig in Lithuania and in domestic pigs in Poland.
- (3) In June 2020, one case of African swine fever in a feral pig was observed in the county of Telšiai in Lithuania in an area listed in Part I of the Annex to Implementing Decision 2014/709/EU. This case of African swine fever in a feral pig constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Lithuania currently listed in Part I of the Annex to Implementing Decision 2014/709/EU, affected by this recent case of African swine fever, should now be listed in Part II of that Annex instead of in Part I thereof.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ OJ L 18, 23.1.2003, p. 11.

⁽⁴⁾ Commission Implementing Decision 2014/709/EU of 9 October 2014 concerning animal health control measures relating to African swine fever in certain Member States and repealing Implementing Decision 2014/178/EU (OJ L 295, 11.10.2014, p. 63).

⁽⁵⁾ Commission Implementing Decision (EU) 2020/860 of 18 June 2020 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (OJ L 195, 19.6.2020, p. 94).

- (4) In June 2020, one outbreak of African swine fever in domestic pigs was observed in the district of polkowicki in Poland in an area currently listed in Part II of the Annex to Implementing Decision 2014/709/EU. This outbreak of African swine fever in domestic pigs constitutes an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Poland, affected by this recent outbreak of African swine fever, should now be listed in Part III of the Annex to Implementing Decision 2014/709/EU instead of in Part II thereof.
- (5) Following those recent occurrences of African swine fever in feral and domestic pigs in Lithuania and Poland, and taking into account the current epidemiological situation in the Union, regionalisation in these two Member States has been reassessed and updated. In addition, the risk management measures in place have also been reassessed and updated. These changes need to be reflected in the Annex to Implementing Decision 2014/709/EU.
- (6) In order to take account of recent developments in the epidemiological evolution of African swine fever in the Union, and in order to combat the risks associated with the spread of that disease in a proactive manner, new high-risk areas of a sufficient size should be demarcated for Lithuania and Poland and duly listed in Parts II and III of the Annex to Implementing Decision 2014/709/EU. Parts I, II and III of that Annex should therefore be amended accordingly.
- (7) Given the urgency of the epidemiological situation in the Union as regards the spread of African swine fever, it is important that the amendments made to the Annex to Implementing Decision 2014/709/EU by this Decision take effect as soon as possible.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision 2014/709/EU is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 June 2020.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

The Annex to Implementing Decision 2014/709/EU is replaced by the following:

ANNEX

PART I

1. Belgium

Les zones suivantes en Belgique:

dans la province de Luxembourg:

- la zone est délimitée, dans le sens des aiguilles d'une montre, par:
 - Frontière avec la France,
 - Rue Mersinhat à Florenville,
 - La N818jusque son intersection avec la N83,
 - La N83 jusque son intersection avec la N884,
 - La N884 jusque son intersection avec la N824,
 - La N824 jusque son intersection avec Le Routeux,
 - Le Routeux,
 - Rue d'Orgéo,
 - Rue de la Vierre,
 - Rue du Bout-d'en-Bas,
 - Rue Sous l'Eglise,
 - Rue Notre-Dame,
 - Rue du Centre,
 - La N845 jusque son intersection avec la N85,
 - La N85 jusque son intersection avec la N40,
 - La N40 jusque son intersection avec la N802,
 - La N802 jusque son intersection avec la N825,
 - La N825 jusque son intersection avec la E25-E411,
 - La E25-E411jusque son intersection avec la N40,
 - N40: Burnaimont, Rue de Luxembourg, Rue Ranci, Rue de la Chapelle,
 - Rue du Tombois,
 - Rue Du Pierroy,
 - Rue Saint-Orban,
 - Rue Saint-Aubain,
 - Rue des Cottages,
 - Rue de Relune,
 - Rue de Rulune,
 - Route de l'Ermitage,
 - N87: Route de Habay,
 - Chemin des Ecoliers,
 - Le Routy,
 - Rue Burgknapp,
 - Rue de la Halte,
 - Rue du Centre,

- Rue de l'Eglise,
- Rue du Marquisat,
- Rue de la Carrière,
- Rue de la Lorraine,
- Rue du Beynert,
- Millewée,
- Rue du Tram,
- Millewée,
- N4: Route de Bastogne, Avenue de Longwy, Route de Luxembourg,
- Frontière avec le Grand-Duché de Luxembourg,
- Frontière avec la France, jusque son intersection avec la Rue Mersinhat à Florenville.

2. Estonia

The following areas in Estonia:

- Hiiu maakond.

3. Hungary

The following areas in Hungary:

- Békés megye 950950, 950960, 950970, 951950, 952050, 952750, 952850, 952950, 953050, 953150, 953650, 953660, 953750, 953850, 953960, 954250, 954260, 954350, 954450, 954550, 954650, 954750, 954850, 954860, 954950, 955050, 955150, 955250, 955260, 955270, 955350, 955450, 955510, 955650, 955750, 955760, 955850, 955950, 956050, 956060, 956150 és 956160 kódszámú vadgazdálkodási egységeinek teljes területe,
- Bács-Kiskun megye 600150, 600850, 601550, 601650, 601660, 601750, 601850, 601950, 602050, 603250, 603750 és 603850 kódszámú vadgazdálkodási egységeinek teljes területe,
- Budapest 1 kódszámú, vadgazdálkodási tevékenységre nem alkalmas területe,
- Csongrád megye 800150, 800160, 800250, 802220, 802260, 802310 és 802450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Fejér megye 400150, 400250, 400351, 400352, 400450, 400550, 401150, 401250, 401350, 402050, 402350, 402360, 402850, 402950, 403050, 403250, 403350, 403450, 403550, 403650, 403750, 403950, 403960, 403970, 404570, 404650, 404750, 404850, 404950, 404960, 405050, 405750, 405850, 405950, 406050, 406150, 406550, 406650 és 406750 kódszámú vadgazdálkodási egységeinek teljes területe,
- Jász-Nagykun-Szolnok megye 750150, 750160, 750260, 750350, 750450, 750460, 754450, 754550, 754560, 754570, 754650, 754750, 754950, 755050, 755150, 755250, 755350 és 755450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Komárom-Esztergom megye 250850, 250950, 251050, 251150, 251360, 251450, 251550, 251650, 251750, 251850, 251950, 252050, 252150, 252250, 252550, 252650 és 253550 kódszámú vadgazdálkodási egységeinek teljes területe,
- Nógrád megye 553250, 553260, 553350, 553750, 553850 és 553910 kódszámú vadgazdálkodási egységeinek teljes területe,
- Pest megye 570150, 570250, 570350, 570450, 570550, 570650, 570750, 570850, 571050, 571150, 571250, 571350, 571550, 571610, 571750, 571760, 572150, 572250, 572350, 572550, 572650, 572750, 572850, 572950, 573150, 573250, 573260, 573350, 573360, 573450, 573850, 573950, 573960, 574050, 574150, 574350, 574360, 574550, 574650, 574750, 574850, 574860, 574950, 575050, 575150, 575250, 575350, 575550, 575650, 575750, 575850, 575950, 576050, 576150, 576250, 576350, 576450, 576650, 576750, 576850, 576950, 577050, 577150, 577350, 577450, 577650, 577850, 577950, 578050, 578150, 578250, 578350, 578360, 578450, 578550, 578560, 578650, 578850, 578950, 579050, 579150, 579250, 579350, 579450, 579460, 579550, 579650, 579750, 580050, 580250 és 580450 kódszámú vadgazdálkodási egységeinek teljes területe.

4. Latvia

The following areas in Latvia:

- Pāvilostas novads,
- Stopiņu novada daļa, kas atrodas uz rietumiem no autoceļa V36, P4 un P5, Acones ielas, Daugulupes ielas un Daugulupītes,
- Ventspils novada Jūrkalnes pagasts,
- Grobiņas novads,
- Rucavas novada Dunikas pagasts.

5. Lithuania

The following areas in Lithuania:

- Klaipėdos rajono savivaldybės: Agluonėnų, Priekulės, Veiviržėnų, Judrėnų, Endriejavo ir Vėžaičių seniūnijos,
- Kretingos rajono savivaldybės: Darbėnų, Kretingos ir Žalgirio seniūnijos,
- Plungės rajono savivaldybės: Nausodžio sen. dalis nuo kelio 166 į pietryčius ir Kulių seniūnija,
- Skuodo rajono savivaldybės: Lenkimų, Mosėdžio, Skuodo, Skuodo miesto seniūnijos.

