

Official Journal of the European Union

L 338



English edition

Legislation

Volume 63

15 October 2020

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) 2020/1476 of 10 October 2020 establishing a fisheries closure for Northern albacore in the Atlantic Ocean, north of 5° N for vessels flying the flag of Ireland** 1
- ★ **Commission Delegated Regulation (EU) 2020/1477 of 14 October 2020 amending Council Regulation (EEC) No 95/93 as regards the temporary extension of exceptional measures to address the consequences caused by the COVID-19 pandemic ⁽¹⁾** 4
- ★ **Commission Implementing Regulation (EU) 2020/1478 of 14 October 2020 amending Implementing Regulation (EU) 2015/1375 as regards sampling, the reference method for detection and import conditions related to *Trichinella* control ⁽¹⁾** 7

DECISIONS

- ★ **Commission Implementing Decision (EU) 2020/1479 of 14 October 2020 establishing priority lists for the development of network codes and guidelines for electricity for the period from 2020 to 2023 and for gas in 2020 ⁽¹⁾** 10

⁽¹⁾ Text with EEA relevance.

EN

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

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2020/1476**of 10 October 2020****establishing a fisheries closure for Northern albacore in the Atlantic Ocean, north of 5° N for vessels flying the flag of Ireland**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2020/123 ⁽²⁾ lays down quotas for 2020.
- (2) According to the information received by the Commission, catches of the stock of Northern albacore in the Atlantic Ocean, north of 5° N by vessels flying the flag of or registered in Ireland have exhausted the quota allocated for 2020.
- (3) It is therefore necessary to prohibit certain fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to Ireland for the stock of Northern albacore in the Atlantic Ocean, north of 5° N for 2020 referred to in the Annex shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in Article 1 by vessels flying the flag of or registered in Ireland shall be prohibited from the date set out in the Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2020/123 of 27 January 2020 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 25, 30.1.2020, p. 1).

*Article 3***Entry into force**

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

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

Done at Brussels, 10 October 2020.

*For the Commission,
On behalf of the President,
Virginijus SINKEVIČIUS
Member of the Commission*

ANNEX

No	17/TQ123
Member State	Ireland
Stock	ALB/AN05N
Species	Northern albacore (<i>Thunnus alalunga</i>)
Zone	Atlantic Ocean, north of 5° N
Closing date	1.10.2020

COMMISSION DELEGATED REGULATION (EU) 2020/1477**of 14 October 2020****amending Council Regulation (EEC) No 95/93 as regards the temporary extension of exceptional measures to address the consequences caused by the COVID-19 pandemic****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 95/93, of 18 January 1993, on common rules for the allocation of slots at Community airports ⁽¹⁾, and in particular Article 10a(4) thereof,

Whereas:

- (1) The COVID-19 pandemic has led to a sharp drop in air traffic as a result of a significant fall in demand and direct measures taken by the Member States as well as third countries to contain the pandemic.
- (2) These circumstances are beyond the control of air carriers and the consequent voluntary or obligatory cancellations of air services by air carriers is a necessary or legitimate response to those circumstances.
- (3) In order to protect the financial health of air carriers and avoid the negative environmental impact of empty or largely-empty flights operated only for the purpose of maintaining underlying airport slots, Regulation (EU) 2020/459 of the European Parliament and of the Council ⁽²⁾ amended Regulation (EEC) No 95/93. That amendment provides that slot coordinators are to consider slots allocated for the period from 1 March 2020 until 24 October 2020 as having been operated by the air carrier to which they were initially allocated.
- (4) Regulation (EU) 2020/459 also granted delegated powers to the Commission to amend the period specified in Article 10a of Regulation (EEC) No 95/93 in case the Commission finds, on the basis of figures published by Eurocontrol, which is the network manager for the air traffic network functions of the single European sky, that the reduction in the level of air traffic as compared to the level in the corresponding period in the previous year is persisting and is likely to persist, and also finds, on the basis of the best available scientific data, that that situation is the result of the impact of the outbreak of COVID-19.
- (5) In accordance with paragraph 5 of Article 10a of Regulation (EEC) No 95/93, the Commission presented a summary report on this matter to the European Parliament and to the Council by 15 September 2020, which found that the conditions listed in paragraph 4 of Article 10a to amend the period specified in paragraph 1 of the same Article are met.
- (6) Despite a gradual increase, air traffic levels are still low in comparison to the same period in 2019 as based on Eurocontrol data, air traffic in August 2020 was still down by -47 % compared to August 2019. Despite the difficulties in accurately predicting the recovery path of air traffic levels, it is reasonable to expect that the situation will persist in the near future. Based on a Eurocontrol coordinated approach scenario (assuming a common approach to putting in place operational procedures and lifting national restrictions), it is expected that in February 2021 air traffic will be -15 % lower compared to February 2020. For the uncoordinated approach scenario (no common approach to putting in place operational procedures and lifting national restrictions), the air traffic drop in the same corresponding period is expected to be -25 %.

