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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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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2021/1040

of 16 April 2021

amending Delegated Regulation (EU) 2016/128 as regards the requirements on pesticides in food for special medical purposes developed to satisfy the nutritional requirements of infants and young children**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 ⁽¹⁾, and in particular Article 11(2) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2016/128 ⁽²⁾ lays down, among other issues, specific requirements on pesticides and the residues thereof, in food for special medical purposes developed to satisfy the nutritional requirements of infants and young children.
- (2) Delegated Regulation (EU) 2016/128 defines residue of pesticides by using the terminology of Regulation (EC) No 1107/2009 of the European Parliament and of the Council ⁽³⁾.
- (3) However, Article 3(2)(c) of Regulation (EC) No 396/2005 of the European Parliament and of the Council ⁽⁴⁾ provides for a more precise definition of pesticide residues.
- (4) For reasons of legal certainty and clarity, it is necessary to align the definition of a pesticide residue contained in Delegated Regulation (EU) 2016/128 with the definition contained in Article 3(2)(c) of Regulation (EC) No 396/2005.
- (5) Taking into account that the residue definitions for active substances should apply as defined in Regulation (EC) No 396/2005, it is appropriate to include only the parent compounds of the active substances in the lists set out in Annexes II and III to Delegated Regulation (EU) 2016/128, in view of future amendments to Regulation (EC) No 396/2005.

⁽¹⁾ OJ L 181, 29.6.2013, p. 35.

⁽²⁾ Commission Delegated Regulation (EU) 2016/128 of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for food for special medical purposes (OJ L 25, 2.2.2016, p. 30).

⁽³⁾ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

⁽⁴⁾ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).

(6) Delegated Regulation (EU) 2016/128 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

Article 3, paragraph 1, of Delegated Regulation (EU) 2016/128 is replaced by the following:

‘1. For the purposes of this Article, ‘residue’ means pesticide residue as referred to in point (c) of Article 3(2) of Regulation (EC) No 396/2005.’.

Article 2

Annexes II and III to Delegated Regulation (EU) 2016/128 are amended in accordance with the Annex to this Regulation.

Article 3

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

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

Done at Brussels, 16 April 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes II and III to Delegated Regulation (EU) 2016/128 are amended as follows:

(1) Annex II is replaced by the following:

'ANNEX II

ACTIVE SUBSTANCES REFERRED TO IN ARTICLE 3(3)

Chemical name of the parent compound of the substance ¹	Maximum residue level (mg/kg)
Cadusafos	0,006
Demeton-S-methyl	0,006
Demeton-S-methyl sulfone	
Oxydemeton-methyl	
Ethoprophos	0,008
Fipronil	0,004
Propineb	0,006'

(2) Annex III is replaced by the following:

'ANNEX III

ACTIVE SUBSTANCES REFERRED TO IN ARTICLE 3(4)

Chemical name of the parent compound of the substance ⁽¹⁾
Aldrin
Dieldrin
Disulfoton
Endrin
Fensulfothion
Fentin
Haloxypop
Heptachlor
Hexachlorobenzene
Nitrofen
Omethoate
Terbufos'

⁽¹⁾ The most updated residue definition applies as set out in the relevant Annexes II, III, IV or V to Regulation (EC) No 396/2005 (the residue definition is mentioned in brackets behind the parent compound of the substance).

COMMISSION DELEGATED REGULATION (EU) 2021/1041**of 16 April 2021****amending Delegated Regulation (EU) 2016/127 as regards the requirements on pesticides in infant formula and follow-on formula****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 ⁽¹⁾, and in particular Article 11(2) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2016/127 ⁽²⁾ lays down, among other issues, specific requirements on pesticides and the residues thereof in infant formula and in follow-on formula.
- (2) Delegated Regulation (EU) 2016/127 defines residue of pesticides by using the terminology of Regulation (EC) No 1107/2009 of the European Parliament and of the Council ⁽³⁾.
- (3) However, Article 3(2)(c) of Regulation (EC) No 396/2005 of the European Parliament and of the Council ⁽⁴⁾ provides for a more precise definition of pesticide residues.
- (4) For reasons of legal certainty and clarity, it is necessary to align the definition of pesticide residue contained in Delegated Regulation (EU) 2016/127 with the definition contained in Article 3(2)(c) of Regulation (EC) No 396/2005.
- (5) Taking into account that the residue definitions for active substances should apply as defined in Regulation (EC) No 396/2005, it is appropriate to include only the parent compounds of the active substances in the lists set out in Annexes IV and V to Delegated Regulation (EU) 2016/127 in view of future amendments to Regulation (EC) No 396/2005.
- (6) Delegated Regulation (EU) 2016/127 should therefore be amended accordingly.

⁽¹⁾ OJ L 181, 29.6.2013, p. 35.

⁽²⁾ Commission Delegated Regulation (EU) 2016/127 of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for infant formulae and follow-on formulae and as regards requirements on information relating to infant and young child feeding (OJ L 25, 2.2.2016, p. 1).

⁽³⁾ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

⁽⁴⁾ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Article 4, paragraph 1 of Delegated Regulation (EU) 2016/127 is replaced by the following:

‘1. For the purposes of this Article, “residue” means pesticide residue as referred to in point (c) Article 3(2) of Regulation (EC) No 396/2005.’

Article 2

Annexes IV and V to Delegated Regulation (EU) 2016/127 are amended in accordance with the Annex to this Regulation.

Article 3

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

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

Done at Brussels, 16 April 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes IV and V to Delegated Regulation (EU) 2016/127 are amended as follows:

(1) Annex IV is replaced by the following:

‘ANNEX IV

ACTIVE SUBSTANCES REFERRED TO IN ARTICLE 4(3)

Chemical name of the parent compound of the substance ⁽¹⁾	Maximum residue level (mg/kg)
Cadusafos	0,006
Demeton-S-methyl Demeton-S-methyl sulfone Oxydemeton-methyl	0,006
Ethoprophos	0,008
Fipronil	0,004
Propineb	0,006’

⁽¹⁾ The most updated residue definition applies as set out in the relevant Annexes II, III, IV or V to Regulation (EC) No 396/2005 (the residue definition is mentioned in brackets behind the parent compound of the substance).

(2) Annex V is replaced by the following:

‘ANNEX V

ACTIVE SUBSTANCES REFERRED TO IN ARTICLE 4(4)

Chemical name of the parent compound of the substance ⁽¹⁾
Aldrin
Dieldrin
Disulfoton
Endrin
Fensulfothion
Fentin
Haloxypop
Heptachlor
Hexachlorobenzene
Nitrofen
Omethoate
Terbufos.’

⁽¹⁾ The most updated residue definition applies as set out in the relevant Annexes II, III, IV or V to Regulation (EC) No 396/2005 (the residue definition is mentioned in brackets behind the parent compound of the substance).

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1042**of 18 June 2021****laying down rules for the application of Directive (EU) 2017/1132 of the European Parliament and of the Council as regards technical specifications and procedures for the system of interconnection of registers and repealing Commission Implementing Regulation (EU) 2020/2244****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law ⁽¹⁾, and in particular Articles 13i(5) and 24 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2015/884 ⁽²⁾ set out the technical specifications and procedures required for the system of interconnection of registers established by Directive 2009/101/EC of the European Parliament and of the Council ⁽³⁾, which has been codified and repealed by Directive (EU) 2017/1132. Further procedures for the system of interconnection of registers have subsequently been introduced in Directive (EU) 2017/1132 by Directive (EU) 2019/1151 of the European Parliament and of the Council ⁽⁴⁾. Commission Implementing Regulation (EU) 2020/2244 ⁽⁵⁾ set out the corresponding technical specifications and procedures and repealed Implementing Regulation (EU) 2015/884. Finally, new procedures for the system of interconnection of registers have been introduced in Directive (EU) 2017/1132 by Directive (EU) 2019/2121 of the European Parliament and of the Council ⁽⁶⁾ together with a requirement for the Commission to adopt an implementing act setting out the corresponding technical specifications and procedures by 2 July 2021.
- (2) It is necessary to lay down technical specifications defining the methods of exchange of information between the register of the company and the register of the branch in case a branch is opened or closed or when changes occur in the data and information of the company.
- (3) There is a need to specify what should be the detailed list of data when providing information between the register of the company and the register of the branch in order to ensure efficient exchange of data.
- (4) The procedure and technical requirements for the connection of the optional access points for Commission or other Union institutions, bodies, offices or agencies to the platform needs to be specified to ensure consistent rules for the establishment of such access points.

⁽¹⁾ OJ L 169, 30.6.2017, p. 46.

⁽²⁾ Commission Implementing Regulation (EU) 2015/884 of 8 June 2015 establishing technical specifications and procedures required for the system of interconnection of registers established by Directive 2009/101/EC of the European Parliament and of the Council (OJ L 144, 10.6.2015, p. 1).

⁽³⁾ Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11).

⁽⁴⁾ Directive (EU) 2019/1151 of the European Parliament and of the Council of 20 June 2019 amending Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law (OJ L 186, 11.7.2019, p. 80).

⁽⁵⁾ Commission Implementing Regulation (EU) 2020/2244 of 17 December 2020 laying down rules for the application of Directive (EU) 2017/1132 of the European Parliament and of the Council as regards technical specifications and procedures for the system of interconnection of registers and repealing Commission Implementing Regulation (EU) 2015/884 (OJ L 439, 29.12.2020, p. 1).

⁽⁶⁾ Directive (EU) 2019/2121 of the European Parliament and of the Council of 27 November 2019 amending Directive (EU) 2017/1132 as regards cross-border conversions, mergers and divisions (OJ L 321, 12.12.2019, p. 1).

- (5) For the exchange of information on disqualified directors established by Directive (EU) 2019/1151 detailed arrangements and technical details need to be laid down to ensure effective, efficient and prompt exchange of information.
- (6) There is a need to specify what should be the detailed list of data to be transmitted for the purpose of exchanging information between registers and for the purposes of disclosure as referred to in Articles 86g, 86n, 86p, 123, 127a, 130, 160g, 160n and 160p of Directive (EU) 2017/1132, in order to ensure efficient exchange of data in cross-border operations.
- (7) In order to ensure clarity and legal certainty, all the procedures and technical specifications for the system of interconnection of registers required by Directive (EU) 2017/1132 should be included in a single Implementing Regulation. Implementing Regulation (EU) 2020/2244 should therefore be repealed and the technical specifications and procedures set out in that Implementing Regulation should be included in this Regulation.
- (8) Any processing of personal data under this Regulation is subject to Regulation (EU) 2016/679 of the European Parliament and of the Council ⁽⁷⁾ and Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁸⁾, as applicable.
- (9) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on 10 March 2021.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the Interconnection of Central, Commercial and Companies Registers,

HAS ADOPTED THIS REGULATION:

Article 1

The technical specifications and procedures for the system of interconnection of registers referred to in Article 22(2) of Directive (EU) 2017/1132 are set out in the Annex.

Article 2

Implementing Regulation (EU) 2020/2244 is repealed.

References to the repealed Implementing Regulation (EU) 2015/884 and to Implementing Regulation (EU) 2020/2244 shall be construed as references to this Regulation.

Article 3

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

⁽⁷⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁸⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

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

Done at Brussels, 18 June 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Technical specifications and procedures

Where reference is made in this Annex to 'registers', it is to be understood as 'central, commercial and companies registers'.

The system of interconnection of registers is in this Annex referred to as the 'Business Registers Interconnection System (BRIS)'.

1. Methods of communication

BRIS shall use service-based methods of electronic communication, such as Web-services, for the purpose of interconnection of registers.

The communication between the portal and the platform, and between a register and the platform, shall be one-to-one communication. The communication from the platform to the registers may be one-to-one or one-to-many.

2. Communication protocols

Secure internet protocols, such as Hypertext Transfer Protocol Secure (HTTPS), shall be used for the communication between the portal, the platform, the registers and the optional access points.

Standard communication protocols, such as Simple Object Access Protocol (SOAP), shall be used for the transmission of structured data and metadata.