6. Poland

The following areas in Poland:

w województwie warmińsko-mazurskim:

- gminy Wielbark i Rozogi w powiecie szczycieńskim,
- gminy Janowiec Kościelny, Janowo i Kozłowo w powiecie nidzickim,
- powiat działdowski,
- gminy Dąbrówno, Grunwald i Ostróda z miastem Ostróda w powiecie ostródzkim,
- gminy Kisielice, Susz, Iława z miastem Iława, Lubawa z miastem Lubawa, w powiecie iławskim,

w województwie podlaskim:

- gminy Kulesze Kościelne, Wysokie Mazowieckie z miastem Wysokie Mazowieckie, Czyżew w powiecie wysokomazowieckim,
- gminy Miastkowo, Nowogród, Śniadowo i Zbójna w powiecie łomżyńskim,
- powiat zambrowski,

w województwie mazowieckim:

- powiat ostrołęcki,
- powiat miejski Ostrołęka,
- gminy Bielsk, Brudzeń Duży, Drobin, Gąbin, Łąck, Nowy Duninów, Radzanowo, Słupno i Stara Biała w powiecie płońskim,
- powiat miejski Płock,
- powiat sierpecki,
- powiat żuromiński,
- gminy Andrzejewo, Brok, Małkinia Górna, Stary Lubotyń, Szulborze Wielkie, Wąsewo, Zaręby Kościelne i Ostrów Mazowiecka z miastem Ostrów Mazowiecka w powiecie ostrowskim,
- gminy Dzierzgowo, Lipowiec Kościelny, miasto Mława, Radzanów, Sześćńsk, Szydłowo i Wieczfnia Kościelna, w powiecie mławskim,
- powiat przasnyski,
- powiat makowski,
- gminy Gzy, Obryte, Zatory, Pułtusk i część gminy Winnica położona na wschód od linii wyznaczonej przez drogę łączącą miejscowości Bielany, Winnica i Pokrzywnica w powiecie pułtuskim,

- gminy Brańszczyk, Długosiodło, Rząśnik, Wyszaków, Zabrodzie i część gminy Somianka położona na północ od linii wyznaczonej przez drogę nr 62 w powiecie wyszkowskim,
- gminy Kowala, Wierzbica, część gminy Wolanów położona na południe od linii wyznaczonej przez drogę nr 12 w powiecie radomskim,
- powiat miejski Radom,
- powiat szydłowiecki,
- powiat gostyniński,

w województwie podkarpackim:

- gmina Wielkie Oczy w powiecie lubaczowskim,
- gminy Laszki, Radymno z miastem Radymno, część gminy Wiązownica położona na południe od linii wyznaczonej przez drogę nr 867 i gmina wiejska Jarosław w powiecie jarosławskim,
- gminy Przeworsk z miastem Przeworsk, Gać Jawornik Polski, Kańczuga, Tryńcza i Zarzecze w powiecie przeworskim,
- powiat łańcucki,
- gminy Trzebownisko, Głogów Małopolski i część gminy Sokołów Małopolski położona na południe od linii wyznaczonej przez drogę nr 875 w powiecie rzeszowskim,
- gminy Dzikowiec, Kolbuszowa, Niwiska i Raniżów w powiecie kolbuszowskim,
- gminy Borowa, Czermin, Gawłuszowice, Mielec z miastem Mielec, Padew Narodowa, Przecław, Tuszów Narodowy w powiecie mieleckim,

w województwie świętokrzyskim:

- powiat opatowski,
- powiat sandomierski,
- gminy Bogoria, Łubnice, Oleśnica, Osiek, Połaniec, Rytwiany i Staszów w powiecie staszowskim,
- gmina Skarżysko Kościelne w powiecie skarżyskim,
- gmina Wąchock, część gminy Brody położona na zachód od linii wyznaczonej przez drogę nr 9 oraz na południowy – zachód od linii wyznaczonej przez drogi: nr 0618T biegnącą od północnej granicy gminy do skrzyżowania w miejscowości Lipie, drogę biegnącą od miejscowości Lipie do wschodniej granicy gminy oraz na północ od drogi nr 42 i część gminy Mirzec położona na zachód od linii wyznaczonej przez drogę nr 744 biegnącą od południowej granicy gminy do miejscowości Tychów Stary a następnie przez drogę nr 0566T biegnącą od miejscowości Tychów Stary w kierunku północno – wschodnim do granicy gminy w powiecie starachowickim,
- powiat ostrowiecki,
- gminy Gowarczów, Końskie i Stąporków w powiecie koneckim,

w województwie łódzkim:

- gminy Łyszkowice, Kocierzew Południowy, Kiernoza, Chąsno, Nieborów, część gminy wiejskiej Łowicz położona na północ od linii wyznaczonej przez drogę nr 92 biegnącej od granicy miasta Łowicz do zachodniej granicy gminy oraz część gminy wiejskiej Łowicz położona na wschód od granicy miasta Łowicz i na północ od granicy gminy Nieborów w powiecie łowickim,
- gminy Biała Rawska, Cielądz, Rawa Mazowiecka z miastem Rawa Mazowiecka i Regnów w powiecie rawskim,
- powiat skierniewicki,
- powiat miejski Skierniewice,
- gminy Białaczów, Mniszków, Paradyż, Sławno i Żarnów w powiecie opoczyńskim,
- gminy Czerniewice, Inowłódz, Lubochnia, Rzeczyca, Tomaszów Mazowiecki z miastem Tomaszów Mazowiecki i Zelechlinek w powiecie tomaszowskim,

w województwie pomorskim:

- gminy Ostaszewo, miasto Krynica Morska oraz część gminy Nowy Dwór Gdański położona na południowy – zachód od linii wyznaczonej przez drogę nr 55 biegnącą od południowej granicy gminy do skrzyżowania z drogą nr 7, następnie przez drogę nr 7 i S7 biegnącą do zachodniej granicy gminy w powiecie nowodworskim,
- gminy Lichnowy, Miłoradz, Nowy Staw, Malbork z miastem Malbork w powiecie malborskim,

- gminy Mikołajki Pomorskie, Stary Targ i Sztum w powiecie sztumskim,
 - powiat gdański,
 - Miasto Gdańsk,
 - powiat tczewski,
 - powiat kwidzyński,
- w województwie lubuskim:
- gminy Maszewo i Gubin z miastem Gubin w powiecie krośnieńskim,
 - gminy Międzyrzecz, Piszczew, Trzciel w powiecie międzyrzeckim,
 - gmina Lubrza, Łagów, część gminy Zbąszynek położona na północ od linii wyznaczonej przez linię kolejową biegnącą od Zbąszynia do Świebodzina oraz część położona na północ od linii wyznaczonej przez linię kolejową biegnącą od miasta Zbąszynek w kierunku zachodniej granicy gminy do skrzyżowania z drogą nr 1210F, a następnie przez drogę 1210F biegnącą od skrzyżowania z linią kolejową do zachodniej granicy gminy, część gminy Szczaniec położona na północ od linii wyznaczonej przez linię kolejową, część gminy Świebodzin położona na północ od linii wyznaczonej przez linię kolejową w powiecie świebodzińskim,
 - gmina Cybinka w powiecie słubickim,
 - część gminy Torzym położona na południe od linii wyznaczonej przez autostradę A2 w powiecie sulęcińskim,
- w województwie dolnośląskim:
- gminy Bolesławiec z miastem Bolesławiec, Gromadka i Osiecznica w powiecie bolesławieckim,
 - gmina Węgliniec w powiecie zgorzeleckim,
 - gminy Chocianów, Polkowice, część gminy Przemków położona na południe od linii wyznaczonej przez drogę nr 12, w powiecie polkowickim,
 - gmina Jemielno, Niechlów i Góra w powiecie górowskim,
 - gmina Rudna i Lubin z miastem Lubin w powiecie lubińskim,
- w województwie wielkopolskim:
- gminy Krzemieniewo, Rydzyna, część gminy Świąciechowa położona na południe od linii wyznaczonej przez drogę nr 12 w powiecie leszczyńskim,
 - powiat nowotomyski,
 - gminy Granowo, Grodzisk Wielkopolski i część gminy Kamieniec położona na wschód od linii wyznaczonej przez drogę nr 308 w powiecie grodziskim,
 - gminy Czempin, miasto Kościan, część gminy wiejskiej Kościan położona na północny – zachód od linii wyznaczonej przez drogę nr 5 oraz na wschód od linii wyznaczonej przez kanał Obry, część gminy Krzywiń położona na wschód od linii wyznaczonej przez kanał Obry w powiecie kościańskim,
 - powiat miejski Poznań,
 - gminy Rokietnica, Suchy Las, Mosina, miasto Luboń, miasto Puszczykowo, część gminy Komorniki położona na wschód od linii wyznaczonej przez drogę nr 5, część gminy Stęszew położona na południowy – wschód od linii wyznaczonej przez drogi nr 5 i 32 i część gminy Kórnik położona na zachód od linii wyznaczonych przez drogi: nr S11 biegnącą od północnej granicy gminy do skrzyżowania z drogą nr 434 i drogę nr 434 biegnącą od tego skrzyżowania do południowej granicy gminy w powiecie poznańskim,
 - gminy Pniewy, Szamotuły, część gminy Duszniki położona na zachód od linii wyznaczonej przez drogę nr 306 biegnącą od południowej granicy gminy do skrzyżowania z drogą nr 92 oraz na północ od linii wyznaczonej przez drogę nr 92 biegnącą od wschodniej granicy gminy do skrzyżowania z drogą nr 306, część gminy Kaźmierz położona na północ i na zachód od linii wyznaczonych przez drogi: nr 92 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą łączącą miejscowości Witkowice – Górszewice – Kaźmierz (wzdłuż ulic Czereśniowa, Dworcowa, Marii Konopnickiej) – Chlewiska, biegnącą do wschodniej granicy gminy w powiecie szamotulskim.

