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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.

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

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Union declaration on Chagos Archipelago/British Indian Ocean Territory

The European Union declares that the reference to the British Indian Ocean Territory in paragraph 4 of Article 774 of the Agreement ⁽¹⁾ is to be interpreted and implemented in full respect of applicable international law.

⁽¹⁾ OJ L 149, 30.4.2021, p. 10.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/875

of 25 May 2021

entering a name in the register of protected designations of origin and protected geographical indications ('Sõir' (PGI))

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Sõir' (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.4. – Other products of animal origin, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.

Article 2

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

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

Done at Brussels, 25 May 2021.

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 46, 9.2.2021, p. 10.

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

COMMISSION IMPLEMENTING REGULATION (EU) 2021/876**of 31 May 2021****laying down rules for the application of Regulation (EC) No 1907/2006 as regards applications for authorisation and review reports for the uses of substances in the production of legacy spare parts and in the repair of articles and complex products no longer produced and amending Regulation (EC) No 340/2008****(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 74(1) and 132 thereof,

Whereas:

- (1) Article 56(1) of Regulation (EC) No 1907/2006 sets out an authorisation requirement for the placing on the market and the use of substances of very high concern listed in Annex XIV to that Regulation. The compliance with that requirement, in certain cases, constitutes a significant administrative burden for undertakings. In its Communication of 18 June 2014 'Regulatory Fitness and Performance Programme (REFIT): State of Play and Outlook' ⁽²⁾ the Commission announced that it was considering simplifying the authorisation process in some specific cases. Simplifying the applications for continued use of substances of very high concern in the production of legacy spare parts was identified as one of the actions in the Commission Communication of 5 March 2018 'Commission General Report on the operation of REACH and review of certain elements' ⁽³⁾.
- (2) The Commission Communication of 2 December 2015 'Closing the loop – An EU action plan for the Circular Economy' ⁽⁴⁾ describes that the extension of the lifetime of products by way of repair helps avoid wastage. The Council conclusions of 20 June 2016 on that action plan ⁽⁵⁾ invite the Commission to investigate what initiatives can be taken at Union level in the interest of extending the lifetime of products, in particular by promoting the availability of spare parts.
- (3) In order to avoid the premature obsolescence of articles or complex products ⁽⁶⁾ that are no longer produced after the sunset dates referred to in Annex XIV to Regulation (EC) No 1907/2006, spare parts as well as substances and mixtures that are necessary for the repair of such articles or complex products need to continue to be made available on the market and used. If a substance listed in Annex XIV to Regulation (EC) No 1907/2006 has been used to produce such articles or complex products and, if after the sunset date the spare part cannot be produced or the product cannot be repaired without the use of that substance, the requirements as regards the content of the application for authorisation and of the review report of an authorisation for such uses should be clarified in order to simplify such applications for authorisation.

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ COM(2014) 368 final

⁽³⁾ COM(2018) 116 final

⁽⁴⁾ COM(2015) 614 final

⁽⁵⁾ Closing the loop – An EU action plan for the Circular Economy – Council conclusions of 20 June 2016, ST 10518 2016 INIT.

⁽⁶⁾ 'Complex products' as described in the judgment of the Court of Justice of 10 September 2015, *Fédération des entreprises du commerce et de la distribution (FCD) and Fédération des magasins de bricolage et de l'aménagement de la maison (FMB)*, C-106/14, ECLI:EU:C:2015:576, paragraphs 48-54.