3. Security standards

For the communication and distribution of information via BRIS, the technical measures for ensuring minimum information technology security standards shall include:

- (a) measures to ensure confidentiality of information, including by using secure channels (HTTPS);
- (b) measures to ensure the integrity of data while being exchanged;
- (c) measures to ensure the non-repudiation of origin of the sender of information within BRIS and the non-repudiation of receipt of information;
- (d) measures to ensure logging of security events in line with recognized international recommendations for information technology security standards;
- (e) measures to ensure the authentication and authorisation of any registered users and measures to verify the identity of systems connected to the portal, the platform or the registers within BRIS.

4. Methods of exchange of information between the register of the company and the register of the branch**4.1. Branch disclosure notification**

The following method shall be used for the exchange of information between the register of the company and the register of the branch in accordance with Articles 20 and 34 of Directive (EU) 2017/1132:

- (a) The register of the company shall make available, without delay, to the platform the information on the opening and termination of any winding-up or insolvency proceedings and on the striking-off of the company ('disclosed information');
- (b) To ensure receipt without delay of the disclosed information, the register of the branch shall request that information from the platform. That request may consist of indicating to the platform the companies on which the register of the branch is interested to receive disclosed information;
- (c) Upon that request, the platform shall ensure that the register of the branch has access to the disclosed information without delay.

4.2. *Branch registration notification*

The following method shall be used for the exchange of information between the register of the branch and the register of the company in accordance with Article 28a of Directive (EU) 2017/1132:

- (a) The register of the branch shall send a message, without delay, through BRIS to the register of the company ('branch registration notification');
- (b) Upon receipt of the notification, the register of the company shall, without delay, send a message acknowledging the receipt of the notification ('acknowledgement of receipt of branch registration notification').

4.3. *Branch closure notification*

The following method shall be used for the exchange of information between the register of the branch and the register of the company in accordance with Article 28c of Directive (EU) 2017/1132:

- (a) The register of the branch shall send a message, without delay, through BRIS to the register of the company ('branch closure notification');
- (b) Upon receipt of the notification, the register of the company shall, without delay, send a message acknowledging the receipt of the notification ('acknowledgement of receipt of branch closure notification').

4.4. *Notification on changes to documents and information about the company*

The following method shall be used for the exchange of information between the register of the company and the register of the branch in accordance with Article 30a of Directive (EU) 2017/1132:

- (a) The register of the company shall make available, without delay, to the platform the information on changes to documents and information about the company ('disclosed information'). The message format shall make it possible to include attachments;
- (b) To ensure receipt without delay of the disclosed information, the register of the branch shall request that information from the platform. That request may consist of indicating to the platform the companies on which the register of the branch is interested to receive disclosed information;
- (c) Upon that request, the platform shall ensure that the register of the branch has access to the disclosed information without delay.
- (d) Upon receipt of the disclosed information, the register of the branch shall, without delay, send a message acknowledging the receipt of the notification ('acknowledgement of receipt on the notification on changes to documents and information of the company').

4.5. *Communication errors*

Appropriate technical measures and procedures shall be in place to handle any communication error between the register and the platform.

5. **List of data to be exchanged between registers**

5.1. *Branch disclosure notification*

For the purposes of this Annex, the exchange of information between registers set out in Articles 20 and 34 of Directive (EU) 2017/1132 shall be referred to as 'branch disclosure notification'. The proceeding triggering that notification shall be referred to as 'branch disclosure event'.

For each branch disclosure notification referred to in point 4.1, Member States shall exchange the following data:

Data type	Description	Cardinality ⁽¹⁾	Additional description
Issuance Date and Time	Date and time when the notification was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this notification	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Proceeding-related data		1	Group of Elements
Effective Date	Date when the proceeding affecting the company has come into effect	1	Date
Proceeding Type	Type of proceeding leading to a branch disclosure event as referred to in Article 20 of Directive (EU) 2017/1132	1	Code (Winding-up Opening Winding-up Termination Winding-up Opening and Termination Winding-up Revocation Insolvency Opening Insolvency Termination Insolvency Opening and Termination Insolvency Revocation Striking-off)
Company data		1	Group of Elements
EUID	Unique identifier of the company making subject of this notification	1	Identifier See section 9 of this Annex for structure of the EUID
Alternate ID	Other identifiers of the company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company making subject of this notification	1	Text
Registered Office	Registered office of the company	1	Text
Register Name	Name of the register where the company is registered	1	Text

⁽¹⁾ Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

5.2. Branch registration notification

For each branch registration notification referred to in point 4.2, Member States shall exchange the following data:

Data type	Description	Cardinality (*)	Additional description
Issuance Date and Time	Date and time when the notification was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this notification	1	Party data structure
Recipient Organisation	Name/Identifier of the register where the company is registered	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Branch data		1	Group of Elements
Date of registration	Date when the branch was registered.	1	Date
Effective date	Date when the opening of the branch becomes effective, if available	0	Date
Name of the branch if it is different from the company name	Name of the branch subject of the notification. If it is the same as the company this field should be left empty	0	Text As referred to in Article 30(1)(d) of Directive (EU) 2017/1132
Additional names of the branch	If the branch has more than one name, the additional names can be included.	0...n	Text
EUID	Unique identifier of the branch subject of this notification	1	Identifier
Address of the branch	Address of the branch subject of the notification	1	Full address
Company data		1	Group of Elements
EUID	Unique identifier of the company to which the branch belongs	1	Identifier
Alternate ID	Other identifiers of the company (e.g. Legal Entity Identifier)	0...n	Identifier

Legal form	Type of legal form	0	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company subject of this notification	0	Text

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

5.3. Branch closure notification

For each branch closure notification referred to in point 4.3, Member States shall exchange the following data:

Data type	Description	Cardinality (¹)	Additional description
Issuance Date and Time	Date and time when the notification was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this notification	1	Party data structure
Recipient Organisation	Name/Identifier of the register where the company is registered	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Branch data		1	Group of Elements
Date of striking off of the branch from the register	Date when the branch was stricken off from the register	1	Date
Effective date	Date when the closure of the branch becomes effective, if available	0	Date
Name of the branch if it is different from the company name	Name of the branch subject of the notification. If it is the same as the company this field should be left empty	0	Text As referred to in Article 30(1)(d) of Directive (EU) 2017/1132
Additional names of the branch	If the branch has more than one name, the additional names can be included.	0...n	Text
EUID	Unique identifier of the branch subject of this notification	1	Identifier

Company data		1	Group of Elements
EUID	Unique identifier of the company to which the branch belongs to	1	Identifier
Alternate ID	Other identifiers of the company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form	0	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company subject of this notification	0	Text

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

5.4. Notification on changes to documents and information of the company

For each notification on changes to documents and information of the company referred to in point 4.4, Member States shall exchange the following data:

Data type	Description	Cardinality (¹)	Additional description
Issuance Date and Time	Date and time when the notification was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this notification	1	Party data structure
Recipient Organisation	Name/Identifier of the register where the branch is registered	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Proceedings-related data		1	Group of Elements
Proceedings Type	Type of proceeding leading to a notification on changes to documents and information of the company	1	(a) change in the company's name; (b) change in the company's registered office; (c) change in the company's registration number in the register; (d) change in the company's legal form;

			(e) change in the documents and information referred to in point (d) of Article 14; (f) change in the documents and information referred to in point (f) of Article 14
Date of registration	Date when the change to documents and information of the company was registered	1	Date
Effective date	Date when the change to documents and information of the company takes effect, if available	0	Date
Relevant data to be updated, depending on the Proceeding Type	Change in the company data	1	One of the following: (a) company's new name and the previous name (b) company's new registered office and the previous registered office; (c) company's new registration number in the register and the previous registration number; (d) company's new legal form and the previous legal form; (e) New documents and information referred to in point (d) of Article 14 (attachments possible), which shall include the following data: — whether it is a natural person or legal person. — In case of a natural person — Name, surname, — date of birth if available, otherwise the national identification number, — In case of a legal person: — name of the company — EUID of the company or, if available, other registration number if not a company listed in Annex II to Directive (EU) 2017/1132,

			— legal form — Notwithstanding whether it is a natural person or legal person: — Address (if available in the register). — whether it is an appointment or a termination, or an update to an existing appointment — whether the person falls under Article 14(d) (i) or 14(d) (ii), — in case of persons falling under 14(d) (i), whether alone or joint representation with the option to provide additional information, if needed, in a document or text, or, in other cases, a description provided in a document or a text — title — option to provide a document or a text describing possible restrictions to the power of representation (e.g. value and type of business). — option to provide only documents for the persons falling under Art 14(d)(ii) (f) new documents and information referred to in point (f) of Article 14 (attachments possible), which shall include the following metadata: financial year.
Additional data to be, provided optionally regarding point (d) of Article 14	Change in the company data	0...n	Optional data: — National personal identification number — Number of identification document (ID card, passport) — Nationality/ies — Place of birth

Company data		1	Group of Elements
EUID	Unique identifier of the company to which the branch belongs	1	Identifier
Alternate ID	Other identifiers of the company (e.g. Legal Entity Identifier)	0...n	Identifier

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

The new documents and information referred to in point (f) of Article 14 of Directive (EU) 2017/1132 shall not be sent to the register of the branch if the Member State in question applies the option referred to in the second paragraph of Article 31 of that Directive.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6. Cross-border operations

6.1. Cross-border conversion

6.1.1. Disclosure

(a) For the purposes of disclosure referred to in Article 86g(1) of Directive (EU) 2017/1132, the register of the departure Member State shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality (¹)	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Draft terms	Draft terms in the meaning of Article 86d of Directive (EU) 2017/1132	1	Document
Other language version	Other language version of draft terms, if available	0...n	Document
Declaration of the current financial status	Declaration to be provided if required under national law in accordance with Article 86j(2) of Directive (EU) 2017/1132	1	Document
Notice	Notice under Article 86g(1)(b) of Directive (EU) 2017/1132	1	Document and metadata with the following information: — Name of the company that carries out the cross-border conversion — Deadline for comments

Independent expert report	Independent expert report if required under national law in accordance with the second subparagraph of Article 86g(1)	1	Document
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(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

(b) For the purposes of disclosure referred to in Article 86g(3) of Directive (EU) 2017/1132, the register of the departure Member State shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality (¹)	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Company data	Company (means the company that carries out the cross-border conversion) as defined in Article 86b(1) of Directive (EU) 2017/1132	1	Group of Elements
Legal form	Type of legal form of the company that carries out the cross-border conversion	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company that carries out the cross-border conversion	1	Text
Registered office	Registered office of the company that carries out the cross-border conversion	1	Text
Registration number	Registration number of the company that carries out the cross-border conversion in the register	1	Identifier
Register	Register in which the documents referred to in Article 14 are filed in respect of the company that carries out the cross-border conversion	1	Text
Proposed data for the converted company	Converted company as defined in Article 86b(5) of Directive (EU) 2017/1132	1	Group of Elements
Proposed legal form	Proposed type of legal form for the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for converted company	1	Text
Proposed registered office	Proposed registered office for the converted company	1	Text
Further data and documents		1	Group of Elements

Indication of the arrangements	Indication of the arrangements made for the exercise of the rights of creditors, employees and members, as referred to in Article 86g(3)(c) of Directive (EU) 2017/1132	1	Document
Details of the website	Details of the website as referred to in Article 86g(3)(d) of Directive (EU) 2017/1132	1	Text

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.1.2. Transmission of the pre-conversion certificate

- (a) For each transmission of the pre-conversion certificate referred to in the first subparagraph of Article 86n(1) of Directive (EU) 2017/1132, the register of the departure Member State shall, following the issuance of the certificate according to Article 86m(7), (10) and (11) of that Directive, send to the register of the destination Member State the following data:

Data type	Description	Cardinality (¹)	Additional description
Issuance Date Time	Date and time when the transmission was made	1	Date and Time
Issuing organisation	Name/identifier of the organisation that carries out the transmission (Departure Business Register)	1	Party data structure
Recipient organisation	Name/identifier of the organisation the transmission is addressed to (Destination Business Register)	1	Party data structure
Company data	Company (means the company that carries out the cross-border conversion) as defined in Article 86b(1) of Directive (EU) 2017/1132	1	Group of Elements
EUID	Unique identifier of the company that carries out the cross-border conversion	1	Identifier
Alternate ID	Other identifiers of the company that carries out the cross-border conversion (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company that carries out the cross-border conversion	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company that carries out the cross-border conversion	1	Text
Registered office	Registered office of the company that carries out the cross-border conversion	1	Text