7. Slovakia

The following areas in Slovakia:

- the whole district of Vranov nad Topľou,
- the whole district of Humenné,
- the whole district of Snina,

- the whole district of Sobrance,
- in the district of Michalovce, the whole municipalities of Tušice, Moravany, Pozdišovce, Michalovce, Zalužice, Lúčky, Závadka, Hnojné, Poruba pod Vihorlatom, Jovsa, Kusín, Klokočov, Kaluža, Vinné, Trnava pri Laborci, Oreské, Staré, Zbudza, Petrovce nad Laborcom, Lesné, Suché, Rakovec nad Ondavou, Nacina Ves, Voľa, Pusté Černé and Strážske,
- in the district of Košice – okolie, the whole municipalities not included in Part II,
- in the district of Gelnica, the whole municipalities of Uhorná, Smolník, Smolnícka Huta, Mníšek nad Hnilcom, Prakovce, Helcmanovce, Gelnica, Kojšov, Veľký Folkmár, Jaklovce, Žakarovce and Margecany,
- in the district of Prešov, the whole municipalities of Klenov, Miklušovce, Sedlice, Suchá dolina, Janov, Radatice, Lubovec, Ličartovce, Drienovská Nová Ves, Kendice, Petrovany, Drienov, Lemešany, Janovík, Bretejovce, Seniakovce, Šarišské Bohdanovce, Varhaňovce, Brestov Mirkovce, Žehňa, Tuhrina, Lúčina and Červenica,
- in the district of Rožňava, the whole municipalities of Ardoovo, Bohúňovo, Bôrka, Bretka, Brzotín, Čoltovo, Dlhá Ves, Drnava, Gemerská Hôrka, Gemerská Panica, Hrhov, Hrušov, Jablonov nad Turňou, Jovice, Kečovo, Kováčová, Krásnohorská Dlhá Lúka, Krásnohorské Podhradie, Kružná, Kunová Teplica, Lipovník, Lúčka, Meliata, Pača, Pašková, Plešivec, Rakovnica, Rožňava, Rudná, Silica, Silická Brezová, Silická Jablonica, Slavec and Vidová,
- in the district of Revúca, the whole municipalities of Gemer, Tornaľa and Žiar,
- in the district of Rimavská Sobota, the whole municipalities of Figa, Hubovo, Lenka, Včelince, Neporadza, Kráľ, Riečka, Abovce, Štrkovec, Chanava, Kešovce, Rumince, Barca, Bátka, Dulovo, Žíp, Vieska nad Blhom, Radnovce, Cakov, Ivanice, Zádor, Rimavská Seč, Lenartovce, Vlkyňa, Číž, Sútor, Belín, Rimavské Janovce, Pavlovce, Janice, Chrámeč, Drňa, Orávka, Martinová, Bottovo, Dubovec, Šimonovce, Širkovce, Jesenské, Gortva, Hodejovec, Hodejov, Blhovce, Hostice, Jestice, Petrovce, Gemerské Dechtáre, Gemerský Jablonec, Hajnáčka, Dubno, Stará Bašta, Nová Bašta, Studená, Večelkov, Tachty and Stránska,
- in the district of Lučenec, the whole municipalities of Trenč, Veľká nad Ipľom, Jelšovec, Panické Dravce, Lučenec, Kalonda, Rapovce, Trebeľovce, Mučín, Lipovany, Pleš, Fiľakovské Kováče, Ratka, Fiľakovo, Biskupice, Belina, Radzovce, Čakanovce, Šiatorská Bukovinka, Čamovce, Šurice, Halič, Mašková, Luboreč, Šíd and Prša,
- in the district of Veľký Krtíš, the whole municipalities of Ipľské Predmostie, Veľká Ves nad Ipľom, Sečianky, Kleňany, Hrušov, Vinica, Balog nad Ipľom, Dolinka, Kosihi nad Ipľom, Ďurkovce, Šírákov, Kamenné Kosihi, Seľany, Veľká Čalomija, Malá Čalomija, Koláre, Trebušovce, Chrastince, Lesenice, Slovenské Ďarmoty, Opatovská Nová Ves, Bátorová, Nenince, Záhorce, Želovce, Sklabiná, Nová Ves, Obeckov, Vrbovka, Kiarov, Kováčovce, Zombor, Olováry, Čeláre, Glabušovce, Veľké Straciny, Malé Straciny, Malý Krtíš, Veľký Krtíš, Pôtor, Veľké Zlievce, Malé Zlievce, Bušince, Muľa, Luboriečka, Dolná Strehová, Vieska, Slovenské Kľačany, Horná Strehová, Chrtány and Závada.

8. Greece

The following areas in Greece:

- in the regional unit of Drama:
 - the community departments of Sidironero and Skaloti and the municipal departments of Livadero and Ksiropotamo (in Drama municipality),
 - the municipal department of Paranesti (in Paranesti municipality),
 - the municipal departments of Kokkinogeia, Mikropoli, Panorama, Pyrgoi (in Prosotsani municipality),
 - the municipal departments of Kato Nevrokopi, Chrysokefalo, Achladea, Vathytopos, Volakas, Granitis, Dasotos, Eksohi, Katafyto, Lefkogeia, Mikrokleisoura, Mikromilea, Ochyro, Pagoneri, Perithorio, Kato Vrontou and Potamoi (in Kato Nevrokopi municipality),
- in the regional unit of Xanthi:
 - the municipal departments of Kimmerion, Stavroupoli, Gerakas, Dafnonas, Komnina, Kariofyto and Neochori (in Xanthi municipality),
 - the community departments of Satres, Thermes, Kotyli, and the municipal departments of Myki, Echinis and Oraio (in Myki municipality),
 - the community department of Selero and the municipal department of Sounio (in Avdira municipality),
- in the regional unit of Rodopi:
 - the municipal departments of Komotini, Anthochorio, Gratini, Thrylorio, Kalhas, Karydia, Kikidio, Kosmio, Pandrosos, Aigeiros, Kallisti, Meleti, Neo Sidirochori and Mega Doukato (in Komotini municipality),

- the municipal departments of Ipio, Arriana, Darmeni, Archontika, Fillyra, Ano Drosini, Aratos and the Community Departments Kehros and Organi (in Arriana municipality),
- the municipal departments of Iasmos, Sostis, Asomatoi, Polyanthos and Amvrosia and the community department of Amaxades (in Iasmos municipality),
- the municipal department of Amaranta (in Maroneia Sapon municipality),
- in the regional unit of Evros:
 - the municipal departments of Kyriaki, Mandra, Mavrokklisi, Mikro Dereio, Protokklisi, Roussa, Goniko, Geriko, Sidirochori, Megalo Derio, Sidiro, Giannouli, Agriani and Petrolou (in Soufli municipality),
 - the municipal departments of Dikaia, Arzos, Elaia, Therapio, Komara, Marasia, Ormenio, Pentalofos, Petrola, Plati, Ptelea, Kyprinos, Zoni, Fulakio, Spilaio, Nea Vyssa, Kavili, Kastanies, Rizia, Sterna, Ampelakia, Valtos, Megali Doxipara, Neochori and Chandras (in Orestiada municipality),
 - the municipal departments of Asvestades, Ellinochori, Karoti, Koufovouno, Kiani, Mani, Sitochori, Alepochori, Asproneri, Metaxades, Vrysika, Doksa, Elafoxori, Ladi, Paliouri and Poimeniko (in Didymoteicho municipality),
- in the regional unit of Serres:
 - the municipal departments of Kerkini, Livadia, Makrynitsa, Neochori, Platanakia, Petrissi, Akritochori, Vyroneia, Gonimo, Mandraki, Megalochori, Rodopoli, Ano Poroia, Katw Poroia, Sidirokastro, Vamvakophyto, Promahonas, Kamaroto, Strymonochori, Charopo, Kastanousi and Chorero and the community departments of Achladochori, Agkistro and Kapnophyto (in Sintiki municipality),
 - the municipal departments of Serres, Elaionas and Oinoussa and the community departments of Orini and Ano Vrontou (in Serres municipality),
 - the municipal departments of Dasochoriou, Irakleia, Valtero, Karperi, Koimisi, Lithotopos, Limnochori, Podismeno and Chrysochorafa (in Irakleia municipality).

PART II

1. Belgium

Les zones suivantes en Belgique:

dans la province de Luxembourg:

- la zone est délimitée, dans le sens des aiguilles d'une montre, par:
 - La Rue de la Station (N85) à Florenville jusque son intersection avec la N894,
 - La N894 jusque son intersection avec la rue Grande,
 - La rue Grande jusque son intersection avec la rue de Neufchâteau,
 - La rue de Neufchâteau jusque son intersection avec Hosseuse,
 - Hosseuse,
 - La Roquignole,
 - Les Chanvières,
 - La Fosse du Loup,
 - Le Sart,
 - La N801 jusque son intersection avec la rue de l'Accord,
 - La rue de l'Accord,
 - La rue du Fet,
 - La N40 jusque son intersection avec la E25-E411,
 - La E25-E411 jusque son intersection avec la N81 au niveau de Weyler,
 - La N81 jusque son intersection avec la N883 au niveau d'Aubange,
 - La N883 jusque son intersection avec la N88 au niveau d'Aubange,
 - La N88 jusque son intersection avec la N811,
 - La N811 jusque son intersection avec la rue Baillet Latour,

- La rue Baillet Latour jusqu'à son intersection avec la N88,
- La N88 (rue Baillet Latour, rue Fontaine des Dames, rue Yvan Gils, rue de Virton, rue de Géroville, Route de Meix) jusqu'à son intersection avec la N981,
- La N981 (rue de Virton) jusqu'à son intersection avec la N83,
- La N83 (rue du Faing, rue de Bouillon, rue Albert 1er, rue d'Arlon) jusqu'à son intersection avec la N85 (Rue de la Station) à Florenville.