⁽¹⁾ OJ L 14, 22.1.1993, p. 1.

⁽²⁾ Regulation (EU) 2020/459 of the European Parliament and of the Council of 30 March 2020 amending Council Regulation (EEC) No 95/93 on common rules for the allocation of slots at Community airports (OJ L 99, 31.3.2020, p. 1).

- (7) The persistent reduction of air traffic is the result of the impact of the COVID-19 pandemic. Based on the available data concerning consumer confidence in the wake of COVID-19, while in April 2020 around 60 % of respondents indicated that they would be likely to return to air travel within a few months after the pandemic subsided, this percentage dropped to 45 % in June 2020. The available data shows a link between the COVID-19 pandemic and consumer demand for air traffic.
- (8) The World Health Organisation data shows that the number of daily recorded cases in Europe had reached a peak on 1 April 2020 with 43 326 new cases. In the period from May to mid-July 2020 the rate decreased with most days recording less than 20 000 new cases. However, towards the end of August 2020 the number has picked up again with a considerable number of days recording more than 30 000 new cases.
- (9) The weekly surveillance report by the European Centre for Disease Control (ECDC) shows that as of 26 August 2020, the 14-day case notification rate for the EU/EEA and the UK was 46 (country range: 2–176) per 100 000 population. The rate has been increasing for 38 days. Hospital and/or ICU occupancies and/or new admissions due to COVID-19 have recently increased in Bulgaria, Czechia, Greece, Poland, Romania and Slovakia.
- (10) In September 2020, the ECDC estimated that the risk of further escalation of COVID-19 across all EU or EEA countries and the United Kingdom is moderate (for countries that continue to implement and enforce multiple measures, including physical distancing and have sufficient contact tracing and testing capacity) and very high (for countries that do not implement or enforce multiple measures, including physical distancing and have insufficient contact tracing and testing capacity).
- (11) The air flight restrictions introduced by some Member States, as a result of sanitary and health measures linked to COVID-19, also influence the consumer confidence and resulting demand for air traffic. While the number of such air flight restrictions reduced in the early summer 2020, some Member States introduced new air flight restrictions as of September 2020, which coincide with the resurgence of COVID-19 cases in a number of Member States.
- (12) In light of existing flight bookings and epidemiological forecasts, it can reasonably be expected that a significant number of cancellations attributable to the COVID-19 pandemic should occur over the forthcoming winter scheduling season, running from 25 October 2020 until 27 March 2021. The non-utilisation of slots allocated for that period should not lead to air carriers losing the possibilities they would otherwise enjoy under Articles 8(2) and 10(2) of Regulation (EEC) No 95/93.
- (13) It is therefore necessary to extend the exception from the requirement contained in those provisions, of having operated the series of slots in question to a certain extent, beyond the summer 2020 scheduling season to the entirety of the 2020/2021 winter scheduling season, i.e. to the period running from 25 October 2020 until 27 March 2021.
- (14) This Delegated Regulation is foreseen to enter into force after the end of the period currently envisaged in paragraph 1 of Article 10a of Regulation (EEC) No 95/93. In order to avoid legal uncertainty, in particular for slot coordinators and air operators, this Regulation should be adopted under the urgency procedure detailed under Article 12b of the Slot Regulation, and should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

Article 10a(1) of Regulation (EEC) No 95/93 is replaced by the following:

- ‘1. For the purposes of Articles 8(2) and 10(2), coordinators shall consider slots allocated for the period from 1 March 2020 until 27 March 2021 as having been operated by the air carrier to which they were initially allocated.’

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, 14 October 2020.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1478**of 14 October 2020****amending Implementing Regulation (EU) 2015/1375 as regards sampling, the reference method for detection and import conditions related to *Trichinella* control****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽¹⁾, and in particular Article 18(8)(a) thereof,

After consulting the Standing Committee on Plants, Animals, Food and Feed,

Whereas:

- (1) Regulation (EU) 2017/625 lays down rules for the performance of official controls and for action to be taken by the competent authorities in relation to the production of products of animal origin intended for human consumption.
- (2) *Trichinella* is a parasite which may be present in the meat of susceptible species such as pigs and causes food-borne illness in humans when infected meat is consumed. Commission Implementing Regulation (EU) 2015/1375 ⁽²⁾ lays down specific rules on official controls for *Trichinella* in meat, including laboratory examination of meat samples of all slaughter pigs.
- (3) Pending the result of the *Trichinella* examination, carcasses may be cut into a maximum of six parts under certain conditions. For the production of certain specific products derived from domestic swine, warm cutting into more parts is required before the result of the *Trichinella* examination are available. For such specific products, cutting into more parts should therefore be allowed provided that the safety of the meat is ensured.
- (4) The Implementing Regulation (EU) 2015/1375 provides for a derogation from *Trichinella* examination at entry into the Union where pigs are coming from officially *Trichinella*-free holdings applying controlled housing conditions. A third country can only apply this derogation if it has informed the Commission of the application of such derogation and if it has been listed for that purpose by the Commission.