Registration number	Registration number of the company that carries out the cross-border conversion in the register	1	Identifier
The proposed data of the converted company	Converted company as defined in Article 86b(5) of Directive (EU) 2017/1132	1	Group of Elements
Proposed legal form	Proposed type of legal form for the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the converted company	1	Text
Proposed registered office	Proposed registered office for the converted company	1	Text
Data and documents to be transmitted		1	Group of Elements
Pre-conversion certificate	Pre-conversion certificate in the meaning of Article 86m of Directive (EU) 2017/1132	1	Document
Competent authority	The authority that issued the certificate according to Article 86m of Directive (EU) 2017/1132	1	Text
Date of issuance of the certificate	The date on which the certificate was issued	1	Date

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

- b) For the purposes of making the pre-conversion certificate available through BRIS, according to the second subparagraph of Article 86n(1) of Directive (EU) 2017/1132 the register of the departure Member State shall transmit the following data:

Data type	Description	Cardinality (¹)	Additional description
The proposed data of the converted company	Converted company as defined in Article 86b(5) of Directive (EU) 2017/1132	1	Group of Elements
Proposed legal form	Proposed type of legal form for the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the converted company	1	Text
Proposed registered office	Proposed registered office for the converted company	1	Text
Data and documents to be made publicly available through BRIS		1	Group of Elements

Pre-conversion certificate	Pre-conversion certificate in the meaning of Article 86m of Directive (EU) 2017/1132	1	Document and metadata with the following information: — competent authority — date of issuance of the certificate
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(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.1.3. Registration

6.1.3.1. Cross-border conversion registration

The registers of the departure and the destination Member States shall make the following information publicly available and accessible through BRIS, according to article 86p(2) of Directive (EU) 2017/1132:

(a) Data to be provided by the register of the destination Member State

Data type	Description	Cardinality (¹)	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of the company that carried out the cross-border conversion	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Registration as a result of a cross-border conversion	That the registration of the converted company is the result of a cross-border conversion	1	Text
Date of registration	Date of registration of the converted company	1	Date
Registration number	Registration number of the company that carried out the cross-border conversion	1	Identifier
Company name	Name of the company that carried out the cross-border conversion	1	Text
Legal form	Type of legal form of the company that carried out the cross-border conversion	1	Code As referred to in Annex II to Directive (EU) 2017/1132

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

(b) Data to be provided by the register of the departure Member State

The register of the departure Member State shall provide the relevant data upon receipt of the notification under 6.1.3.2.

Data type	Description	Cardinality ⁽¹⁾	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of the converted company	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Striking off or removal as a result of a cross-border conversion	That the striking off or removal from the register of the company that carried out the cross-border conversion is the result of a cross-border conversion	1	Text
Date	Date of striking off or removal of the company that carried out the cross-border conversion from the register	1	Date
Registration number	Registration number of the converted company	1	Identifier
Company name	Name of the converted company	1	Text
Legal form	Type of legal form of the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132

⁽¹⁾ Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.1.3.2. Cross-border conversion notification

For each cross-border conversion notification referred to in Article 86p(3) of Directive (EU) 2017/1132, the register of the destination Member State shall send to the register of the departure Member State the following data:

Data type	Description	Cardinality ⁽¹⁾	Additional description
Issuance Date Time	Date and time when the notification was sent	1	Date and Time
Issuing organisation	Name/identifier of the organisation that issued this notification (Destination Business Register)	1	Party data structure

Recipient Organisation	Name/identifier of the organisation this notification is addressed to (Departure Business Register)	1	Party data structure
Conversion related data		1	Group of Elements
Effective date of the conversion	Date on which the cross-border conversion has taken effect	1	Date
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Converted company data	Converted company as defined in Article 86b(5)	1	Group of Elements
EUID	Unique identifier of the converted company	1	Identifier
Alternate ID	Other identifiers of the converted company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the converted company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the converted company	1	Text
Registered office	Registered office of the converted company	1	Text
Register Name	Name of the register where the converted company is registered	1	Text
Registration number	Registration number of the converted company in the register	1	Identifier
Company data	Company that carried out the cross-border conversion as defined in Article 86b(1)	1	Group of Elements
EUID	Unique identifier of the company that carried out the cross-border conversion	1	Identifier
Alternate ID	Other identifiers of the company that carried out the cross-border conversion (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company that carried out the cross-border conversion	1	Code As referred to in Annex II to Directive (EU) 2017/1132

Name	Name of the company that carried out the cross-border conversion	1	Text
Registered Office	Registered office of the company that carried out the cross-border conversion	1	Text
Register Name	Name of the register where the company that carried out the cross-border conversion was registered	1	Text
Registration number	Registration number of the company that carried out the conversion in the register	1	Identifier

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6.2. *Cross-border merger*

6.2.1. Disclosure

- (a) For the purposes of disclosure referred to in Article 123(1) of Directive (EU) 2017/1132, the register of the Member State of each of the merging companies shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality (¹)	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Common Draft terms	Common Draft terms in the meaning of Article 122 of Directive (EU) 2017/1132	1	Document
Other language version of common draft terms	Other language version of common draft terms, if available	0...n	Document
Declaration of the current financial status	Declaration to be provided if required under national law in accordance with Article 126b(2) of Directive (EU) 2017/1132	1	Document
Notice	Notice under Article 123(1)(b) of Directive (EU) 2017/1132	1	Document and metadata with the following information: — Name of the merging company — Deadline for comments

Independent expert report	Independent expert report if required under national law in accordance with the second subparagraph of Article 123(1)	1	Document
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(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

(b) For the purposes of disclosure referred to in Article 123(3) of Directive (EU) 2017/1132, the register of the Member State of each of the merging companies shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality (¹)	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Company data	Company data for each of the merging companies	1...n	Group of Elements
Legal form	Type of legal form of the merging company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the merging company	1	Text
Registered office	Registered office of the merging company	1	Text
Registration number	Registration number of the merging company in the register	1	Identifier
Register	Register in which the documents referred to in Article 14 are filed in respect of the merging company	1	Text
Proposed data for the newly created company	Newly created company	1	Group of Elements
Proposed legal form	Proposed type of legal form for the newly created company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the newly created company	1	Text
Proposed registered office	Proposed registered office for the newly created company	1	Text
Further data and documents		1	Group of Elements

Indication of the arrangements	Indication of the arrangements of the merging company made for the exercise of the rights of creditors, employees and members, as described in point (c) of Article 123(3) of Directive (EU) 2017/1132	1	Document
Details of the website	Details of the website, as referred to in point (d) Article 123(3) of Directive (EU) 2017/1132	1	Text

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.2.2. Transmission of the pre-merger certificate

- (a) For each transmission of the pre-merger certificate referred to in the first subparagraph of Article 127a(1) of Directive (EU) 2017/1132, the register of the Member State of the merging company shall, following the issuance of the certificate according to Article 127(7), (10) and (11) of that Directive, send to the register of the Member State of the company resulting from the merger the following data:

Data type	Description	Cardinality (¹)	Additional description
Issuance Date Time	Date and time when the transmission was made	1	Date and Time
Issuing organisation	Name/identifier of the organisation that carries out the transmission (Merging company Business Register)	1	Party data structure
Recipient organisation	Name/identifier of the organisation the transmission is addressed to (Business Register of the company resulting from the merger)	1	Party data structure
Company data	Company (means the merging company)	1...n	Group of Elements
EUID	Unique identifier of the merging company	1	Identifier
Alternate ID	Other identifiers of the merging company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the merging company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the merging company	1	Text
Registered office	Registered office of the merging company	1	Text
Registration number	Registration number of the merging company in the register	1	Identifier

The data of the company resulting from the merger	Data or proposed data of the company resulting from the merger	1	Group of Elements
Legal form	Type or proposed type of legal form for the company resulting from the merger	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name or proposed name for the company resulting from the merger	1	Text
Registered office	Registered office or proposed registered office for the company resulting from the merger	1	Text
EUID of acquiring company	Unique identifier of the acquiring company in case of merger by acquisition	1	Identifier
Alternate ID	Other identifiers of the acquiring company in case of merger by acquisition (e.g. Legal Entity Identifier)	0...n	Identifier
Data and documents to be transmitted		1	Group of Elements
Pre-merger certificate	Pre-merger certificate in the meaning of Article 127 of Directive (EU) 2017/1132	1	Document
Competent authority	The authority that issued the certificate according to Article 127 of Directive (EU) 2017/1132	1	Text
Date of issuance of the certificate	Date on which the certificate was issued	1	Date

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

(b) For the purposes of making the pre-merger certificate available through BRIS, according to the second subparagraph of Article 127a(1) of Directive (EU) 2017/1132, the register of the Member State of the merging company shall transmit the following data:

Data type	Description	Cardinality (¹)	Additional description
The data of the company	Company resulting from the merger (already existing or newly created)	1	Group of Elements
Legal form	Type or proposed type of legal form for the company resulting from the merger	1	Code As referred to in Annex II to Directive (EU) 2017/1132

Name	Name or proposed name for the company resulting from the merger	1	Text
Registered office	Registered office or proposed registered office for the company resulting from the merger	1	Text
EUID of acquiring company	Unique identifier of the acquiring company in case of merger by acquisition	1	Identifier
Alternate ID	Other identifiers of the acquiring company in case of merger by acquisition (e.g. Legal Entity Identifier)	0...n	Identifier
Data and documents to be made publicly available through BRIS		1	Group of Elements
Pre-merger certificate	Pre-merger certificate in the meaning of Article 127 of Directive (EU) 2017/1132	1	Document and metadata with the following information: — competent authority — date of issuance of the certificate

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.2.3. Registration

6.2.3.1. Cross-border merger registration

The registers of the Member States of the merging companies and of the company resulting from the merger shall make the following information publicly available and accessible through BRIS, according to article 130(2) of Directive (EU) 2017/1132:

(a) Data to be provided by the register of the company resulting from the merger

Data type	Description	Cardinality (¹)	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of each of the merging companies	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Registration as a result of a cross-border merger	That the registration of the company resulting from the merger is the result of a cross-border merger	1	Text
Date of registration	Date of registration of the company resulting from the merger	1	Date

Data on each of the merging companies		1...n	Group of Elements
Registration number	Registration number of the merging companies	1	Identifier
Company name	Name of the merging companies	1	Text
Legal form	Type of legal form of the merging companies	1	Code As referred to in Annex II to Directive (EU) 2017/1132

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

(b) Data to be provided by the register of the Member State of each of the merging companies

The register of the Member State of each of the merging companies shall provide the relevant data upon receipt of the notification under 6.2.3.2.