2. Bulgaria

The following areas in Bulgaria:

- the whole region of Haskovo,
- the whole region of Yambol,
- the whole region of Stara Zagora,
- the whole region of Pernik,
- the whole region of Kyustendil,
- the whole region of Plovdiv,
- the whole region of Pazardzhik,
- the whole region of Smolyan,
- the whole region of Burgas excluding the areas in Part III.

3. Estonia

The following areas in Estonia:

- Eesti Vabariik (välja arvatud Hiiu maakond).

4. Hungary

The following areas in Hungary:

- Békés megye 950150, 950250, 950350, 950450, 950550, 950650, 950660, 950750, 950850, 950860, 951050, 951150, 951250, 951260, 951350, 951450, 951460, 951550, 951650, 951750, 952150, 952250, 952350, 952450, 952550, 952650, 953250, 953260, 953270, 953350, 953450, 953550, 953560, 953950, 954050, 954060, 954150, 956250, 956350, 956450, 956550, 956650 és 956750 kódszámú vadgazdálkodási egységeinek teljes területe,
- Borsod-Abaúj-Zemplén megye 650100, 650200, 650300, 650400, 650500, 650600, 650700, 650800, 650900, 651000, 651100, 651200, 651300, 651400, 651500, 651610, 651700, 651801, 651802, 651803, 651900, 652000, 652100, 652200, 652300, 652601, 652602, 652603, 652700, 652900, 653000, 653100, 653200, 653300, 653401, 653403, 653500, 653600, 653700, 653800, 653900, 654000, 654201, 654202, 654301, 654302, 654400, 654501, 654502, 654600, 654700, 654800, 654900, 655000, 655100, 655200, 655300, 655400, 655500, 655600, 655700, 655800, 655901, 655902, 656000, 656100, 656200, 656300, 656400, 656600, 656701, 656702, 656800, 656900, 657010, 657100, 657300, 657400, 657500, 657600, 657700, 657800, 657900, 658000, 658100, 658201, 658202, 658310, 658401, 658402, 658403, 658404, 658500, 658600, 658700, 658801, 658802, 658901, 658902, 659000, 659100, 659210, 659220, 659300, 659400, 659500, 659601, 659602, 659701, 659800, 659901, 660000, 660100, 660200, 660400, 660501, 660502, 660600 és 660800, valamint 652400, 652500 és 652800 kódszámú vadgazdálkodási egységeinek teljes területe,
- Fejér megye 403150, 403160, 403260, 404250, 404550, 404560, 405450, 405550, 405650, 406450 és 407050 kódszámú vadgazdálkodási egységeinek teljes területe,
- Hajdú-Bihar megye valamennyi vadgazdálkodási egységének teljes területe,
- Heves megye 700150, 700250, 700260, 700350, 700450, 700460, 700550, 700650, 700750, 700850, 700860, 700950, 701050, 701111, 701150, 701250, 701350, 701550, 701560, 701650, 701750, 701850, 701950, 702050, 702150, 702250, 702260, 702350, 702450, 702550, 702750, 702850, 702950, 703050, 703150, 703250, 703350, 703360, 703370, 703450, 703550, 703610, 703750, 703850, 703950, 704050, 704150, 704250, 704350, 704450, 704550, 704650, 704750, 704850, 704950, 705050, 705150, 705250, 705350, 705450, 705510 és 705610 kódszámú vadgazdálkodási egységeinek teljes területe,

- Jász-Nagykun-Szolnok megye 750250, 750550, 750650, 750750, 750850, 750970, 750980, 751050, 751150, 751160, 751250, 751260, 751350, 751360, 751450, 751460, 751470, 751550, 751650, 751750, 751850, 751950, 752150, 752250, 752350, 752450, 752460, 752550, 752560, 752650, 752750, 752850, 752950, 753060, 753070, 753150, 753250, 753310, 753450, 753550, 753650, 753660, 753750, 753850, 753950, 753960, 754050, 754150, 754250, 754360, 754370, 754850, 755550, 755650 és 755750 kódszámú vadgazdálkodási egységeinek teljes területe,
- Komárom-Esztergom megye: 252350, 252450, 252460, 252750, 252850, 252860, 252950, 252960, 253050, 253150, 253250, 253350 és 253450 kódszámú vadgazdálkodási egységeinek teljes területe,
- Nógrád megye 550110, 550120, 550130, 550210, 550310, 550320, 550450, 550460, 550510, 550610, 550710, 550810, 550950, 551010, 551150, 551160, 551250, 551350, 551360, 551450, 551460, 551550, 551650, 551710, 551810, 551821, 552010, 552150, 552250, 552350, 552360, 552450, 552460, 552520, 552550, 552610, 552620, 552710, 552850, 552860, 552950, 552960, 552970, 553050, 553110, 553650 és 554050 kódszámú vadgazdálkodási egységeinek teljes területe,
- Pest megye 570950, 571850, 571950, 572050, 573550, 573650, 574250, 577250 és 580150 kódszámú vadgazdálkodási egységeinek teljes területe,
- Szabolcs-Szatmár-Bereg megye valamennyi vadgazdálkodási egységének teljes területe.

5. Latvia

The following areas in Latvia:

- Ādažu novads,
- Aizputes novads,
- Aglonas novads,
- Aizkraukles novads,
- Aknīstes novads,
- Alojas novads,
- Alsungas novads,
- Alūksnes novads,
- Amatas novads,
- Apes novads,
- Auces novads,
- Babītes novads,
- Baldones novads,
- Baltinavas novads,
- Balvu novads,
- Bauskas novads,
- Beverīnas novads,
- Brocēnu novads,
- Burtnieku novads,
- Carnikavas novads,
- Cēsu novads,
- Cēsvaines novads,
- Ciblas novads,
- Dagdas novads,
- Daugavpils novads,
- Dobeles novads,
- Dundagas novads,
- Durbes novads,

- Engures novads,
- Ērgļu novads,
- Garkalnes novads,
- Gulbenes novads,
- Iecavas novads,
- Ikšķiles novads,
- Ilūkstes novads,
- Inčukalna novads,
- Jaunjelgavas novads,
- Jaunpiebalgas novads,
- Jaunpils novads,
- Jēkabpils novads,
- Jelgavas novads,
- Kandavas novads,
- Kārsavas novads,
- Ķeguma novads,
- Ķekavas novads,
- Kocēnu novads,
- Kokneses novads,
- Krāslavas novads,
- Krimuldas novads,
- Krustpils novads,
- Kuldīgas novads,
- Lielvārdes novads,
- Līgatnes novads,
- Limbažu novads,
- Līvānu novads,
- Lubānas novads,
- Ludzas novads,
- Madonas novads,
- Mālpils novads,
- Mārupes novads,
- Mazsalacas novads,
- Mērsraga novads,
- Naukšēnu novads,
- Neretas novads,
- Ogres novads,
- Olaines novads,
- Ozolnieku novads,
- Pārgaujas novads,
- Pļaviņu novads,
- Preiļu novads,
- Priekules novads,

- Priekuļu novads,
- Raunas novads,
- republikas pilsēta Daugavpils,
- republikas pilsēta Jelgava,
- republikas pilsēta Jēkabpils,
- republikas pilsēta Jūrmala,
- republikas pilsēta Rēzekne,
- republikas pilsēta Valmiera,
- Rēzeknes novads,
- Riebiņu novads,
- Rojas novads,
- Ropažu novads,
- Rugāju novads,
- Rundāles novads,
- Rūjienas novads,
- Salacgrīvas novads,
- Salas novads,
- Salaspils novads,
- Saldus novads,
- Saulkrastu novads,
- Sējas novads,
- Siguldas novads,
- Skrīveru novads,
- Skrundas novads,
- Smiltenes novads,
- Stopiņu novada daļa, kas atrodas uz austrumiem no autoceļa V36, P4 un P5, Acones ielas, Dauguļupes ielas un Dauguļupītes,
- Strenču novads,
- Talsu novads,
- Tērvetes novads,
- Tukuma novads,
- Vaiņodes novads,
- Valkas novads,
- Varakļānu novads,
- Vārkavas novads,
- Vecpiebalgas novads,
- Vecumnieku novads,
- Ventspils novada Ances, Tārgales, Popes, Vārves, Užavas, Piltenes, Puzes, Ziru, Ugāles, Usmas un Zlēku pagasts, Piltenes pilsēta,
- Viesītes novads,
- Viļakas novads,
- Viļānu novads,
- Zilupes novads.