- (4) As regards the analysis of alternatives referred to in Article 62(4)(e) of Regulation (EC) No 1907/2006, providing justification demonstrating that the article or complex product is no longer produced after the sunset date, that it cannot function as intended without the spare part and that such spare part cannot be produced without the substance, or that the article or complex product cannot be repaired otherwise than by using the substance, should be considered sufficient to conclude on the lack of suitable alternatives. As the use of the substance in the production of such spare parts or repair of such articles or complex products will gradually decrease since its intended use is for a product that is no longer produced, while the substitution costs for research and development, testing, qualification, and industrialisation of possible alternatives for such uses are likely to be high in view of the expected decreasing trend, such provision is deemed justified.
- (5) Similarly, the justification demonstrating that the article or complex product is no longer produced after the sunset date, that it cannot function as intended without the spare part and that such spare part cannot be produced without the substance, or that the article or complex product cannot be repaired otherwise than by using the substance should be considered sufficient in order to demonstrate the socioeconomic benefits of the use of the substance in the socioeconomic analysis referred to in point (a) of Article 62(5) of Regulation (EC) No 1907/2006. The non-availability of spare parts or the impossibility to repair articles or complex products no longer produced without that substance would lead to the premature obsolescence of those articles or complex products before the end of their lifetime use and therefore to their premature disposal, likely causing high costs to operators, consumers or society. Moreover, the number of uses and quantities of the substance used for such spare parts are expected to decrease, leading to a diminishing impact on human health and the environment associated with the exposure to or emission of the substance used. It is therefore appropriate that contents of the socioeconomic analysis referred to in point (a) of Article 62(5) of Regulation (EC) No 1907/2006 be provided by the applicant in a succinct form. This is without prejudice to the consideration of the risk posed by the use of the substance to human health or the environment and to the need for the applicant to demonstrate that socioeconomic benefits outweigh that risk.
- (6) The clarification of the content of applications for authorisation for the use of a substance in the production of spare parts for repair or in the repair of articles and complex products no longer produced should result in a reduction of the workload for the European Chemicals Agency ('the Agency') in assessing applications for authorisation in those specific cases. The fees levied for such applications should be proportionate to the expected workload of the Agency in such cases and, hence, be reduced when compared to the fee levied for the applications for other uses. For the same reasons, the charges applicable to the review of authorisations granted for those uses should be reduced by the same proportion.
- (7) Commission Regulation (EC) No 340/2008 ⁽⁷⁾ should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation implements Articles 61(1), 62(4)(e) and 62(5)(a) of Regulation (EC) No 1907/2006 as regards applications for authorisation and review reports for any of the following uses of a substance, on its own or in a mixture, listed in Annex XIV to that Regulation:

- (a) the production of spare parts as articles or as complex products for the repair of articles or complex products, the production of which ceased or will have ceased before the sunset date for that substance specified in Annex XIV, where that substance was used in the production of those articles or complex products and these cannot function as intended without that spare part and the spare part cannot be produced without that substance ('production of legacy spare parts');

⁽⁷⁾ Commission Regulation (EC) No 340/2008 of 16 April 2008 on the fees and charges payable to the European Chemicals Agency pursuant to 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 107 17.4.2008, p. 6).

- (b) the repair of articles or complex products, the production of which ceased or will have ceased before the sunset date for that substance specified in Annex XIV, where that substance was used in the production of those articles or complex products and they cannot be repaired otherwise than by using that substance ('repair of articles or complex products no longer produced').

Article 2

1. An application for authorisation pursuant to Article 62 of Regulation (EC) No 1907/2006 for the use of a substance in the production of legacy spare parts or in the repair of articles or complex products no longer produced shall be considered to comply with point (e) of Article 62(4) of that Regulation when it includes the following:

- (a) a description and analysis of the function of the substance; and
- (b) a justification demonstrating that the conditions set out in points (a) or (b) of Article 1 of this Regulation as appropriate have been fulfilled.

2. An application for authorisation pursuant to Article 62 of Regulation (EC) No 1907/2006 for the use of a substance in the production of legacy spare parts or in the repair of articles or complex products no longer produced shall be considered to comply with point (a) of Article 62(5) of that Regulation when it includes the following:

- (a) a succinct description of the human health or environmental impacts in accordance with the information provided in the chemical safety report;
- (b) a succinct description of the socioeconomic benefits of the use applied for, including a justification demonstrating that the conditions set out in points (a) or (b) of Article 1 of this Regulation as appropriate have been fulfilled;
- (c) a conclusion based on a comparison of the risks and benefits of the use of the substance applied for, as described in points (a) and (b) of this paragraph.

3. Where the application for authorisation is submitted for the use of a substance in the production of legacy spare parts or in the repair of articles or complex products no longer produced, information referred to in paragraphs 1 and 2 of this Article, together with any third party contributions on possible alternatives submitted in accordance with Article 64(2) of Regulation (EC) No 1907/2006, shall suffice for the purpose of assessing the socioeconomic factors and the suitability of the alternatives associated with the use of the substance.

4. Paragraphs 1, 2 and 3 of this Article shall apply *mutatis mutandis* to review reports submitted pursuant to Article 61(1) of Regulation (EC) No 1907/2006 concerning an authorisation granted for the use of a substance in the production of legacy spare parts or in the repair of articles or complex products no longer produced.

5. By 5 July 2021 the European Chemicals Agency ('the Agency') shall make publicly available specific formats for the analysis of alternatives and the socioeconomic analysis to be used in applications for authorisation for uses of substances in the production of legacy spare parts or in the repair of articles or complex products no longer produced as well as in review reports concerning an authorisation granted for such uses, submitted in accordance with this Regulation, reflecting the elements referred to in paragraphs 1 and 2.