Data type	Description	Cardinality (¹)	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of the company resulting from the merger	1	Identifier
EUID	EUID of each of the merging companies	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Striking off or removal as a result of a cross-border merger	That the striking off or removal from the register of the merging company is the result of a cross-border merger	1	text
Date	Date of striking off or removal of the merging company from the register	1	date
Registration number	Registration number of the company resulting from the merger	1	Identifier
Company name	Name of the company resulting from the merger	1	Text
Legal form	Type of legal form of the company resulting from the merger	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Data on each of the merging companies		1...n	Group of Elements

Registration number	Registration number of the merging companies	1	Identifier
Company name	Name of the merging companies	1	Text
Legal form	Type of legal form of the merging companies	1	Code As referred to in Annex II to Directive (EU) 2017/1132

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.2.3.2. Cross-border merger notification

For each cross-border merger notification referred to in Article 130(3) of Directive (EU) 2017/1132, the register of the Member State of the company resulting from the cross-border merger shall send to the register of the Member State of each of the merging companies the following data:

Data type	Description	Cardinality (¹)	Additional description
Issuance Date Time	Date and time when the notification was sent	1	Date and Time
Issuing organisation	Name/identifier of the organisation that issued this notification (Business Register of the company resulting from the cross-border merger)	1	Party data structure
Recipient Organisation	Name/identifier of the organisation this notification is addressed to (Business Register of each of the merging companies)	1	Party data structure
Merger related data		1	Group of Elements
Effective date of the merger	Date on which the cross-border merger has taken effect	1	Date
Merger Type	Type of merger as defined by Article 119(2) of Directive (EU) 2017/1132	1	Code (Cross-border merger by acquisition under point (a) of Article 119(2) of Directive (EU) 2017/1132 Cross-border merger by formation of new company under point (b) Article 119(2) of Directive (EU) 2017/1132 Cross-border merger of wholly owned company under point (c) Article 119(2) of Directive (EU) 2017/1132

			Cross-border merger by acquisition under point (d) of Article 119(2) of Directive (EU) 2017/1132
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Data of the company resulting from the merger	Company resulting from the merger	1	Group of Elements
EUID	Unique identifier of the company resulting from the merger	1	Identifier
Alternate ID	Other identifiers of the company resulting from the merger (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company resulting from the merger	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company resulting from the merger in the relevant Member State	1	Text
Registered office	Registered office of the company resulting from the merger	1	Text
Register Name	Name of the register where the company resulting from the merger is registered	1	Text
Registration number	Registration number of the company resulting from the merger in the register	1	Identifier
Company data	Data on each of the merging companies	1...n	Group of Elements
EUID	Unique identifier of the merging company	1	Identifier
Alternate ID	Other identifiers of the merging company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the merging company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the merging company	1	Text
Registered Office	Registered office of the merging company	1	Text

Register Name	Name of the register where the merging company was registered	1	Text
Registration number	Registration number of the merging company	1	Identifier

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6.3. Cross-border division

6.3.1. Disclosure

- (a) For the purposes of disclosure referred to in Article 160g(1) of Directive (EU) 2017/1132, the register of the Member State of the company being divided shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality (¹)	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Draft terms	Draft terms in the meaning of Article 160d of Directive (EU) 2017/1132	1	Document
Other language version of draft terms	Other language version of draft terms, if available	0...n	Document
Declaration of the current financial status	Declaration to be provided if required under national law in accordance with Article 160j(3) of Directive (EU) 2017/1132	1	Document
Notice	Notice under point (b) of Article 160g(1) of Directive (EU) 2017/1132	1	Document and metadata with the following information: — Name of the company being divided — Deadline for comments
Independent expert report	Independent expert report if required under national law in accordance with the second subparagraph of Article 160g(1)	1	Document

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

- (b) For the purposes of disclosure referred to in Article 160g(3) of Directive (EU) 2017/1132, the register of the Member State of the company being divided shall transmit and make accessible to the public through BRIS the following additional company data:

Data type	Description	Cardinality ⁽¹⁾	Additional description
Data and documents to be made publicly available through BRIS		1	Group of Elements
Company data	Company (means the company being divided) as defined in Article 160b(2) of Directive (EU) 2017/1132	1	Group of Elements
Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company being divided	1	Text
Registered office	Registered office of the company being divided	1	Text
Registration number	Registration number of the company being divided in the register	1	Identifier
Register	Register in which the documents referred to in Article 14 are filed in respect of the company being divided	1	Text
Proposed data for the recipient company (or each of the recipient companies)	Recipient company as defined in Article 160b(3) of Directive (EU) 2017/1132	1...n	Group of Elements
Proposed legal form	Proposed type of legal form for the recipient company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the recipient company	1	Text
Proposed alternative names	Proposed alternative names for the recipient company	0...n	Text
Proposed registered office	Proposed registered office for the recipient company	1	Text
Further data and documents		1	Group of Elements
Indication of the arrangements	Indication of the arrangements made for the exercise of the rights of creditors, employees and members, as described in point (c) of Article 160g(3) of Directive (EU) 2017/1132	1	Document
Details of the website	Details of the website e, as referred to in point (d) of Article 160g(3) of Directive (EU) 2017/1132	1	Text

⁽¹⁾ Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.3.2. Transmission of the pre-division certificate

- (a) For each transmission of the pre-division certificate referred to in the first subparagraph of Article 160n(1) of Directive (EU) 2017/1132, the register of the Member State of the company being divided shall, following the issuance of the certificate according to Article 160m(7), (10) and (11) of that Directive, send to the register of each recipient company the following data:

Data type	Description	Cardinality (!)	Additional description
Issuance Date Time	Date and time when the transmission was made	1	Date and Time
Issuing organisation	Name/identifier of the organisation that carries out the transmission (Business Register of the company being divided)	1	Party data structure
Recipient organisation	Name/identifier of the organisation the transmission is addressed to (Business Register of the recipient company)	1	Party data structure
Company data	Company (means the company being divided) as defined in Article 160b(2) of Directive (EU) 2017/1132	1	Group of Elements
EUID	Unique identifier of the company being divided	1	Identifier
Alternate ID	Other identifiers of the company being divided (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company being divided	1	Text
Registered office	Registered office of the company being divided	1	Text
Registration number	Registration number of the company being divided	1	Identifier
The proposed data of the recipient company or each of the recipient companies	Recipient company as defined in Article 160b(3) of Directive (EU) 2017/1132	1...n	Group of Elements
Proposed legal form	Proposed type of legal form for the recipient company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Proposed name	Proposed name for the recipient company	1	Text

Proposed registered office	Proposed registered office for the recipient company	1	Text
Data and documents to be transmitted		1	Group of Elements
Pre-division certificate	Pre-division certificate in the meaning of Article 160m of Directive (EU) 2017/1132	1	Document
Competent authority	The authority that issued the certificate according to Article 160m of Directive (EU) 2017/1132	1	Text
Date of issuance of the certificate	Date on which the certificate was issued	1	Date
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

(b) For the purposes of making the pre-division certificate available through BRIS according to the second subparagraph of Article 160n(1) of Directive (EU) 2017/1132, the register of the Member State of the company being divided shall transmit the following data:

Data type	Description	Cardinality (¹)	Additional description
The proposed data of the recipient company or companies	Recipient company as defined in Article 160b(3) of Directive (EU) 2017/1132	1...n	Group of Elements
Proposed legal form	Proposed type of legal form for the recipient company	1	Code As referred to in Annex II to (EU) 2017/1132
Proposed name	Proposed name for the recipient company	1	Text
Proposed registered office	Proposed registered office for the recipient company	1	Text
Data and documents to be made publicly available through BRIS		1	Group of Elements
Pre-division certificate	Pre-division certificate in the meaning of Article 160m of Directive (EU) 2017/1132	1	Document and metadata with the following information: — competent authority — date of issuance of the certificate

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.3.3. Registration

6.3.3.1. Cross-border division registration

The registers of the Member State of the company being divided and the registers of the recipient companies shall make the following information publicly available and accessible through BRIS, according to article 160p(2) of Directive (EU) 2017/1132:

(a) Data to be provided by the register of each of the recipient companies

The register of each of the recipient companies shall provide the relevant data upon receipt of the notification under 6.3.3.3.

Data type	Description	Cardinality ⁽¹⁾	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of the company being divided	1	Identifier
EUID	EUID of each of the recipient companies	1	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Registration as a result of a cross-border division	That the registration of the recipient companies is the result of a cross-border division	1	text
Date of registration	Date of registration of each of the recipient companies	1	date
Registration number	Registration number of the company being divided	1	Identifier
Company name	Name of the company being divided	1	Text
Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Data of the other recipient companies	Data of each of the other recipient companies	1...n	
Registration number	Registration number of the recipient companies	1	Identifier
Company name	Name of the recipient companies	1	Text
Legal form	Type of legal form of the recipient companies	1	Code As referred to in Annex II to Directive (EU) 2017/1132

⁽¹⁾ Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

(b) Data to be provided by the register of Member State of the company being divided

Data type	Description	Cardinality ⁽¹⁾	Additional description
Data to be made available to BRIS		1	Group of Elements
EUID	EUID of each of the recipient companies	0	Identifier
Data to be made publicly available and accessible through BRIS		1	Group of Elements
Striking off or removal as a result of a cross-border division (in the event of a full division)	That the striking off or removal from the register of the company being divided is the result of a cross-border division	1	Text
Date (in the event of a full division)	Date of striking off or removal of the company being divided from the register	1	Date
Data of the recipient companies	Data of each of the recipient companies	1...n	
Registration number	Registration number of the recipient companies	1	Identifier
Company name	Name of the recipient companies	1	Text
Legal form	Type of legal form of the recipient companies	1	Code As referred to in Annex II to Directive (EU) 2017/1132

⁽¹⁾ Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

6.3.3.2. Cross-border division notification according to Article 160p(3) of Directive (EU) 2017/1132

For each cross-border division notification referred to in Article 160p(3) of Directive (EU) 2017/1132, the registers of the recipient companies shall send to the register of the company being divided the following data:

Data type	Description	Cardinality ⁽¹⁾	Additional description
Issuance Date Time	Date and time when the notification was sent	1	Date and Time
Issuing organisation	Name/identifier of the organisation that issued this notification (Business Register of each of the recipient companies)	1	Party data structure
Recipient Organisation	Name/identifier of the organisation this notification is addressed to (Business Register of the company being divided)	1	Party data structure

Division related data		1	Group of Elements
Date of registration	Date of registration of the recipient company	1	date
Recipient company data	Recipient company as defined in Article 160b(3) of Directive (EU) 2017/1132	1	Group of Elements
EUID	Unique identifier of the recipient company	1	Identifier
Alternate ID	Other identifiers of the recipient company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the recipient company	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the recipient company in the Member State of the recipient company	1	Text
Registered office	Registered office of the recipient company	1	Text
Register Name	Name of the register where the recipient company is registered	1	Text
Registration number	Registration number of the recipient company	1	Identifier
Company data	Company being divided as defined in Article 160b(2)	1	Group of Elements
EUID	Unique identifier of the company being divided	1	Identifier
Alternate ID	Other identifiers of the company being divided (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company being divided	1	Text
Registered Office	Registered office of the company being divided	1	Text
Register Name	Name of the register where the company being divided is registered	1	Text

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

6.3.3.3. Cross-border division notification according to Article 160p(4) of Directive (EU) 2017/1132

For each cross-border division notification referred to in Article 160p(4) of Directive (EU) 2017/1132, the register in the Member State of the company being divided shall send to the register of each of the recipient companies the following data:

Data type	Description	Cardinality (!)	Additional description
Issuance Date Time	Date and time when the notification was sent	1	Date and Time
Issuing organisation	Name/identifier of the organisation that issued this notification (Business Register of the company being divided)	1	Party data structure
Recipient Organisation	Name/identifier of the organisations this notification is addressed to (Business Registers of the recipient companies)	1	Party data structure
Division related data		1	Group of Elements
Effective date of the division	Date on which the cross-border division has taken effect	1	Date
Division Type	Type of division as defined by Article 160b(4) of Directive (EU) 2017/1132	1	Code (Cross-border full division under point (a) of Article 160b(4) of Directive (EU) 2017/1132 Cross-border partial division under point (b) of Article 160b(4) of Directive (EU) 2017/1132 Cross-border division by separation under point (c) of Article 160b(4) of Directive (EU) 2017/1132
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Recipient companies data	Recipient company as defined in Article 160b(3)	1...n	Group of Elements
EUID	Unique identifier of each recipient company	1	Identifier
Alternate ID	Other identifiers of each recipient company (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of each recipient company	1	Code As referred to in Annex II to Directive (EU) 2017/1132

Name	Name of each recipient company in the Member State of the recipient company	1	Text
Registered office	Registered office of each recipient company	1	Text
Register Name	Name of the register where each recipient company is registered	1	Text
Registration number	Registration number of each recipient company	1	Identifier
Company data	Company being divided as defined in Article 160b(2)	1	Group of Elements
EUID	Unique identifier of the company being divided	1	Identifier
Alternate ID	Other identifiers of the company being divided (e.g. Legal Entity Identifier)	0...n	Identifier
Legal form	Type of legal form of the company being divided	1	Code As referred to in Annex II to Directive (EU) 2017/1132
Name	Name of the company being divided	1	Text
Registered Office	Registered office of the company being divided	1	Text
Register Name	Name of the register where the company being divided is registered	1	Text
Registration number	Registration number of the company being divided	1	Identifier

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

The notification message may also include technical data necessary for the proper transmission of the message.