6. Lithuania

The following areas in Lithuania:

- Alytaus miesto savivaldybė,
- Alytaus rajono savivaldybė: Alytaus, Alovės, Butrimonių, Daugų, Nemunaičio, Pivašiūnų, Punios, Raitininkų seniūnijos,
- Anykščių rajono savivaldybė,
- Akmenės rajono savivaldybė,
- Biržų miesto savivaldybė,
- Biržų rajono savivaldybė,
- Druskininkų savivaldybė,
- Elektrėnų savivaldybė,
- Ignalinos rajono savivaldybė,
- Jonavos rajono savivaldybė,
- Joniškio rajono savivaldybė,
- Jurbarko rajono savivaldybė,
- Kaišiadorių rajono savivaldybė,
- Kalvarijos savivaldybė,
- Kauno miesto savivaldybė,
- Kauno rajono savivaldybė: Domeikavos, Garliavos, Garliavos apylinkių, Karmėlavos, Lapių, Linksmakalnio, Neveronių, Rokų, Samylų, Taurakiemio, Vandžiogalos ir Vilkijos seniūnijos, Babtų seniūnijos dalis į rytus nuo kelio A1, Užliedžių seniūnijos dalis į rytus nuo kelio A1 ir Vilkijos apylinkių seniūnijos dalis į vakarus nuo kelio Nr. 1907,
- Kazlų rūdų savivaldybė: Kazlų rūdų seniūnija į šiaurę nuo kelio Nr. 230, į rytus nuo kelio Kokė-Užbaliai-Čečetai iki kelio Nr. 2610 ir į pietus nuo kelio Nr. 2610,
- Kelmės rajono savivaldybė,
- Kėdainių rajono savivaldybė,
- Kupiškio rajono savivaldybė,
- Kretingos rajono savivaldybė: Imbarės, Kūlpėnų ir Kartenos seniūnijos,
- Lazdijų rajono savivaldybė,
- Marijampolės savivaldybė: Degučių, Marijampolės, Mokolų, Liudvinavo ir Narto seniūnijos,
- Mažeikių rajono savivaldybė,
- Molėtų rajono savivaldybė: Alantos seniūnijos dalis į vakarus nuo kelio 119 ir į šiaurę nuo kelio Nr. 2828, Balninkų, Dubingių, Giedraičių, Joniškio ir Videniškių seniūnijos,
- Pagėgių savivaldybė,
- Pakruojo rajono savivaldybė,
- Panevėžio rajono savivaldybė,
- Panevėžio miesto savivaldybė,
- Pasvalio rajono savivaldybė,
- Radviliškio rajono savivaldybė,
- Rietavo savivaldybė,
- Prienų rajono savivaldybė: Stakliškių ir Veiverių seniūnijos,
- Plungės rajono savivaldybė: Babrungo, Alsėdžių, Žlibinų, Stalgėnų, Paukštakių, Platelių ir Žemaičių Kalvarijos, Nausodžio sen. dalis nuo kelio Nr. 166 į šiaurės vakarus, Plungės miesto ir Šateikių seniūnijos,
- Raseinių rajono savivaldybė,
- Rokiškio rajono savivaldybė,

- Skuodo rajono savivaldybės: Aleksandrijos, Barstyčių, Ylakių, Notėnų ir Šačių seniūnijos,
- Šakių rajono savivaldybė,
- Šalčininkų rajono savivaldybė,
- Šiaulių miesto savivaldybė,
- Šiaulių rajono savivaldybė,
- Šilutės rajono savivaldybė,
- Širvintų rajono savivaldybė,
- Šilalės rajono savivaldybė,
- Švenčionių rajono savivaldybė,
- Tauragės rajono savivaldybė,
- Telšių rajono savivaldybė,
- Trakų rajono savivaldybė,
- Ukmergės rajono savivaldybė,
- Utenos rajono savivaldybė,
- Varėnos rajono savivaldybė,
- Vilniaus miesto savivaldybė,
- Vilniaus rajono savivaldybė,
- Vilkaviškio rajono savivaldybė: Bartninkų, Gražiškių, Keturvalakių, Kybartų, Klausčių, Pajevonio, Šeimenos, Vilkaviškio miesto, Virbalio, Vištyčio seniūnijos,
- Visagino savivaldybė,
- Zarasų rajono savivaldybė.

7. Poland

The following areas in Poland:

w województwie warmińsko-mazurskim:

- gminy Kalinowo, Prostki, Stare Juchy i gmina wiejska Elk w powiecie elckim,
- gminy Elbląg, Gronowo Elbląskie, Milejewo, Młynary, Markusy, Rychliki i Tolkmicko w powiecie elbląskim,
- powiat miejski Elbląg,
- powiat gołdapski,
- gmina Wieliczki w powiecie oleckim,
- powiat piski,
- gmina Górowo Iławeckie z miastem Górowo Iławeckie w powiecie bartoszyckim,
- gminy Biskupiec, Gietrzwałd, Kolno, Jonkowo, Purda, Stawiguda, Świątki, Olsztynek i miasto Olsztyn oraz część gminy Barczewo położona na południe od linii wyznaczonej przez linię kolejową w powiecie olsztyńskim,
- gminy Łukta, Małdyty, Miłomłyn, Miłakowo, i część gminy Morąg położona na południe od linii wyznaczonej przez linię kolejową biegnącą od Olsztyna do Elbląga w powiecie ostródzkim,
- część gminy Ryn położona na południe od linii wyznaczonej przez linię kolejową łączącą miejscowości Giżycko i Kętrzyn w powiecie giżyckim,
- gminy Braniewo i miasto Braniewo, Frombork, Lelkowo, Pieniężno, Płoskinia oraz część gminy Wilczeta położona na północ od linii wyznaczonej przez drogę nr 509 w powiecie braniewskim,
- gmina Reszel, część gminy Kętrzyn położona na południe od linii kolejowej łączącej miejscowości Giżycko i Kętrzyn biegnącej do granicy miasta Kętrzyn, na zachód od linii wyznaczonej przez drogę nr 591 biegnącą od miasta Kętrzyn do północnej granicy gminy oraz na zachód i na południe od zachodniej i południowej granicy miasta Kętrzyn, miasto Kętrzyn i część gminy Korsze położona na południe od linii wyznaczonej przez drogę biegnącą od wschodniej granicy łączącą miejscowości Kreliekiejmy i Sątoczno i na wschód od linii wyznaczonej przez drogę łączącą miejscowości Sątoczno, Sajna Wielka biegnącą do skrzyżowania z drogą nr 590 w miejscowości Glitajny, a następnie na wschód od drogi nr 590 do skrzyżowania z drogą nr 592 i na południe od linii wyznaczonej przez drogę nr 592 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 590 w powiecie kętrzyńskim,

- gminy Lubomino i Orneta w powiecie lidzbarskim,
 - gmina Nidzica w powiecie nidzickim,
 - gminy Dźwierzuty, Jedwabno, Pasym, Szczytno i miasto Szczytno i Świętajno w powiecie szczycieńskim,
 - powiat mrągowski,
 - gmina Zalewo w powiecie iławskim,
- w województwie podlaskim:
- gminy Orla, Rudka, Brańsk z miastem Brańsk, Boćki w powiecie bielskim,
 - powiat grajewski,
 - powiat moniecki,
 - powiat sejneński,
 - gminy Łomża, Piątnica, Jedwabne, Przytuły i Wiznaw powiecie łomżyńskim,
 - powiat miejski Łomża,
 - gminy Dziadkowice, Grodzisk, Mielnik, Milejczyce, Nurzec-Stacja i Siemiatycze z miastem Siemiatycze w powiecie siemiatyckim,
 - powiat hajnowski,
 - gminy Klukowo, Szepietowo, Kobylin-Borzymy, Nowe Piekuty i Sokoły w powiecie wysokomazowieckim,
 - powiat kolneński z miastem Kolno,
 - gminy Czarna Białostocka, Dobrzyniewo Duże, Gródek, Michałowo, Supraśl, Tykocin, Wasilków, Zabłudów, Zawady, Choroszcz i część gminy Poświętne położona na zachód od linii wyznaczonej przez drogę nr 681 w powiecie białostockim,
 - powiat suwalski,
 - powiat miejski Suwałki,
 - powiat augustowski,
 - powiat sokółski,
 - powiat miejski Białystok,
- w województwie mazowieckim:
- powiat siedlecki,
 - powiat miejski Siedlce,
 - gminy Bielany, Cerańów, Kosów Lacki, Repki i gmina wiejska Sokołów Podlaski w powiecie sokołowskim,
 - powiat węgrowski,
 - powiat łosicki,
 - powiat ciechanowski,
 - powiat sochaczewski,
 - powiat zwoleński,
 - gminy Garbatka – Letnisko, Gniewoszów i Sieciechów w powiecie kozienickim,
 - powiat lipski,
 - gminy Gózd, Iłża, Jastrzębia, Jedlnia Letnisko, Pionki z miastem Pionki, Skaryszew, Jedlińsk, Przytyk, Zakrzew, część gminy Wolanów położona na północ od drogi nr 12 i w powiecie radomskim,
 - gminy Bodzanów, Bulkowo, Staroźreby, Słubice, Wyszogród i Mała Wieś w powiecie płońskim,
 - powiat nowodworski,
 - powiat płoński,
 - gminy Pokrzywnica, Świercze i część gminy Winnica położona na zachód od linii wyznaczonej przez drogę łączącą miejscowości Bielany, Winnica i Pokrzywnica w powiecie pułtuskim,