Article 3

Regulation (EC) No 340/2008 is amended as follows:

- (1) in Article 8(2), the following subparagraph is added after the fourth subparagraph:

'The Agency shall levy a reduced fee as set out in point 2 of Annex VI to this Regulation for applications for authorisation for uses of substances in the production of legacy spare parts for the repair of articles or complex products no longer produced as described in point (a) of Article 1 of Commission Implementing Regulation (EU) 2021/876 (*) and in the repair of articles or complex products no longer produced as described in point (b) of Article 1 of that Regulation, submitted in accordance with that Implementing Regulation.

(*) Commission Implementing Regulation (EU) 2021/876 of 31 May 2021 laying down rules for the application of Regulation (EC) No 1907/2006 as regards applications for authorisation and review reports for the uses of substances in the production of legacy spare parts and in the repair of articles and complex products no longer produced and amending Regulation (EC) No 340/2008 (OJ 192).';

(2) in Article 9(2), the following subparagraph is inserted after the fourth subparagraph:

‘The Agency shall levy a reduced charge as set out in point 2 of Annex VII to this Regulation for applications for authorisation for uses of substances in the production of legacy spare parts for the repair of articles or complex products no longer produced as described in point (a) of Article 1 of Implementing Regulation (EU) 2021/876 and in the repair of articles or complex products no longer produced as described in point (b) of Article 1 of that Regulation, submitted in accordance with that Implementing Regulation’;

(3) Annexes VI and VII are replaced by the text as set out in the Annex to this Regulation.

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*.

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

Done at Brussels, 31 May 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

‘ANNEX VI

Fees for applications for an authorisation under Article 62 of Regulation (EC) No 1907/2006

1. Fees for applications for an authorisation

Table 1

Standard fees

Base fee	EUR 54 100
Additional fee per substance	EUR 10 820
Additional fee per use	EUR 48 690

Table 2

Reduced fees for medium enterprises

Base fee	EUR 40 575
Additional fee per substance	EUR 8 115
Additional fee per use	EUR 36 518

Table 3

Reduced fees for small enterprises

Base fee	EUR 24 345
Additional fee per substance	EUR 4 869
Additional fee per use	EUR 21 911

Table 4

Reduced fees for micro enterprises

Base fee	EUR 5 410
Additional fee per substance	EUR 1 082
Additional fee per use	EUR 4 869

2. Fees for applications for an authorisation for uses of substances in the production of legacy spare parts or in the repair of no-longer-produced articles or complex products as referred to in the fifth subparagraph of Article 8(2)

Table 1

Standard fees

Base fee	EUR 27 050
Additional fee per substance	EUR 5 410
Additional fee per use	EUR 24 345

Table 2

Reduced fees for medium enterprises

Base fee	EUR 20 287
Additional fee per substance	EUR 4 057
Additional fee per use	EUR 18 259

Table 3

Reduced fees for small enterprises

Base fee	EUR 12 172
Additional fee per substance	EUR 2 434
Additional fee per use	EUR 10 955

Table 4

Reduced fees for micro enterprises

Base fee	EUR 2 705
Additional fee per substance	EUR 541
Additional fee per use	EUR 2 434

ANNEX VII

Charges for the review of an authorisation under Article 61 of Regulation (EC) No 1907/2006

1. Charges for the review of an authorisation

Table 1

Standard charges

Base charge	EUR 54 100
Additional charge per substance	EUR 10 820
Additional charge per use	EUR 48 690

Table 2

Reduced charges for medium enterprises

Base charge	EUR 40 575
Additional charge per substance	EUR 8 115
Additional charge per use	EUR 36 518

Table 3

Reduced charges for small enterprises

Base charge	EUR 24 345
Additional charge per substance	EUR 4 869
Additional charge per use	EUR 21 911

Table 4

Reduced charges for micro enterprises

Base charge	EUR 5 410
Additional charge per substance	EUR 1 082
Additional charge per use	EUR 4 869

2. Charges for the review of an authorisation granted for uses of substances in the production of legacy spare parts or in the repair of no-longer-produced articles or complex products as referred to in the fifth subparagraph of Article 9(2)

Table 1

Standard charges

Base charge	EUR 27 050
Additional charge per substance	EUR 5 410
Additional charge per use	EUR 24 345

Table 2

Reduced charges for medium enterprises

Base charge	EUR 20 287
Additional charge per substance	EUR 4 057
Additional charge per use	EUR 18 259

Table 3

Reduced charges for small enterprises

Base charge	EUR 12 172
Additional charge per substance	EUR 2 434
Additional charge per use	EUR 10 955