The exchange of information shall also include technical messages necessary for the acknowledgement of receipt, logging and reporting purposes.

7. Structure of the standard message format

The exchange of information between the registers, the platform and the portal shall be based on standard data-structuring methods and shall be expressed in a standard message format such as XML.

8. Data for the platform

The following type of data shall be provided for the platform to perform its functions:

- (a) Data allowing for the identification of systems that are connected to the platform. Those data could consist of URLs or any other number or code uniquely identifying each system within BRIS;

- (b) An index of the particulars listed in Article 19(2) of Directive (EU) 2017/1132. This data shall be used to ensure consistent and quick results of the search service. Where the data is not made available to the platform for indexation, Member States shall make the same particulars available for the purpose of the search service in a way that guarantees the same level of service as provided by the platform;
- (c) Unique identifiers of companies referred to in Article 16(1) of Directive (EU) 2017/1132 and unique identifiers of branches referred to in Article 29(4) of Directive (EU) 2017/1132. These identifiers shall be used to ensure the interoperability of registers via the platform;
- (d) Any other operational data that is necessary for the platform to ensure the proper and efficient functioning of the search service and the interoperability of registers. Those data may include code lists, reference data, glossaries and related translations of those metadata, as well as logging and reporting data.

The data and metadata handled by the platform shall be processed and stored in line with the security standards outlined in section 3 of this Annex.

9. Structure and use of the unique identifier

The unique identifier for the purpose of communication between registers shall be referred to as the EUID (European Unique Identifier).

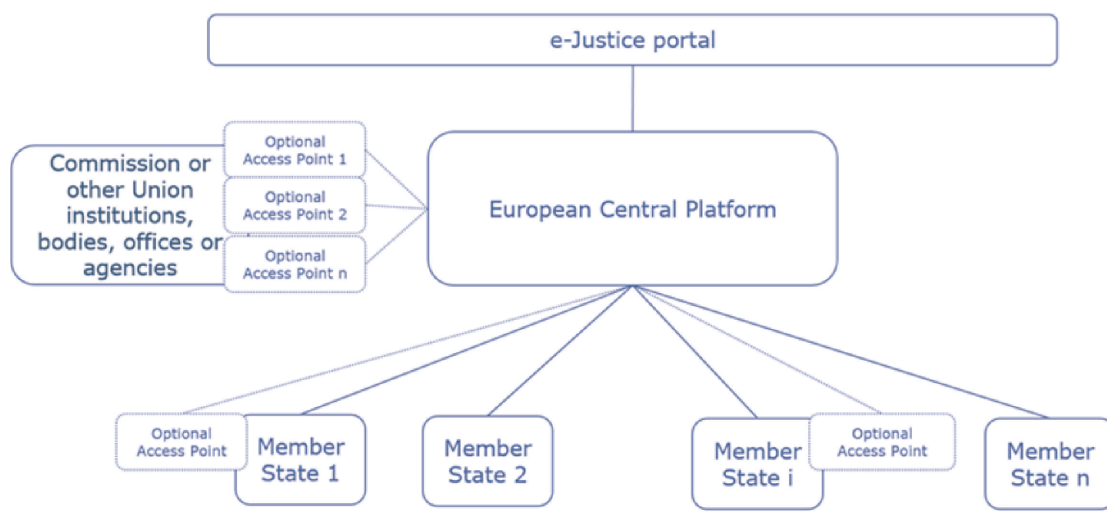
The structure of the EUID shall be compliant with ISO 6523 and shall contain the following elements:

EUID element	Description	Additional description
Country code	Elements making it possible to identify the Member State of the register	Mandatory
Register Identifier	Elements making it possible to identify the domestic register of origin of the company and of the branch respectively	Mandatory
Registration number	Company/branch number refers to the registration number of the company/branch in the domestic register of origin	Mandatory
Verification digit	Elements making it possible to avoid identification errors	Optional

The EUID shall be used to unequivocally identify companies and branches for the purpose of the exchange of information between registers via the platform.

10. Methods of operation of the system and information technology services provided by the platform

For the distribution and exchange of information, the system shall be based on the following technical method of operation:



For the delivery of messages in the relevant language version, the platform shall provide reference data artefacts, such as code lists, controlled vocabularies and glossaries. Where relevant, these shall be translated into the official languages of the Union. Where possible, recognised standards and standardized messages shall be used.

The Commission shall share with the Member State further details on the technical method of operation and the implementation of the information technology services provided by the platform.

11. Search criteria

At least one country shall be selected when running a search.

The portal shall provide the following harmonised criteria for the search:

- company name,
- registration number of the company or the branch in the domestic register.

Further search criteria may be available on the portal.

12. Payment modalities

For the documents and particulars for which Member States charge fees and which are made available on the e-Justice portal via BRIS, the system shall allow users to pay online by using widely used payment modalities such as credit and debit cards.

The system may also provide alternative online payment methods, such as bank transfers or virtual wallets (deposit).

13. Explanatory labels

In relation to the particulars and types of documents listed in Article 14 of Directive (EU) 2017/1132, Member States shall provide the following explanatory labels:

- (a) A short title for each particular and document (for example: 'Articles of incorporation');
- (b) As appropriate, a brief description of the content of each document or particular, including, optionally, information on the legal value of the document.

14. Availability of services

The service time frame shall be 24/7 days, with an availability rate of the system of at least 98 % excluding scheduled maintenance.

Member States shall notify the Commission of maintenance activities as follows:

- (a) 5 working days in advance for maintenance operations that may cause an unavailability period of up to 4 hours;
- (b) 10 working days in advance for maintenance operations that may cause an unavailability period of up to 12 hours;
- (c) 30 working days in advance for infrastructure computer room maintenance, which may cause up to 6 days unavailability period per year.

To the extent possible, maintenance operations shall be planned outside working hours (19.00 – 8.00 CET).

Where Member States have fixed weekly service windows, they shall inform the Commission of the time and day of the week when such fixed weekly windows are planned. Without prejudice to the obligations in points (a) to (c) of the second paragraph, if Member States systems become unavailable during such a fixed window, Member States may choose not to notify the Commission on each occasion.

In case of unexpected technical failure of the Member States systems, Member States shall inform the Commission without delay of their system unavailability, and, if known, of the projected resuming of the service.

In case of unexpected failure of the central platform or of the portal, the Commission shall inform the Member States without delay of the platform or portal unavailability, and if known, of the projected resuming of the service.

15. Optional access points

15.1. *Optional access points to BRIS according to the first subparagraph of Article 22(4) of Directive (EU) 2017/1132*

15.1.1. Procedure

Member States shall provide information on the planned timing of the establishment of the optional access points, the number of optional access points that will connect to the platform, and contact details of the person(s) that could be contacted for the purpose of establishing the technical connection.

The Commission shall provide the Member States with the necessary technical details and support for the testing and deployment of the connection of each optional access point to the platform.

15.1.2. Technical requirements

For the connection of optional access points to the platform, Member States shall comply with the relevant technical specifications set out in this Annex, including security requirements for transmission of data via the optional access points.

Where payment is necessary via an optional access point, Member States shall provide the payment methods of their choice and shall handle the related payment operations.

Member States shall carry out appropriate testing before the connection to the platform becomes operational and before any significant changes are made to an existing connection.

After successful connection of the optional access point to the platform, Member States shall inform the Commission of any upcoming significant change of the access point that may affect the functioning of the platform, in particular the closing of the access point. Member States shall provide sufficient technical details in relation to the change, in order to allow for proper integration of any related changes.

Member States shall indicate on each optional access point that the search service is provided via BRIS.

15.2. *Optional access points to BRIS according to the second subparagraph of Article 22(4) of Directive (EU) 2017/1132*

15.2.1. Procedure

The Commission shall assess any request received for the establishment of an optional access point in accordance with the second subparagraph of Article 22(4) of Directive (EU) 2017/1132.

The requester shall provide all the information needed for the proper assessment of the request.

The Commission shall provide the requester with the necessary technical details and support for the testing and deployment of the establishment of each optional access point to the platform.

15.2.2. Technical requirements

For the establishment of optional access points to the platform, the requester shall comply with the relevant technical specifications set out in this Annex, including security requirements for transmission of data via the optional access points.

Where payment is necessary via an optional access point, the requester shall provide the payment methods of their choice and shall handle the related payment operations.

The requester shall carry out appropriate testing before the establishment to the platform becomes operational and before any significant changes are made to an existing connection.

After successful establishment of the optional access point to the platform, the requester shall inform the Commission of any upcoming significant change of the access point that may affect the functioning of the platform, in particular the closing of the access point. The requester shall provide sufficient technical details in relation to the change, in order to allow for proper integration of any related changes.

The requester shall indicate on each optional access point that the search service is provided via BRIS.

15.3. *Requirements applicable to optional access points according to Article 22(4), first and second subparagraph*

The Commission shall inform the Member States about a request received.

The technical requirements shall also include measures to ensure that optional access points do not affect the correct functioning of BRIS nor compliance with the safety, security and data protection requirements, with due regard to the respective responsibility of each party within the part of the system under its technical control.

16. **Exchange of information on disqualified directors**

16.1. *Introduction*

The exchange of information referred to in Article 13i(4) of Directive (EU) 2017/1132 shall cover cases where a person is disqualified from becoming a director of a company of one of the types listed in Annex II to that Directive further to a decision of a court or another competent authority of a Member State based on its national law.

The exchange of information shall not cover cases where, under national law, a person is generally incapable of contracting or restricted in his or her general legal capacity or further to a decision of a court or another competent authority of a Member State based on its national law and therefore unable to become a director of a company of the type referred to in the first paragraph.

The exchange of information shall not cover cases based on specific rules under Union law, such as the rules on fitness and propriety provided under Article 91(1) of Directive 2013/36/EU of the European Parliament and of the Council ⁽¹⁾.

Where, in accordance with national law in a Member State, legal persons are allowed to be directors of companies of the type referred to in the first paragraph, such legal persons shall fall under the scope of the exchange of information. Each Member State shall inform the other Member States and the Commission whether this possibility exists in its national law.

16.2. *Methods of exchange of information between Member States*

The following method shall be used for the exchange of information between the registers in accordance with Article 13i of Directive (EU) 2017/1132.

The queries and the answers under this section shall be transferred through BRIS using end-to-end encryption.

Member States shall exchange the information needed to correlate queries and the answers under this section concerning the same request.

16.2.1. *First level of exchange of information*

16.2.1.1. *First level query on disqualification*

Member States' competent authorities may request, through BRIS, information from one or more Member States on whether a person who applies to become a director of a company of one of the types listed in Annex II to Directive (EU) 2017/1132 is disqualified or is recorded in any of their registers that contain information relevant for disqualification of directors.

The requesting Member State shall decide to which Member State or Member States the query shall be sent. The queries shall be sent with a view to ensure effective, efficient and prompt exchange of information.

Each query shall cover one single person and shall provide the data for identification of the person. The requesting Member State shall process such data in compliance with Regulation (EU) 2016/679. The Member States shall ensure that only necessary data and only data concerning the applicant in question is exchanged.

16.2.1.2. *First level answer on disqualification*

Upon receipt of the query, the competent authorities of the requested Member State shall, without delay, provide an answer through BRIS.

⁽¹⁾ 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 (OJ L 176, 27.6.2013, p. 338).

The answer shall indicate whether the person identified in the query is disqualified or is recorded in any of the registers of the requested Member State that contain information relevant for disqualification of directors.

In case the answer is that the person is disqualified or is recorded in any of the registers that contain information relevant for disqualification of directors, the requested Member State may indicate in its answer, which specific data provided by the requesting Member State matches the data available in the requested Member State and which specific data included in the query cannot be confirmed by the requested Member State as it is not recorded in its registers.

If it is necessary, the requested Member State may ask the requesting Member State to provide further data to ensure unequivocal identification of the person. Such data shall be processed in compliance with Regulation (EU) 2016/679.