- powiat wołomiński,
 - część gminy Somianka położona na południe od linii wyznaczonej przez drogę nr 62 w powiecie wyszkowskim,
 - gminy Borowie, Garwolin z miastem Garwolin, Górzno, Miastków Kościelny, Parysów, Pilawa, Trojanów, Żelechów, część gminy Wilga położona na północ od linii wyznaczonej przez rzekę Wilga biegnącą od wschodniej granicy gminy do ujścia do rzeki Wisły w powiecie garwolińskim,
 - gmina Boguty – Pianki w powiecie ostrowskim,
 - gminy Stupsk, Wiśniewo i Strzegowo w powiecie mławskim,
 - gminy Dębe Wielkie, Dobrze, Halinów, Latowicz, Stanisławów i miasto Sulejówek w powiecie mińskim,
 - powiat otwocki,
 - powiat warszawski zachodni,
 - powiat legionowski,
 - powiat piaseczyński,
 - powiat pruszkowski,
 - powiat grójecki,
 - powiat grodziski,
 - powiat żyrardowski,
 - gminy Białobrzegi, Promna, Radzanów, Stara Błotnica, Wyśmierzyce w powiecie białobrzeskim,
 - powiat przysuski,
 - powiat miejski Warszawa,
- w województwie lubelskim:
- powiat bialski,
 - powiat miejski Biała Podlaska,
 - gminy Aleksandrów, Biłgoraj z miastem Biłgoraj, Biszczka, Józefów, Księżpol, Łukowa, Obsza, Potok Górny, Tarnogród i Terespol, część gminy Frampol położona na południe od linii wyznaczonej przez drogę nr 74, część gminy Goraj położona na zachód od linii wyznaczonej przez drogę nr 835, część gminy Turobin położona na zachód od linii wyznaczonej przez drogę nr 835 w powiecie biłgorajskim,
 - powiat janowski,
 - powiat puławski,
 - powiat rycki,
 - gminy Adamów, Krzywda, Stoczek Łukowski z miastem Stoczek Łukowski, Wola Mysłowska, Trzebieszów, Stanin, gmina wiejska Łuków i miasto Łuków w powiecie łukowskim,
 - gminy Bychawa, Głusk, Jabłonna, Krzczonów, Garbów Strzyżewice, Wysokie, Bełżyce, Borzechów, Niedrzwica Duża, Konopnica, Wojciechów i Zakrzew w powiecie lubelskim,
 - gminy Abramów, Kamionka, Michów, Uścimów w powiecie lubartowskim,
 - gminy Mełgiew, Rybczewice, Piaski i miasto Świdnik w powiecie świdnickim,
 - gmina Fajslawice, część gminy Żółkiewka położona na północ od linii wyznaczonej przez drogę nr 842 i część gminy Łopiennik Górny położona na zachód od linii wyznaczonej przez drogę nr 17 w powiecie krasnostawskim,
 - powiat hrubieszowski,
 - gminy Krynice, Rachanie, Tarnawatka, Łaszczów, Telatyn, Tyszowce i Ulhówek w powiecie tomaszowskim,
 - gminy Białopole, Chełm, Dorohusk, Dubienka, Kamień, Leśniowice, Ruda – Huta, Sawin, Wojsławice, Żmudź w powiecie chełmskim,
 - powiat miejski Chełm,
 - gmina Adamów, Miączyn, Sitno, Komarów-Osada, Krasnobród, Łabunie, Zamość, Grabowiec, Zwierzyniec i część gminy Skierbieszów położona na wschód od linii wyznaczonej przez drogę nr 843 w powiecie zamojskim,
 - powiat miejski Zamość,

- powiat kraśnicki,
- powiat opolski,
- gminy Dębowa Kłoda, Jabłoń, Podedwórze, Sosnowica w powiecie parczewskim,
- gminy Stary Brus, Wola Uhruska, część gminy wiejskiej Włodawa położona na południe od południowej granicy miasta Włodawa i część gminy Hańsk położona na wschód od linii wyznaczonej od drogi nr 819 w powiecie włodawskim,
- gmina Kąkolewnica, Komarówka Podlaska i Ulan Majorat w powiecie radzyńskim,

w województwie podkarpackim:

- powiat stalowowolski,
- gminy Horyniec-Zdrój, Cieszanów, Oleszyce, Stary Dzików i Lubaczów z miastem Lubaczów w powiecie lubaczowskim,
- gminy Adamówka i Sieniawa w powiecie przeworskim,
- część gminy Wiązownica położona na północ od linii wyznaczonej przez drogę nr 867 w powiecie jarosławskim,
- gmina Kamień, część gminy Sokołów Małopolski położona na północ od linii wyznaczonej przez drogę nr 875 w powiecie rzeszowskim,
- gminy Cmolas i Majdan Królewski w powiecie kolbuszowskim,
- powiat leżański,
- powiat niżański,
- powiat tarnobrzski,

w województwie pomorskim:

- gminy Dzierżgoń i Stary Dzierżgoń w powiecie sztumskim,
- gmina Stare Pole w powiecie malborskim,
- gminy Stegny, Sztutowo i część gminy Nowy Dwór Gdański położona na północny – wschód od linii wyznaczonej przez drogę nr 55 biegnącą od południowej granicy gminy do skrzyżowania z drogą nr 7, następnie przez drogę nr 7 i S7 biegnącą do zachodniej granicy gmin w powiecie nowodworskim,

w województwie świętokrzyskim:

- gmina Tarłów i część gminy Ożarów położona na północ od linii wyznaczonej przez drogę nr 74 w powiecie opatowskim,
- część gminy Brody położona na wschód od linii wyznaczonej przez drogę nr 9 oraz na północny – wschód od linii wyznaczonej przez drogę nr 0618T biegnącą od północnej granicy gminy do skrzyżowania w miejscowości Lipie oraz przez drogę biegnącą od miejscowości Lipie do wschodniej granicy gminy i część gminy Mirzec położona na wschód od linii wyznaczonej przez drogę nr 744 biegnącą od południowej granicy gminy do miejscowości Tychów Stary a następnie przez drogę nr 0566T biegnącą od miejscowości Tychów Stary w kierunku północno – wschodnim do granicy gminy w powiecie starachowickim,

w województwie lubuskim:

- powiat wschowski,
- gminy Bobrowice, Bytnica, Dąbie i Krosno Odrzańskie w powiecie krośnieńskim,
- gminy, Kolsko, część gminy Koźuchów położona na południe od linii wyznaczonej przez drogę nr 283 biegnącą od wschodniej granicy gminy do skrzyżowania z drogą nr 290 i na południe od linii wyznaczonej przez drogę nr 290 biegnącej od miasta Miłocin Dolny do zachodniej granicy gminy, część gminy Bytom Odrzański położona na północny zachód od linii wyznaczonej przez drogi nr 293 i 326, część gminy Nowe Miasteczko położona na zachód od linii wyznaczonych przez drogi nr 293 i 328, część gminy Siedlisko położona na północny zachód od linii wyznaczonej przez drogę biegnącą od rzeki Odry przy południowej granicy gminy do drogi nr 326 łączącej się z drogą nr 325 biegnącą w kierunku miejscowości Różanówka do skrzyżowania z drogą nr 321 biegnącą od tego skrzyżowania w kierunku miejscowości Bielawy, a następnie przedłużoną przez drogę przeciwpożarową biegnącą od drogi nr 321 w miejscowości Bielawy do granicy gminy w powiecie nowosolskim,
- gminy Babimost, Czerwieńsk, Kargowa, Nowogród Bobrzański, Sulechów, Świdnica, Trzebiechów oraz część gminy Bojadła położona na północ od linii wyznaczonej przez drogę nr 278 biegnącą od wschodniej granicy gminy do skrzyżowania z drogą nr 282 i na północ od linii wyznaczonej przez drogę nr 282 biegnącej od miasta Bojadła do zachodniej granicy gminy w powiecie zielonogórskim,

- powiat żarski,
- gminy Brzeźnica, Iłowa, Małomice, Szprotawa, Wymiarki, Żagań, miasto Żagań, miasto Gozdnicza, część gminy Niegosławice położona na zachód od linii wyznaczonej przez drogę nr 328 w powiecie żagańskim,
- gmina Skąpe, część gminy Zbąszynek położona na południe od linii wyznaczonej przez linię kolejową biegnącą od Zbąszynia do Świebodzina oraz część położona na południe od linii wyznaczonej przez linię kolejową biegnącą od miasta Zbąszynek w kierunku zachodniej granicy gminy do skrzyżowania z drogą nr 1210F, a następnie przez drogę 1210F biegnącą od skrzyżowania z linią kolejową do zachodniej granicy gminy, część gminy Szczaniec położona na południe od linii wyznaczonej przez linię kolejową, część gminy Świebodzin położona na południe od linii wyznaczonej przez linię kolejową w powiecie świebodzińskim,

w województwie dolnośląskim:

- gmina Pęcław, część gminy Kotla położona na północ od linii wyznaczonej przez rzekę Krzycki Rów, część gminy wiejskiej Głogów położona na wschód od linii wyznaczonej przez drogi nr 12, 319 oraz 329, część miasta Głogów położona na wschód od linii wyznaczonej przez drogę nr 12 w powiecie głogowskim,
- gmina Grębocice w powiecie polkowickim,

w województwie wielkopolskim:

- powiat wolsztyński,
- gminy Rakoniewice, Wielichowo i część gminy Kamieniec położona na zachód od linii wyznaczonej przez drogę nr 308 w powiecie grodziskim,
- gminy Wijewo, część gminy Włoszakowice położona na zachód od linii wyznaczonej przez drogi 3903P biegnącą od północnej granicy gminy do miejscowości Boguszyn, a następnie przez drogę łączącą miejscowość Boguszyn z miejscowością Krzycko aż do południowej granicy gminy i część gminy Święciechowa położona na północ od linii wyznaczonej przez drogę nr 12 w powiecie leszczyńskim,
- część gminy Śmigiel położona na zachód od linii wyznaczonej przez drogi nr 3903P biegnącej od południowej granicy gminy przez miejscowości Bronikowo i Morowice aż do miejscowości Śmigiel do skrzyżowania z drogą 3820P i dalej drogą 3820P, która przechodzi w ul. Jagiellońską, następnie w Lipową i Glinkową, aż do skrzyżowania z drogą S5, następnie przez drogą nr S5 do północnej granicy gminy w powiecie kościańskim,

w województwie łódzkim:

- gminy Drzewica, Opoczno i Poświętne w powiecie opoczyńskim,
- gmina Sadkowiec w powiecie rawskim.

8. Slovakia

The following areas in Slovakia:

- in the district of Košice – okolie, the whole municipalities of Belza, Bidovce, Blažice, Bohdanovce, Byster, Čaňa, Ďurďošik, Ďurkov, Geča, Gyňov, Haniska, Kalša, Kechnec, Kokšov- Bakša, Košická Polianka, Košický Klečenov, Milhošť, Nižná Hutka, Nižná Mysľa, Nižný Čaj, Nižný Olčvár, Nový Salaš, Olšovany, Rákoš, Ruskov, Seňa, Skároš, Sokoľany, Slančík, Slanec, Slanská Huta, Slanské Nové Mesto, Svinica, Trstené pri Hornáde, Valaliky, Vyšná Hutka, Vyšná Mysľa, Vyšný Čaj, Vyšný Olčvár, Zdobca, Ždaňa, Hrašovík, Beniakovce, Budimír, Družstevná pri Hornáde, Kostoľany nad Hornádom, Sokoľ, Trebejov, Obišovce, Kysak, Veľká Lodina, Košická Belá, Opátka, Vyšný Klátov, Nižný Klátov, Hýľov, Bukovec, Baška, Nováčany, Hodkovce, Šemša and Malá IDA,
- the whole city of Košice,
- the whole district of Trebišov,
- in the district of Michalovce, the whole municipalities of the district not already included in Part I.

9. Romania

The following areas in Romania:

- Județul Bistrița-Năsăud,
- Județul Suceava.

PART III

1. Bulgaria

The following areas in Bulgaria:

- the whole region of Blagoevgrad,

- the whole region of Dobrich,
- the whole region of Gabrovo,
- the whole region of Kardzhali,
- the whole region of Lovech,
- the whole region of Montana,
- the whole region of Pleven,
- the whole region of Razgrad,
- the whole region of Ruse,
- the whole region of Shumen,
- the whole region of Silistra,
- the whole region of Sliven,
- the whole region of Sofia city,
- the whole region of Sofia Province,
- the whole region of Targovishte,
- the whole region of Vidin,
- the whole region of Varna,
- the whole region of Veliko Tarnovo,
- the whole region of Vratza,
- in Burgas region:
 - the whole municipality of Burgas,
 - the whole municipality of Kameno,
 - the whole municipality of Malko Tarnovo,
 - the whole municipality of Primorsko,
 - the whole municipality of Sozopol,
 - the whole municipality of Sredets,
 - the whole municipality of Tsarevo,
 - the whole municipality of Sungurlare,
 - the whole municipality of Ruen,
 - the whole municipality of Aytos.

2. Lithuania

The following areas in Lithuania:

- Alytaus rajono savivaldybė: Simno, Krokialaukio ir Miroslavo seniūnijos,
- Birštono savivaldybė,
- Kauno rajono savivaldybė: Akademijos, Alšėnų, Batniavos, Čekiškės, Ežerėlio, Kačerginės, Kulautuvos, Raudondvario, Ringaudų ir Zapyškio seniūnijos, Babtų seniūnijos dalis į vakarus nuo kelio A1, Užliedžių seniūnijos dalis į vakarus nuo kelio A1 ir Vilkijos apylinkių seniūnijos dalis į rytus nuo kelio Nr. 1907,
- Kazlų Rūdos savivaldybė: Antanavo, Jankų, Kazlų rūdos seniūnijos dalis Kazlų Rūdos seniūnija į pietus nuo kelio Nr. 230, į vakarus nuo kelio Kokė-Užbaliai-Čečetai iki kelio Nr. 2610 ir į šiaurę nuo kelio Nr. 2610, Plutiškių seniūnijos,
- Marijampolės savivaldybė: Gudelių, Igliaukos, Sasnavos ir Šunskų seniūnijos,
- Molėtų rajono savivaldybė: Alantos seniūnijos dalis į rytus nuo kelio Nr. 119 ir į pietus nuo kelio Nr. 2828, Čiulėnų, Inturkės, Luokesos, Mindūnų ir Suginčių seniūnijos,
- Prienų rajono savivaldybė: Ašmintos, Balbieriškio, Išlaužo, Jiezno, Naujosios Ūtos, Pakuonio, Prienų ir Šilavotos seniūnijos,
- Vilkaviškio rajono savivaldybės: Gižų ir Pilviškių seniūnijos.

3. Poland

The following areas in Poland:

w województwie warmińsko-mazurskim:

- gminy Bisztynek, Sępólno i Bartoszyce z miastem Bartoszyce w powiecie bartoszyckim,
- gminy Kiwity i Lidzbark Warmiński z miastem Lidzbark Warmiński w powiecie lidzbarskim,
- gminy Srokowo, Barciany, część gminy Kętrzyn położona na północ od linii kolejowej łączącej miejscowości Giżycko i Kętrzyn biegnącej do granicy miasta Kętrzyn oraz na wschód od linii wyznaczonej przez drogę nr 591 biegnącą od miasta Kętrzyn do północnej granicy gminy i część gminy Korsze położona na północ od linii wyznaczonej przez drogę biegnącą od wschodniej granicy łączącą miejscowości Krelikiejmy i Sątoczno i na zachód od linii wyznaczonej przez drogę łączącą miejscowości Sątoczno, Sajna Wielka biegnącą do skrzyżowania z drogą nr 590 w miejscowości Glitajny, a następnie na zachód od drogi nr 590 do skrzyżowania z drogą nr 592 i na północ od linii wyznaczonej przez drogę nr 592 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą nr 590 w powiecie kętrzyńskim,
- część gminy Wilczeta położona na południe od linii wyznaczonej przez drogę nr 509 w powiecie braniewskim,
- część gminy Morąg położona na północ od linii wyznaczonej przez linię kolejową biegnącą od Olsztyna do Elbląga w powiecie ostródzkim,
- gminy Godkowo i Pasłęk w powiecie elbląskim,
- gminy Kowale Oleckie, Olecko i Świętajno w powiecie oleckim,
- powiat węgorzewski,
- gminy Kruklanki, Wydmyny, Miłki, Giżycko z miastem Giżycko i część gminy Ryn położona na północ od linii kolejowej łączącej miejscowości Giżycko i Kętrzyn w powiecie giżyckim,
- gminy Jeziorany, Dywity, Dobre Miasto i część gminy Barczewo położona na północ od linii wyznaczonej przez linię kolejową w powiecie olsztyńskim,

w województwie podlaskim:

- gminy Wysзки, Bielsk Podlaski z miastem Bielsk Podlaski w powiecie bielskim,
- gminy Łapy, Juchnowiec Kościelny, Suraz, Turośń Kościelna, część gminy Poświętne położona na wschód od linii wyznaczonej przez drogę nr 681 w powiecie białostockim,
- gminy Perlejewo i Drohiczyń w powiecie siemiatyckim,
- gmina Ciechanowiec w powiecie wysokomazowieckim,

w województwie mazowieckim:

- gminy Łaskarzew z miastem Łaskarzew, Maciejowice, Sobolew i część gminy Wilga położona na południe od linii wyznaczonej przez rzekę Wilga biegnącą od wschodniej granicy gminy do ujścia dorzeczki Wisły w powiecie garwolińskim,
- gminy Cegłów, Jakubów, Kałuszyn, Mińsk Mazowiecki z miastem Mińsk Mazowiecki, Mrozy i Siennica w powiecie mińskim,
- gminy Jabłonna Lacka, Sabnie i Sterdyń w powiecie sokołowskim,
- gmina Nur w powiecie ostrowskim,
- gminy Grabów nad Pilicą, Magnuszew, Głowaczów, Kozienice w powiecie kozienickim,
- gmina Stromiec w powiecie białobrzeskim,

w województwie lubelskim:

- gminy Bełzec, Jarczów, Lubycza Królewska, Susiec, Tomaszów Lubelski i miasto Tomaszów Lubelski w powiecie tomaszowskim,
- gminy Wierzbica, Rejowiec, Rejowiec Fabryczny z miastem Rejowiec Fabryczny, Siedliszcze w powiecie chełmskim,
- gminy Izbica, Gorzków, Rudnik, Kraśniczyn, Krasnystaw z miastem Krasnystaw, Siennica Różana i część gminy Łopiennik Górny położona na wschód od linii wyznaczonej przez drogę nr 17, część gminy Żółkiewka położona na południe od linii wyznaczonej przez drogę nr 842 w powiecie krasnostawskim,
- gmina Stary Zamość, Radecznica, Szczepieszyn, Sułów, Nielisz i część gminy Skierbieszów położona na zachód od linii wyznaczonej przez drogę nr 843 powiecie zamojskim,
- część gminy Frampol położona na północ od linii wyznaczonej przez drogę nr 74, część gminy Goraj położona na wschód od linii wyznaczonej przez drogę nr 835, część gminy Turobin położona na wschód od linii wyznaczonej przez drogę nr 835 w powiecie biłgorajskim,

- gminy Hanna, Wyrki, Urszulin, część gminy Hańsk położona na zachód od linii wyznaczonej przez drogę nr 819 i część gminy wiejskiej Włodawa położona na północ od linii wyznaczonej przez północną granicę miasta Włodawa i miasto Włodawa w powiecie włodawskim,
- powiat łęczyński,
- gmina Trawniki w powiecie świdnickim,
- gminy Serokomla i Wojcieszków w powiecie łukowskim,
- gminy Milanów, Parczew, Siemień w powiecie parczewskim,
- gminy Borki, Czemierniki, Radzyń Podlaski z miastem Radzyń Podlaski, Wołyń w powiecie radzyńskim,
- gminy Lubartów z miastem Lubartów, Firlej, Jeziorzany, Kock, Niedźwiada, Ostrów Lubelski, Ostrówek, Serniki w powiecie lubartowskim,
- gminy Jastków, Niemce i Wólka w powiecie lubelskim,
- powiat miejski Lublin,

w województwie podkarpackim:

- gmina Narol w powiecie lubaczowskim,

w województwie lubuskim:

- gminy Nowa Sól i miasto Nowa Sól, Otyń oraz część gminy Koźuchów położona na północ od linii wyznaczonej przez drogę nr 283 biegnącą od wschodniej granicy gminy do skrzyżowania z drogą nr 290 i na północ od linii wyznaczonej przez drogę nr 290 biegnącej od miasta Mirocin Dolny do zachodniej granicy gminy, część gminy Bytom Odrzański położona na południowy wschód od linii wyznaczonej przez drogi nr 293 i 326, część gminy Nowe Miasteczko położona na wschód od linii wyznaczonych przez drogi 293 i 328, część gminy Siedlisko położona na południowy wschód od linii wyznaczonej przez drogę biegnącą od rzeki Odry przy południowej granicy gminy do drogi nr 326 łączącej się z drogą nr 325 biegnącą w kierunku miejscowości Różanówka do skrzyżowania z drogą nr 321 biegnącą od tego skrzyżowania w kierunku miejscowości Bielawy, a następnie przedłużoną przez drogę przeciwpożarową biegnącą od drogi nr 321 w miejscowości Bielawy do granicy gminy w powiecie nowosolskim,
- gminy Zabór oraz część gminy Bojadła położona na południe od linii wyznaczonej przez drogę nr 278 biegnącą od wschodniej granicy gminy do skrzyżowania z drogą nr 282 i na południe od linii wyznaczonej przez drogę nr 282 biegnącej od miasta Bojadła do zachodniej granicy gminy w powiecie zielonogórskim,
- część gminy Niegosławice położona na wschód od linii wyznaczonej przez drogę nr 328 w powiecie żagańskim,
- powiat miejski Zielona Góra.

w województwie wielkopolskim:

- gminy Buk, Dopiewo, Tarnowo Podgórne, część gminy Komorniki położona na zachód od linii wyznaczonej przez drogę nr 5, część gminy Stęszew położona na północny – zachód od linii wyznaczonej przez drogi nr 5 i 32 w powiecie poznańskim,
- część gminy Duszniki położona na wschód od linii wyznaczonej przez drogę nr 306 biegnącą od południowej granicy gminy do skrzyżowania z drogą nr 92 oraz na południe od linii wyznaczonej przez drogę nr 92 biegnącą od wschodniej granicy gminy do skrzyżowania z drogą nr 306, część gminy Kaźmierz położona na południe i na wschód od linii wyznaczonych przez drogi: nr 92 biegnącą od zachodniej granicy gminy do skrzyżowania z drogą łączącą miejscowości Witkowice – Gorszewice – Kaźmierz (wzdłuż ulic Czereśniowa, Dworcowa, Marii Konopnickiej) – Chlewiska, biegnącą do wschodniej granicy gminy w powiecie szamotulskim,
- gminy Lipno, Osieczna, część gminy Włoszakowice położona na wschód od linii wyznaczonej przez drogi 3903P biegnącą od północnej granicy gminy do miejscowości Boguszyn, a następnie przez drogę łączącą miejscowość Boguszyn z miejscowością Krzycko aż do południowej granicy gminy w powiecie leszczyńskim,
- powiat miejski Leszno,
- część gminy Śmigiel położona na wschód od linii wyznaczonej przez drogi nr 3903P biegnącej od południowej granicy gminy przez miejscowości Bronikowo i Morowice aż do miejscowości Śmigiel do skrzyżowania z drogą 3820P i dalej drogą 3820P, która przechodzi w ul. Jagiellońską, następnie w Lipową i Glinkową, aż do skrzyżowania z drogą S5, następnie przez drogę nr S5 do północnej granicy gminy, część gminy wiejskiej Kościan położona na południowy – wschód od linii wyznaczonej przez drogę nr 5 oraz na zachód od linii wyznaczonej przez kanał Obry, część gminy Krzywiń położona na zachód od linii wyznaczonej przez kanał Obry w powiecie kościańskim.

w województwie dolnośląskim:

- gminy Jerzmanowa, Żukowice, część gminy Kotla położona na południe od linii wyznaczonej przez rzekę Krzycki Rów, część gminy wiejskiej Głogów położona na zachód od linii wyznaczonej przez drogi nr 12, 319 oraz 329, część miasta Głogów położona na zachód od linii wyznaczonej przez drogę nr 12 w powiecie głogowskim,
- gminy Gaworzyce, Radwanice i część gminy Przemków położona na północ od linii wyznaczonej przez drogę nr 12 w powiecie polkowickim.

4. Romania

The following areas in Romania:

- Zona oraşului Bucureşti,
- Judeţul Constanţa,
- Judeţul Satu Mare,
- Judeţul Tulcea,
- Judeţul Bacău,
- Judeţul Bihor,
- Judeţul Brăila,
- Judeţul Buzău,
- Judeţul Călăraşi,
- Judeţul Dâmboviţa,
- Judeţul Galaţi,
- Judeţul Giurgiu,
- Judeţul Ialomiţa,
- Judeţul Ilfov,
- Judeţul Prahova,
- Judeţul Sălaj,
- Judeţul Vaslui,
- Judeţul Vrancea,
- Judeţul Teleorman,
- Judeţul Mehedinţi,
- Judeţul Gorj,
- Judeţul Argeş,
- Judeţul Olt,
- Judeţul Dolj,
- Judeţul Arad,
- Judeţul Timiş,
- Judeţul Covasna,
- Judeţul Braşov,
- Judeţul Botoşani,
- Judeţul Vâlcea,
- Judeţul Iaşi,
- Judeţul Hunedoara,
- Judeţul Alba,

- Județul Sibiu,
- Județul Caraș-Severin,
- Județul Neamț,
- Județul Harghita,
- Județul Mureș,
- Județul Cluj,
- Județului Maramureș.

PART IV

Italy

The following areas in Italy:

- tutto il territorio della Sardegna.'
-

CORRIGENDA**Corrigendum to Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC**

(Official Journal of the European Union L 176 of 27 June 2013)

On page 415, point (d)(iv) of Article 141(8):

for: 'iv) the payment of variable remuneration or discretionary pension benefits, whether by creation of a new obligation to pay, or payment pursuant to an obligation to pay created at a time when the institution failed to meet its combined buffer requirements.'

read: 'iv) the payment of variable remuneration or discretionary pension benefits, whether by creation of a new obligation to pay, or payment pursuant to an obligation to pay created at a time when the institution failed to meet its combined buffer requirement.'

On page 416, Article 142(3):

for: '3. The competent authority shall assess the capital conservation plan, and shall approve the plan only if it considers that the plan, if implemented, would be reasonably likely to conserve or raise sufficient capital to enable the institution to meet its combined buffer requirements within a period which the competent authority considers appropriate.'

read: '3. The competent authority shall assess the capital conservation plan, and shall approve the plan only if it considers that the plan, if implemented, would be reasonably likely to conserve or raise sufficient capital to enable the institution to meet its combined buffer requirement within a period which the competent authority considers appropriate.'

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