Table 4

Reduced charges for micro enterprises

Base charge	EUR 2 705
Additional charge per substance	EUR 541
Additional charge per use	EUR 2434'

DECISIONS

COUNCIL DECISION (EU) 2021/877

of 26 May 2021

appointing a member and an alternate member, proposed by the Italian Republic, of the Committee of the Regions

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposals from the Italian Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 20 January 2020, the Council adopted Decision (EU) 2020/102 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (3) A member's seat on the Committee of the Regions has become vacant following the end of the term of office of Ms Simonetta SALIERA as a result of the end of her regional authority electorate mandate.
- (4) The Italian government has proposed Ms Loredana CAPONE, representative of a regional body who holds a regional authority electorate mandate (*Presidente del Consiglio regionale e Consigliere regionale della Puglia*), as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.
- (5) An alternate member's seat on the Committee of the Regions has become vacant following the resignation of Mr Alessandro PIANA.
- (6) The Italian government has proposed Mr Gianmarco MEDUSEL, representative of a regional body who holds a regional authority electorate mandate (*Presidente del Consiglio regionale e Consigliere regionale della Liguria*), as an alternate member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

Article 1

The following representatives of regional bodies who hold a regional authority electorate mandate are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025:

(a) as a member:

— Ms Loredana CAPONE, *Presidente del Consiglio regionale e Consigliere regionale della Puglia*;

and

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2020/102 of 20 January 2020 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 20, 24.1.2020, p. 2).

(b) as an alternate member:

— Mr Gianmarco MEDUSEI, *Presidente del Consiglio regionale e Consigliere regionale della Liguria*.

Article 2

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

Done at Brussels, 26 May 2021.

For the Council
The President
M. do C. ANTUNES

COUNCIL DECISION (EU) 2021/878**of 26 May 2021****appointing a member, proposed by the Federal Republic of Germany, of the Committee of the Regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposal from the German Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 10 December 2019, the Council adopted Decision (EU) 2019/2157 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (3) A member's seat on the Committee of the Regions has become vacant following the resignation of Mr Florian HERRMANN.
- (4) The German government has proposed Ms Melanie HUML, representative of a regional executive body who holds an electoral mandate (*Staatsministerin, Bayerische Staatsregierung*), as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

Article 1

Ms Melanie HUML, representative of a regional executive body who holds an electoral mandate (*Staatsministerin, Bayerische Staatsregierung*) is hereby appointed as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.

Article 2

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

Done at Brussels, 26 May 2021.

For the Council
The President
M. do C. ANTUNES

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

COUNCIL IMPLEMENTING DECISION (EU) 2021/879**of 27 May 2021****on the appointment of the Chair of the European Insurance and Occupational Pensions Authority (EIOPA)**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC ⁽¹⁾, and in particular Article 48(2) thereof,

Whereas:

- (1) On 25 March 2021, the Council received the shortlist of three ranked candidates selected by the EIOPA's Board of Supervisors for the position of EIOPA Chair.
- (2) On 15 April 2021, the three candidates were interviewed by the Presidency of the Council on behalf of the Member States.
- (3) On 21 April 2021, the Presidency of the Council launched an informal and indicative consultation on the candidate ranked first by EIOPA's Board of Supervisors, Ms Petra HIELKEMA.
- (4) In accordance with Article 48(2) of Regulation (EU) No 1094/2010, which was amended by Regulation (EU) 2019/2175 of the European Parliament and of the Council ⁽²⁾, the Council is to adopt a decision to appoint the Chairperson, after confirmation by the European Parliament.
- (5) On 5 May 2021, the Council sent a letter to the European Parliament stating that, should the European Parliament confirm Ms Petra HIELKEMA for the position of Chairperson of EIOPA, the Council would adopt a decision to appoint her as the Chairperson of EIOPA.
- (6) On 18 May 2021, the European Parliament confirmed Ms Petra HIELKEMA for the position of Chairperson of EIOPA,

HAS ADOPTED THIS DECISION:

Article 1

Ms Petra HIELKEMA is hereby appointed as Chair of the European Insurance and Occupational Pensions Authority (EIOPA) for a period of 5 years from 1 September 2021.

Article 2

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

⁽¹⁾ OJ L 331, 15.12.2010, p. 48.

⁽²⁾ Regulation (EU) 2019/2175 of the European Parliament and of the Council of 18 December 2019 amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority), Regulation (EU) No 1094/2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), Regulation (EU) No 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority), Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) 2016/1011 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds, and Regulation (EU) 2015/847 on information accompanying transfers of funds (OJ L 334, 27.12.2019, p. 1).

Done at Brussels, 27 May 2021.

For the Council
The President
P. SIZA VIEIRA

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