16.2.2. Second level of exchange of information

The exchange for additional information may take place through other appropriate means than BRIS. If the second level of exchange of information is carried out through BRIS, the rules set out in points 16.2.2.1, 16.2.2.2, 16.3.3 and 16.3.4 shall apply.

16.2.2.1. Second level query on disqualification

In case a requested Member State indicates in the first level answer that a given person is disqualified or is recorded in any of its registers that contain information relevant for disqualification of directors, the requesting Member States may request further information from the requested Member State concerning the person identified in the first level query.

The second level query shall cover the same person as the first level query and first level answer.

16.2.2.2 Second level answer on disqualification

The requested Member State may decide, under its national law, which additional information to provide. In case that Member State's national law does not allow further exchange of information, it shall inform accordingly the requesting Member State.

16.3. Detailed list of data

For the exchange of information on disqualified directors, Member States shall include the following data.

16.3.1. First level query on disqualification

Data type	Description	Cardinality (!)	Additional description
Issuance Date and Time	Date and time when this query was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this query	1	Party data structure
Recipient Organisation	Name/Identifier of the register of the requested Member State	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
First level query on disqualification If the person who applies to be a director is a natural person			

First name	First name of the person who applies to be a director	1	Text
Surname	Surname of the person who applies to be a director	1	Text
Date of birth	Date of birth of the person who applies to be a director	1	Date
Further identification data	Further data processed according to the requesting Member State's national law and in compliance with Regulation (EU) 2016/679	0...n	Text/date/identifier
First level query on disqualification If the person who applies to be a director is a legal person			
Name of the legal entity	Name of the legal entity which applies to be a director	1	Text
Legal form	Legal form of the legal entity which applies to be a director	1	Code As referred to in Annex II to Directive (EU) 2017/1132 of the company therein or other legal form if the legal entity falls outside of the scope Directive (EU) 2017/1132
EUID	EUID if it is a company listed in Annex II to Directive (EU) 2017/1132.	1	Identifier
Other registration number	Other registration number if not a company listed in Annex II to Directive (EU) 2017/1132.	0	Identifier
Alternate ID	Other identifiers of the company (e.g. Legal Entity Identifier)	0...n	Identifier

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

Member States shall provide information on the means of identification needed for an efficient exchange of information on disqualified directors. That information may consist in providing the data that is necessary to identify the persons covered by a request.

Member States may also use e-identification means for the identification of persons in the exchange of information.

Queries covering a legal person shall be sent only to those Member States which allow legal persons to be directors and which allow disqualification of such legal persons.

16.3.2. First level answer on disqualification

Data type	Description	Cardinality ⁽¹⁾	Additional description
Issuance Date and Time	Date and time when this answer was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this answer	1	Party data structure
Recipient Organisation	Name/Identifier of the register of the requesting Member State	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Yes/no/no sufficient data for identification	'Yes' if the person is disqualified or is recorded in any of its registers that contain information relevant for disqualification of directors 'No' if the person is not disqualified or is not recorded in any of its registers that contain information relevant for disqualification of directors 'No sufficient data for identification' if the data provided does not make it possible to unequivocally identify the person and more information is needed.	1	Select an option
Further identification data required	Indicate what data is needed for unequivocal identification	1...n (only if no sufficient data for identification)	Text/date/identifier
No second level answer will be provided through BRIS	If 'yes', option to indicate that no answer will be provided for second level query through BRIS	0	Select the option

⁽¹⁾ Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

16.3.2.1. Provision of further identification data

In case the requested Member State requires further identification data to ensure unequivocal identification, the requesting Member State shall provide the data using the following message format:

Data type	Description	Cardinality ⁽¹⁾	Additional description
Issuance Date and Time	Date and time when this query was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this query	1	Party data structure
Recipient Organisation	Name/Identifier of the register of the requested Member State	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Further identification data	Further data required by the requested Member State to ensure unequivocal identification processed according to the requesting Member State's national law and in compliance with Regulation (EU) 2016/679	1...n	Text/date/identifier

⁽¹⁾ Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

16.3.3. Second level query on disqualification

Data type	Description	Cardinality ⁽¹⁾	Additional description
Issuance Date and Time	Date and time when this query was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this query	1	Party data structure
Recipient Organisation	Name/Identifier of the register of the requested Member State	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Request further information	Request for further information	1...n	Request further information at least on one of the following: — grounds for disqualification under national law, — date of decision, — period or validity of the disqualification,

			— file number, issuer of the decision. — Information on any limitation to such disqualification (e.g. sector specific disqualifications)
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(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

16.3.4. Second level answer on disqualification

Data type	Description	Cardinality (¹)	Additional description
Issuance Date and Time	Date and time when this answer was sent	1	Date and Time
Issuing Organisation	Name/Identifier of the organisation that issues this answer	1	Party data structure
Recipient Organisation	Name/Identifier of the register of the requesting Member State	1	Party data structure
Legislation Reference	Reference to relevant national or Union legislation	0...n	Text
Further information	Request for further information	1...n	Further information at least on one of the following: — grounds for disqualification under national law, — date of decision, — period or validity of the disqualification, — file number, issuer of the decision. — Information on any limitation to such disqualification (e.g. sector specific disqualifications) — No further information provided in case the Member State's national law does not allow further exchange of information – list data on which further information is not provided. (attachment of documents possible)

(¹) Cardinality 0 means that the data is optional. Cardinality 1 means that the data is mandatory. Cardinality 0...n or 1...n means that more than one piece of the same type of data may be provided.

16.4. *Operation of the exchange of information*

Member States shall indicate if they face difficulties due to high numbers of queries received. In such a case, the Commission and the Member States shall assess the issue with a view of ensuring smooth operation of the exchange of information and further development of the system.

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1043**of 24 June 2021****on the extension of the transitional provisions related to own funds requirements for exposures to central counterparties set out in Regulation (EU) No 575/2013 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 ⁽¹⁾, and in particular Article 497(3) thereof,

Whereas:

- (1) In order to avoid disruption to international financial markets and to prevent penalising institutions established in the Union by subjecting them to higher own funds requirements during the processes of recognition of existing third-country central counterparties (CCPs), Article 497(1) of Regulation (EU) No 575/2013 established a transitional period during which institutions may treat exposures to those third-country CCPs as exposures to qualifying CCPs.
- (2) For third-country CCPs that submitted their application for recognition in accordance with Article 25(6) of Regulation (EU) No 648/2012 of the European Parliament and of the Council ⁽²⁾ before 27 June 2019, specifically all third-country CCPs still awaiting recognition by the European Securities and Markets Authority (ESMA), the transitional period is set to expire on 28 June 2021.
- (3) The Commission has not yet adopted decisions in accordance with Article 25(6) of Regulation (EU) No 648/2012 for some of the jurisdictions in which those third-country CCPs are established. Such decisions are a prerequisite for ESMA to recognise third-country CCPs. Since those decisions will not be adopted by 28 June 2021, ESMA will not be able to complete by that date the recognition procedures for the third-country CCPs awaiting recognition.
- (4) If the transitional period is not extended, institutions established in the Union, or their subsidiaries established outside the Union, having exposures to those third-country CCPs, will be required to increase their own funds for those exposures significantly. This could potentially lead to the withdrawal of those institutions as direct participants in those CCPs or, at least temporarily, to the cessation of the provision of clearing services to those institutions' clients, and thus cause severe disruption in the markets in which those CCPs operate. Therefore, it is necessary to extend the transitional provision in Article 497(1), point (b)(iii) of Regulation (EU) No 575/2013 by 12 months, until 28 June 2022.
- (5) The extension of the transitional provision would leave time for the Commission to finalise its equivalence assessments in accordance with Article 25(6) of Regulation (EU) No 648/2012 and to adopt equivalence decisions where conditions thereof are met. It would also leave time for ESMA to recognise the third-country CCPs concerned. Where a positive equivalence decision would not be adopted by the Commission, an extension would leave time for institutions to properly prepare for the end of the transitional period provided for in Article 497(1) of Regulation (EU) No 575/2013.
- (6) This Regulation should apply from the first day after the expiry of the existing transitional period.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the European Banking Committee,

⁽¹⁾ OJ L 176, 27.6.2013, p. 1.

⁽²⁾ Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

The transitional period referred to in Article 497(1), point (b)(iii), of Regulation (EU) No 575/2013 is extended until 28 June 2022.

Article 2

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

It shall apply from 29 June 2021.

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

Done at Brussels, 24 June 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1044
of 22 June 2021
granting a Union authorisation for the single biocidal product ‘Pesguard® Gel’
(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the first subparagraph of Article 44(5) thereof,

Whereas:

- (1) On 21 September 2016, Sumitomo Chemical Agro Europe SAS submitted an application in accordance with Article 43(1) of Regulation (EU) No 528/2012 for authorisation of a single biocidal product named ‘Pesguard® Gel’ of product-type 18, as described in Annex V to that Regulation, providing written confirmation that the competent authority of the Netherlands had agreed to evaluate the application. The application was recorded under case number BC-HS027052-37 in the Register for Biocidal Products.
- (2) ‘Pesguard® Gel’ contains pyriproxyfen and clothianidin, as the active substances, which are included in the Union list of approved active substances referred to in Article 9(2) of Regulation (EU) No 528/2012.
- (3) On 31 March 2020, the evaluating competent authority submitted, in accordance with Article 44(1) of Regulation (EU) No 528/2012, an assessment report and the conclusions of its evaluation to the European Chemicals Agency (‘the Agency’).
- (4) On 13 October 2020, the Agency submitted to the Commission an opinion ⁽²⁾, the draft summary of the biocidal product characteristics (‘SPC’) of ‘Pesguard® Gel’ and the final assessment report on the single biocidal product in accordance with Article 44(3) of Regulation (EU) No 528/2012.
- (5) The opinion concludes that ‘Pesguard® Gel’ is a biocidal product, that it is eligible for Union authorisation in accordance with Article 42(1) of Regulation (EU) No 528/2012 and that subject to compliance with the draft SPC, it meets the conditions laid down in Article 19(1) of that Regulation.
- (6) On 26 October 2020, the Agency transmitted to the Commission the draft SPC in all the official languages of the Union in accordance with Article 44(4) of Regulation (EU) No 528/2012.
- (7) The Commission concurs with the opinion of the Agency and considers it therefore appropriate to grant a Union authorisation for ‘Pesguard® Gel’.
- (8) According to the opinion of the Agency, as regards the non-active substances cis CTAC and dichloromethane contained in ‘Pesguard® Gel’, it was not possible to conclude whether they meet the scientific criteria for the determination of endocrine-disrupting properties set out in Commission Delegated Regulation (EU) 2017/2100 ⁽³⁾ within the period for the evaluation of the application. Further examination of cis CTAC and dichloromethane should therefore take place. If it is concluded that either cis CTAC or dichloromethane or both are considered as having endocrine-disrupting properties, the Commission will consider whether to cancel or amend the Union authorisation for ‘Pesguard® Gel’ in accordance with Article 48 of Regulation (EU) No 528/2012.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ ECHA opinion of 8 October 2020 on the Union authorisation of the biocidal product ‘Pesguard® Gel’ (ECHA/BPC/269/2020), <https://echa.europa.eu/it/opinions-on-union-authorisation>

⁽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).

- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

A Union authorisation with authorisation number EU-0024951-0000 is granted to Sumitomo Chemical Agro Europe SAS for the making available on the market and use of the single biocidal product 'Pesguard® Gel' in accordance with the summary of the biocidal product characteristics set out in the Annex.

The Union authorisation is valid from 15 July 2021 until 30 June 2031.