⁽¹⁾ OJ L 95, 7.4.2017, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2015/1375 of 10 August 2015 laying down specific rules on official controls for *Trichinella* in meat (OJ L 212, 11.8.2015, p. 7).

- (5) In this regard, Article 13 of Regulation (EU) 2015/1375 refers to third countries listed in Commission Regulation (EU) No 206/2010 ⁽³⁾ and Commission Decision 2007/777/EC ⁽⁴⁾. Commission Delegated Regulation (EU) 2020/692 ⁽⁵⁾ repeals Regulation (EU) No 206/2010 and Decision 2007/777/EC with effect from 21 April 2021. Therefore, and for reasons of simplification, the possibility to lay down lists of third countries applying the derogations on *Trichinella* should therefore be provided for directly in that Implementing Regulation.
- (6) Article 126(2)(c) of Regulation (EU) 2017/625 and Article 13 of Commission Delegated Regulation (EU) 2019/625 ⁽⁶⁾ require that consignments of certain animals and goods should be accompanied by an official certificate to ensure that the animals and goods comply with the relevant requirements established by the rules referred to in Article 1(2) of Regulation (EU) 2017/625. Article 14 of Implementing Regulation (EU) 2015/1375, which requires attestation on *Trichinella* examination or *Trichinella* status of the holding to be inserted into the official certificates for intra-Union trade in live domestic swine and for entry into the Union of such swine and their meat, has therefore become redundant and should therefore be deleted.
- (7) Chapter I of Annex I to Implementing Regulation (EU) 2015/1375 sets a reference method of detection of *Trichinella* in samples collected from carcasses of domestic swine. In 2015, the International Organization for Standardization adopted global standard ISO 18743:2015 specifying a method of detection of *Trichinella* spp. muscle stage larvae in meat of individual animal carcasses intended for human consumption. The reference method of detection of *Trichinella*, laid down in Implementing Regulation (EU) 2015/1375 complies with the requirements of ISO 18743:2015.
- (8) It is therefore appropriate to replace the reference method in Regulation (EU) 2015/1375 by ISO 18743:2015 to bring the Union reference method in line with this global standard. This will facilitate export of pig meat from the Union, without creating any additional requirements or burden to European laboratories using the reference methods for official controls.
- (9) Since Regulation (EU) No 206/2010 and Decision 2007/777/EC are only repealed from 20 April 2021, the amendment of listing of third countries and model certificates should only apply from that date.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2015/1375 is amended as follows:

- (1) in Article 2, the second subparagraph of paragraph 3 is deleted;
- (2) in Article 3, the following paragraph 5 is inserted:

‘5. By way of derogation from Article 2(3) and following approval by the competent authority:

(a) carcasses may be cut up at a cutting plant attached to or separate from the slaughterhouse provided that:

- (i) the procedure is approved by the competent authority;
- (ii) a carcass or the parts thereof have not more than one cutting plant as its destination;

⁽³⁾ Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ L 73, 20.3.2010, p. 1).

⁽⁴⁾ Commission Decision 2007/777/EC of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC (OJ L 312, 30.11.2007, p. 49).

⁽⁵⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

⁽⁶⁾ Commission Delegated Regulation (EU) 2019/625 of 4 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption (OJ L 131, 17.5.2019, p. 18).

- (iii) the cutting plant is situated within the territory of the Member State; and
 - (iv) in the case of a positive result all the parts are declared unfit for human consumption;
 - (b) carcasses derived from domestic swine may be cut up into more parts in a cutting plant on the same premises or attached to the slaughterhouse provided that:
 - (i) the procedure is approved by the competent authority;
 - (ii) warm cutting is necessary for the production of specific products;
 - (iii) in the case of a positive result all the parts are declared unfit for human consumption.;
- (3) Article 4 is amended as follows:
- (a) the first subparagraph of paragraph 1 is replaced by:
'Carcases as referred to in Article 2 or parts thereof, except for those referred to in Article 3(5), may not leave the premises, before the result of the *Trichinella* examination is found to be negative.';
 - (b) paragraph 3 is replaced by:
'3. Where a procedure is in place in the slaughterhouse to ensure that no part of carcasses examined leaves the premises until the result of the *Trichinella* examination is found to be negative and the procedure is formally approved by the competent authority or where the derogation provided for in Article 3(5) applies, the health mark provided for in Article 18(4) of Regulation (EU) 2017/625 may be applied before the results of the *Trichinella* examination are available.';
- (4) in Article 13, paragraph 2 is replaced by the following:
- '2. Only the third countries listed in Annex VII may apply the derogations provided for in Article 3(2) and (3) after having informed the Commission on the application of those derogations';
- (5) Article 14 is deleted;
- (6) in Annex I, Chapter I is replaced by the following:

CHAPTER I

REFERENCE METHOD OF DETECTION

The reference method of detection for the examination of samples for *Trichinella*, is ISO 18743:2015.;

- (7) the following Annex VII is inserted:

ANNEX VII

Third countries applying the derogation referred to in Article 13(2)

.

Article 2

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

Article 1(4), (5) and (7) shall apply from 21 April 2021.

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

Done at Brussels, 14 October 2020.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2020/1479

of 14 October 2020

establishing priority lists for the development of network codes and guidelines for electricity for the period from 2020 to 2023 and for gas in 2020

(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 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to natural gas transmission networks and repealing Regulation (EC) No 1775/2005 ⁽¹⁾, and in particular Article 6(1) thereof,

Having regard to Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity ⁽²⁾, and in particular Article 59(3) thereof,

Whereas:

- (1) The development and implementation of network codes and guidelines are essential in order to have a fully integrated internal energy market. The electricity and gas internal market rules create an institutional set-up for developing network codes. This institutional set-up has been recently improved through the new Electricity Market Design, in particular with the adoption of Regulation (EU) 2019/943 as part of the Clean Energy for All Europeans Package ⁽³⁾. For this purpose, the Agency for the Cooperation of Energy Regulators ('ACER'), the European Networks of Transmission System Operators ('ENTSOs'), the European entity for distribution system operators ('EU DSO entity') and the Commission work in close cooperation with all relevant stakeholders.
- (2) The areas in which network codes can be developed are set out in Article 59(1) and (2) of Regulation (EU) 2019/943 and in Article 8(6) of Regulation (EC) No 715/2009. Besides the possibility to develop network codes, the Commission can develop guidelines on its own initiative. The areas in which guidelines can be developed are set out in Article 61(2) of Regulation (EU) 2019/943 and Article 23(1) of Regulation (EC) No 715/2009. In accordance with Article 59(3) of Regulation (EU) 2019/943 and Article 6(1) of Regulation (EC) No 715/2009, the Commission is to first establish priority lists identifying the areas to be included in the development of network codes. Priority lists are to be established every three years for the electricity sector and every year for the gas sector.
- (3) The Commission has already adopted harmonised electricity rules on capacity allocation and congestion management, connection of generators, demand connection, high voltage direct current, forward capacity allocation, system operation, emergency and restoration requirements and procedures, and balancing.
- (4) In addition, harmonised gas rules on congestion management procedures, capacity allocation, balancing, interoperability and data exchange, harmonised transmission tariff structures have been adopted.
- (5) In the targeted stakeholder consultation ⁽⁴⁾, the majority of stakeholders supported the development of harmonised electricity rules regarding cybersecurity and regarding demand-side flexibility. Regarding gas, stakeholders supported the prioritisation of the work already started and emphasised the importance of a proper and well-coordinated implementation of network codes and guidelines.

⁽¹⁾ OJ L 211, 14.8.2009, p. 36.

⁽²⁾ OJ L 158, 14.6.2019, p. 54.

⁽³⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social committee, the Committee of the Regions and the European Investment Bank Clean Energy For All Europeans (COM/2016/0860 final).

⁽⁴⁾ The responses are published under: https://ec.europa.eu/energy/consultations/consultation-establish-priority-list-network-codes_en

- (6) Acknowledging the responses of stakeholders and having regard to the new challenges regarding cybersecurity as well as the need for transparent and non-discriminatory flexibility market, the priority list for electricity for 2020-2023 includes harmonised electricity rules on cybersecurity and on demand-side flexibility.
- (7) Moreover, acknowledging the responses of stakeholders and having regard to the ongoing implementation of existing gas rules, no new areas are identified for the development of network codes and guidelines for gas for 2020,

HAS ADOPTED THIS DECISION:

Article 1

The priority list for the development of harmonised electricity rules for the period from 2020 to 2023 shall be the following:

- (a) sector-specific rules for cyber security aspects of cross-border electricity flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management;
- (b) rules regarding demand side flexibility, including rules on aggregation, energy storage and demand curtailment rules.

Article 2

No new areas have been identified for the development of network codes and guidelines for gas in 2020.

Article 3

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

Done at Brussels, 14 October 2020.

For the Commission
The President
Ursula VON DER LEYEN

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



Publications Office
of the European Union
L-2985 Luxembourg
LUXEMBOURG

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