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, 22 June 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Summary of product characteristics for a biocidal product

Pesguard® Gel

Product type 18 – Insecticides, acaricides and products to control other arthropods (Pest control)

Authorisation number: EU-0024951-0000

R4BP asset number: EU-0024951-0000

1. ADMINISTRATIVE INFORMATION**1.1. Trade name(s) of the product**

Trade name(s)	Pesguard® Gel
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1.2. Authorisation holder

Name and address of the authorisation holder	Name	Sumitomo Chemical Agro Europe SAS
	Address	Parc d'Affaires de Crécy 10A, rue de la Voie Lactée, 69370 Saint Didier au Mont d'Or, France
Authorisation number	EU-0024951-0000	
R4BP asset number	EU-0024951-0000	
Date of the authorisation	15 July 2021	
Expiry date of the authorisation	30 June 2031	

1.3. Manufacturer(s) of the product

Name of manufacturer	McLaughlin Gormley King Company (MGK)
Address of manufacturer	8810 10th Avenue North, MN 55427 Minneapolis United States
Location of manufacturing sites	McLaughlin Gormley King Company, 4001 Peavey Road, MN 55318 Chaska United States

1.4. Manufacturer(s) of the active substance(s)

Active substance	(E)-1-(2-Chloro-1,3-thiazol-5-ylmethyl)-3- methyl-2-nitroguanidine (Clothianidin)
Name of manufacturer	Sumitomo Chemical Co. Ltd
Address of manufacturer	27-1, Shinkawa 2-chome, Chuo-ku, 104-8260 Tokyo Japan
Location of manufacturing sites	Sumitomo Chemical Company LTD, Oita Works, 2200, Tsurusaki, Oita City,, 870-0106 Oita Japan

Active substance	pyriproxyfen
Name of manufacturer	Sumitomo Chemical Co. Ltd
Address of manufacturer	27-1, Shinkawa 2-chome, Chuo-ku, 104-8260 Tokyo Japan
Location of manufacturing sites	Sumitomo Chemical Company LTD, Misawa Works, Aza-Sabishirotaira, Oaza-Misawa, Misawa,, 033-0022 Aomori Japan

2. PRODUCT COMPOSITION AND FORMULATION

2.1. Qualitative and quantitative information on the composition of the product

Common name	IUPAC name	Function	CAS number	EC number	Content (%)
Clothianidin	(E)-1-(2-Chloro-1,3-thiazol-5-ylmethyl)-3-methyl-2-nitroguanidine	Active Substance	210880-92-5	433-460-1	0,526
pyriproxyfen	4-phenoxyphenyl (RS)-2-(2-pyridyloxy)propyl ether	Active Substance	95737-68-1	429-800-1	0,515
Acetic acid	Ethanoic acid	Non-active substance	64-19-7	200-580-7	0,3
Potassium sorbate	potassium (E,E)-hexa-2,4-dienoate	Non-active substance	24634-61-5	246-376-1	0,5

2.2. Type of formulation

RB – Bait (ready for use)

3. HAZARD AND PRECAUTIONARY STATEMENTS

Hazard statements	May cause an allergic skin reaction. Very toxic to aquatic life with long lasting effects.
Precautionary statements	IF ON SKIN:Wash with plenty of water. If skin irritation or rash occurs: Get medical advice. Wear protective gloves. Avoid release to the environment. Dispose of container in accordance with local regulations. Collect spillage.

4. AUTHORISED USE(S)

4.1. Use description

Table 1. Use # 1 – Professional Use – RTU Bait

Product type	PT18 – Insecticides, acaricides and products to control other arthropods (Pest control)
Where relevant, an exact description of the authorised use	Insecticide
Target organism(s) (including development stage)	Scientific name: <i>Blattella germanica</i> Common name: German cockroach Development stage: Nymphs Scientific name: <i>Blattella germanica</i> Common name: German cockroach Development stage: Adults Scientific name: <i>Supella longipalpa</i> Common name: Brown-banded cockroach Development stage: Nymphs Scientific name: <i>Supella longipalpa</i> Common name: Brown-banded cockroach Development stage: Adults Scientific name: <i>Blatta orientalis</i> Common name: Oriental Cockroach Development stage: Nymphs Scientific name: <i>Blatta orientalis</i> Common name: Oriental Cockroach Development stage: Adults Scientific name: <i>Periplaneta americana</i> Common name: American Cockroach Development stage: Nymphs Scientific name: <i>Periplaneta americana</i> Common name: American Cockroach Development stage: Adults
Field(s) of use	Indoor In cracks and crevices, or in concealed locations inaccessible to humans or domestic animals: behind refrigerators cupboards and shelves, under kitchen appliances, in electrical control boxes, voids and ducting and under bathroom fixtures etc.
Application method(s)	Bait application A ready to use (RTU) insecticidal gel bait for the control of cockroaches in public hygiene
Application rate(s) and frequency	Pesguard® Gel should be applied as a number of spots of approximately 4 mm diameter (each spot comprising approximately 0,032 g of bait). In cases of severe infestation, where larger cockroach species are present (<i>B. orientalis</i> or <i>P. americana</i>), in areas that are particularly dirty or cluttered or where alternative sources of food cannot be entirely eliminated the higher application rate (e.g. 2 instead of 1 spot per m² in case of a light infestation) should be used. • Light infestation 1 – 2 (0,032 – 0,064 g) spots per m² • Medium infestation 3 – 6 (0,096 – 0,192 g) spots per m² • Heavy infestation 6 – 10 (0,192 – 0,320 g) spots per m² The maximum number of annual applications is 11.

Category(ies) of users	Professional
Pack sizes and packaging material	30 g Polypropylene (PP) syringe Screw top cap High Density Poly Ethylene (HDPE)

4.1.1. *Use-specific instructions for use*

See the general directions for use.

4.1.2. *Use-specific risk mitigation measures*

See the general directions for use.

4.1.3. *Where specific to the use, the particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment*

See the general directions for use.

4.1.4. *Where specific to the use, the instructions for safe disposal of the product and its packaging*

See the general directions for use.

4.1.5. *Where specific to the use, the conditions of storage and shelf-life of the product under normal conditions of storage*

See the general directions for use.

5. **GENERAL DIRECTIONS FOR USE ⁽¹⁾**

5.1. **Instructions for use**

Always read the label or leaflet before use and respect/follow all the instructions provided.

Do not expose bait drops to sunlight or heat (e.g. radiator).

The pre-filled plastic reservoir containing Pesguard® Gel is intended for use with the plunger provided or a specific bait application device common to the pest control industry. Refer to the manufacturer's instructions for directions on the use of the applicator.

Inject the bait into cracks and crevices, void spaces, or in concealed locations inaccessible to humans or domestic animals where insects may live, feed and breed. Such areas are generally warm/damp and dark (behind refrigerators, cupboards and shelves, under kitchen appliances, in electrical control boxes, voids and ducting and under bathroom fixtures etc.). Inspection or trapping to confirm infestation is recommended prior to treatment. Ensure that any alternative food sources are removed and concentrate the bait placements as individual spots at cockroach activity sites. The product should not be applied to areas accessible to children and pets.

Do not apply Pesguard® Gel where it will come into contact with water or in areas that are routinely cleaned. Typically cockroaches will die a few hours after a single feed on Pesguard® Gel. In infested premises, dead cockroaches will normally be seen within 24 hours of treatment.

Remove the cap from the nozzle, touch the top to the surface to be treated, and push down on the plunger. Replace the cap on the dispenser after treatment is completed.

The bait will adhere to non-greasy or non-dusty surfaces and will remain pliable and palatable to cockroaches as long as it is visibly present.

Treated area's should be visually inspected after 1-2 weeks. Where initial infestation was heavy a second Pesguard® Gel application may be required if the first treatment has been consumed and live cockroaches are still present.

A second visual inspection of bait placements is recommended 2-4 weeks after the initial treatment. Reapply when bait is no longer visibly present, according to the level of infestation (light, medium or heavy). Replace bait before it is completely consumed to keep cockroaches from returning.

Inform the registration holder if the treatment is ineffective.

Spills and residues containing the product need to be removed as chemical waste.

Care should be taken to avoid depositing gel onto exposed surfaces. If gel contacts an exposed surface, remove gel with a paper towel and clean the area with disposable wet wipes.

⁽¹⁾ Instructions for use, risk mitigation measures and other directions for use under this section are valid for any authorised uses.

During follow-up visits, inspect bait placements and re-apply when necessary.

Do not place bait in locations that are routinely washed, as bait will be removed by washing. Do not use this product in or on electrical equipment where a possibility of shock hazard exists. Avoid contact with textiles and clothing, as bait may stain.

5.2. Risk mitigation measures

Wear protective chemical resistant gloves during product handling phase (glove material to be specified by the authorisation holder within the product information).

Do not apply bait in areas where repellent insecticides have been used without thoroughly cleaning the surface with disposable wet tissue. Do not apply repellent insecticides after application of the bait.

Do not apply directly on or near food, feed or drinks, or on surfaces or utensils likely to be in direct contact with food, feed, drinks and animals.

Spills and residues containing the product must be removed as chemical waste.

Avoid placing gel on fabrics or carpets since it may stain some absorbent materials. To prevent staining, exposed bait should be cleaned up immediately with disposable wet wipes.

Cleaning materials must be disposed of as to solid waste.

5.3. Particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment

This biocidal product contains clothianidin, which is dangerous to bees.

Description of first aid measures

Skin contact: Remove contaminated clothing immediately and wash skin with soap and water. Get medical attention if irritation persists after washing.

Eye contact: If symptoms occur, rinse with water. Remove contact lenses, if present and easy to do. Call a POISON CENTRE or a doctor.

Ingestion: If swallowed: If symptoms occur call a POISON CENTRE or a doctor.

If inhaled: not applicable.

Most important symptoms and effects, both acute and delayed

Eyes: May cause temporary eye irritation.

Emergency measures to protect the environment

Avoid release of the product to the environment.

5.4. Instructions for safe disposal of the product and its packaging

Only pass on empty containers/packaging for recycling.

Disposal of this packaging should at all times comply with the waste disposal legislation and any regional local authority requirements.

5.5. **Conditions of storage and shelf-life of the product under normal conditions of storage**

Protect from frost. Store away from direct sunlight.

Shelf life: 2 years.

6. **OTHER INFORMATION**

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1045**of 24 June 2021****approving didecyldimethyl ammonium chloride as an active substance for use in biocidal products of product-types 3 and 4****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes didecyldimethyl ammonium chloride (DDAC) to be renamed for the purposes of this Regulation as didecyldimethyl ammonium chloride as a result of its evaluation.
- (2) Didecyldimethyl ammonium chloride has been evaluated for use in biocidal products of product-type 3, veterinary hygiene biocidal products and product-type 4, food and feed area disinfectants, as defined in Annex V to Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾, which correspond respectively to product-types 3 and 4 as defined in Annex V to Regulation (EU) No 528/2012.
- (3) Italy was designated as the rapporteur Member State and its evaluating competent authority submitted the assessment report together with its conclusions to the Commission on 10 September 2012.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the Biocidal Products Committee adopted the opinions of the European Chemicals Agency ⁽⁴⁾ ('the Agency') on 6 October 2020, having regard to the conclusions of the evaluating competent authority.
- (5) According to those opinions, biocidal products of product-types 3 and 4 containing didecyldimethyl ammonium chloride may be expected to satisfy the requirements laid down in Article 5(1)(b), (c) and (d) of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) Taking into account the opinions of the Agency, it is appropriate to approve didecyldimethyl ammonium chloride as an active substance for use in biocidal products of product-types 3 and 4 subject to compliance with certain specifications and conditions.
- (7) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 23, 24.4.1998, p. 1).

⁽⁴⁾ Biocidal Products Committee Opinions on the applications for approval of the active substance didecyldimethylammonium chloride; Product-types: 3 and 4; ECHA/BPC/265/2020 and ECHA/BPC/266/2020, adopted on 6 October 2020.

HAS ADOPTED THIS REGULATION:

Article 1

Didecyldimethyl ammonium chloride is approved as an active substance for use in biocidal products of product-types 3 and 4 subject to the specifications and conditions set out in the Annex.

Article 2

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

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

Done at Brussels, 24 June 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
Didecyldimethyl ammonium chloride	IUPAC name: N,N- Didecyl-N,N- dimethylammonium chloride EC No: 230-525-2 CAS No: 7173-51-5	Minimum purity of the active substance evaluated: 908 g/kg dry weight	1 November 2022	31 October 2032	3	The authorisation of biocidal products is subject to the following conditions: (a) The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance. (b) In the light of the outcome of the risk assessment for the uses assessed, the product assessment shall pay particular attention to: (1) professional users; (2) sediment and soil following disinfection of vehicles used for animal transport and disinfection in hatcheries after fogging treatment. (c) For products that may lead to residues in food or feed, the need to set new or to amend existing maximum residues levels (MRLs) in accordance with Regulation (EC) No 470/2009 of the European Parliament and of the Council ⁽²⁾ or Regulation (EC) No 396/2005 of the European Parliament and of the Council ⁽³⁾ shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.
					4	The authorisation of biocidal products is subject to the following conditions: (a) The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance. (b) In the light of the outcome of the risk assessment for the used assessed, the product assessment shall pay particular attention to: (1) professional users; (2) sediment and soil following disinfection in slaughterhouses and butcheries.

						(c) For products that may lead to residues in food or feed, the need to set new or to amend existing MRLs in accordance with Regulation (EC) No 470/2009 or Regulation (EC) No 396/2005 shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded. (d) Didecyltrimethyl ammonium chloride shall not be incorporated in materials and articles intended to come into contact with food falling within the scope of Regulation (EC) No 1935/2004 of the European Parliament and of the Council ⁽⁴⁾, unless the Commission has established specific limits on the migration of didecyltrimethyl ammonium chloride into food or it has been established pursuant to that Regulation that such limits are not necessary.
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⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

⁽²⁾ Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).

⁽³⁾ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).

⁽⁴⁾ Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC (OJ L 338, 13.11.2004, p. 4).

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1046**of 23 June 2021****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 therefore 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*.

⁽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).

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

Done at Brussels, 23 June 2021.

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

ANNEX

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security under Article 3 (EUR/100 kg)	Origin ⁽¹⁾
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	170,6	45	AR
		154,9	53	BR
		192,2	34	TH

⁽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).’

DIRECTIVES

COMMISSION DELEGATED DIRECTIVE (EU) 2021/1047

of 5 March 2021

amending Directive 2009/43/EC of the European Parliament and of the Council as regards the updating of the list of defence-related products in line with the updated Common Military List of the European Union of 17 February 2020

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community ⁽¹⁾, and in particular Article 13 thereof,

Whereas:

- (1) Directive 2009/43/EC applies to defence-related products as set out in its Annex. That Annex is to strictly correspond to the Common Military List of the European Union.
- (2) The Common Military List of the European Union was adopted by the Council on 19 March 2007 and has been updated several times. On 17 February 2020, the Council adopted an updated Common Military List of the European Union ⁽²⁾. It is therefore necessary to update the list of defence-related products set out in the Annex to Directive 2009/43/EC.
- (3) Directive 2009/43/EC should therefore be amended accordingly.
- (4) In accordance with the Joint Political Declaration of Member States and the Commission of 28 September 2011 on explanatory documents ⁽³⁾, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 2009/43/EC is replaced by the text set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, by 30 September 2021 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 7 October 2021.

⁽¹⁾ OJ L 146, 10.6.2009, p. 1.

⁽²⁾ OJ C 85, 13.3.2020, p. 1.

⁽³⁾ OJ C 369, 17.12.2011, p. 14.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 5 March 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

List of Defence-related Products

Note 1 Terms in "quotations" are defined terms. Refer to 'Definitions of Terms used in this List' annexed to this List.

Note 2 In some instances chemicals are listed by name and Chemical abstract service (CAS) number. The list applies to chemicals of the same structural formula (including hydrates) regardless of name or CAS number. CAS numbers are shown to assist in identifying a particular chemical or mixture, irrespective of nomenclature. CAS numbers cannot be used as unique identifiers because some forms of the listed chemical have different CAS numbers, and mixtures containing a listed chemical may also have different CAS numbers.

ML (1)1	Smooth-bore weapons with a calibre of less than 20 mm, other arms and automatic weapons with a calibre of 12,7 mm (calibre 0,50 inches) or less and accessories, as follows, and specially designed components therefor: <u>Note</u> ML1. does not apply to: a. Firearms specially designed for dummy ammunition and which are incapable of discharging a projectile; b. Firearms specially designed to launch tethered projectiles having no high explosive charge or communications link, to a range of less than or equal to 500 m; c. Weapons using non-centre fire cased ammunition and which are not of the fully automatic firing type; d. "Deactivated firearms". a. Rifles and combination guns, handguns, machine, sub-machine and volley guns; <u>Note</u> ML1.a. does not apply to the following: a. Rifles and combination guns, manufactured earlier than 1938; b. Reproductions of rifles and combination guns, the originals of which were manufactured earlier than 1890; c. Handguns, volley guns and machine guns manufactured earlier than 1890, and their reproductions; d. Rifles or handguns, specially designed to discharge an inert projectile by compressed air or CO₂; e. Handguns specially designed for any of the following: 1. Slaughtering of domestic animals; <u>or</u> 2. Tranquilising of animals. b. Smooth-bore weapons as follows: 1. Smooth-bore weapons specially designed for military use; 2. Other smooth-bore weapons as follows: a. Fully automatic type weapons; b. Semi-automatic or pump-action type weapons; <u>Note</u> ML1.b.2. does not apply to weapons specially designed to discharge an inert projectile by compressed air or CO₂. <u>Note</u> ML1.b. does not apply to the following: a. Smooth-bore weapons manufactured earlier than 1938; b. Reproductions of smooth-bore weapons, the originals of which were manufactured earlier than 1890;
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	c. <i>Smooth-bore weapons used for hunting or sporting purposes. These weapons must not be specially designed for military use or of the fully automatic firing type;</i> d. <i>Smooth-bore weapons specially designed for any of the following:</i> 1. <i>Slaughtering of domestic animals;</i> 2. <i>Tranquilizing of animals;</i> 3. <i>Seismic testing;</i> 4. <i>Firing of industrial projectiles; or</i> 5. <i>Disrupting Improvised Explosive Devices (IEDs).</i> <u>N.B.</u> <i>For disruptors, see ML4. and entry 1A006 on the EU Dual-Use List.</i> c. <i>Weapons using caseless ammunition;</i> d. <i>Accessories designed for arms specified by ML1.a., ML1.b. or ML1.c., as follows:</i> 1. <i>Detachable cartridge magazines;</i> 2. <i>Sound suppressors or moderators;</i> 3. <i>Special gun-mountings;</i> 4. <i>Flash suppressors;</i> 5. <i>Optical weapon-sights with electronic image processing;</i> 6. <i>Optical weapon-sights specially designed for military use.</i>
ML2	Smooth-bore weapons with a calibre of 20 mm or more, other weapons or armament with a calibre greater than 12.7 mm (calibre 0.50 inches), projectors specially designed or modified for military use and accessories, as follows, and specially designed components therefor: a. <i>Guns, howitzers, cannon, mortars, anti-tank weapons, projectile launchers, military flame throwers, rifles, recoilless rifles and smooth-bore weapons;</i> <u>Note 1</u> <i>ML2.a. includes injectors, metering devices, storage tanks and other specially designed components for use with liquid propelling charges for any of the equipment specified by ML2.a.</i> <u>Note 2</u> <i>ML2.a. does not apply to weapons as follows:</i> a. <i>Rifles, smooth-bore weapons and combination guns, manufactured earlier than 1938;</i> b. <i>Reproductions of rifles, smooth-bore weapons and combination guns, the originals of which were manufactured earlier than 1890;</i> c. <i>Guns, howitzers, cannons and mortars, manufactured earlier than 1890;</i> d. <i>Smooth-bore weapons used for hunting or sporting purposes. These weapons must not be specially designed for military use or of the fully automatic firing type;</i> e. <i>Smooth-bore weapons specially designed for any of the following:</i> 1. <i>Slaughtering of domestic animals;</i> 2. <i>Tranquilizing of animals;</i> 3. <i>Seismic testing;</i> 4. <i>Firing of industrial projectiles; or</i> 5. <i>Disrupting Improvised Explosive Devices (IEDs);</i> <u>N.B.</u> <i>For disruptors, see ML4. and entry 1A006 on the EU Dual-Use List.</i> f. <i>Hand-held projectile launchers specially designed to launch tethered projectiles having no high explosive charge or communications link, to a range of less than or equal to 500 m.</i> b. <i>Projectors, specially designed or modified for military use, as follows:</i> 1. <i>Smoke canister projectors;</i> 2. <i>Gas canister projectors;</i> 3. <i>Pyrotechnics projectors;</i> <u>Note</u> <i>ML2.b. does not apply to signal pistols.</i>

	c. Accessories specially designed for the weapons specified in ML2.a., as follows: 1. Weapons sights and weapon sight mounts, specially designed for military use; 2. Signature reduction devices; 3. Mountings; 4. Detachable cartridge magazines; d. Not used since 2019.
ML3	Ammunition and fuze setting devices, as follows, and specially designed components therefor: a. Ammunition for weapons specified by ML1, ML2 or ML12; b. Fuze setting devices specially designed for ammunition specified by ML3.a. <u>Note 1</u> Specially designed components specified by ML3 include: a. Metal or plastic fabrications such as primer anvils, bullet cups, cartridge links, rotating bands and munitions metal parts; b. Safing and arming devices, fuzes, sensors and initiation devices; c. Power supplies with high one-time operational output; d. Combustible cases for charges; e. Submunitions including bomblets, minelets and terminally guided projectiles. <u>Note 2</u> ML3.a. does not apply to any of the following: a. Ammunition crimped without a projectile (blank star); b. Dummy ammunition with a pierced powder chamber; c. Other blank and dummy ammunition, not incorporating components designed for live ammunition;<u>or</u> d. Components specially designed for blank or dummy ammunition, specified in this Note 2.a., b. or c. <u>Note 3</u> ML3.a. does not apply to cartridges specially designed for any of the following purposes: a. Signalling; b. Bird scaring;<u>or</u> c. Lighting of gas flares at oil wells.
ML4	Bombs, torpedoes, rockets, missiles, other explosive devices and charges and related equipment and accessories, as follows, and specially designed components therefor: <u>N.B.1:</u> For guidance and navigation equipment, see ML11. <u>N.B.2:</u> For Aircraft Missile Protection Systems (AMPS), see ML4.c. a. Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth charges, demolition-charges, demolition-devices, demolition-kits, "pyrotechnic" devices, cartridges and simulators (i.e. equipment simulating the characteristics of any of these items), specially designed for military use; <u>Note</u> ML4.a. includes: a. Smoke grenades, fire bombs, incendiary bombs and explosive devices; b. Missile or rocket nozzles and re-entry vehicle nosetips. b. Equipment having all of the following: 1. Specially designed for military use; <u>and</u> 2. Specially designed for 'activities' relating to any of the following: a. Items specified by ML4.a.; <u>or</u> b. Improvised Explosive Devices (IEDs). <u>Technical Note:</u> For the purpose of ML4.b.2. 'activities' applies to handling, launching, laying, controlling, discharging, detonating, activating, powering with one-time operational output, decoying, jamming, sweeping, detecting, disrupting or disposing.

	<u>Note 1</u> ML4.b. includes: - Mobile gas liquefying equipment capable of producing 1 000 kg or more per day of gas in liquid form; - Buoyant electric conducting cable suitable for sweeping magnetic mines. <u>Note 2</u> ML4.b. does not apply to hand-held devices, limited by design solely to the detection of metal objects and incapable of distinguishing between mines and other metal objects. c. Aircraft Missile Protection Systems (AMPS). <u>Note</u> ML4.c. does not apply to AMPS having all of the following: - Any of the following missile warning sensors: - Passive sensors having peak response between 100-400 nm;<u>or</u> - Active pulsed Doppler missile warning sensors; - Countermeasures dispensing systems; - Flares, which exhibit both a visible signature and an infrared signature, for decoying surface-to-air missiles;<u>and</u> - Installed on "civil aircraft" and having all of the following: - The AMPS is only operable in a specific "civil aircraft" in which the specific AMPS is installed and for which any of the following has been issued: - A civil Type Certificate issued by civil aviation authorities of one or more EU Member States or Wassenaar Arrangement Participating States;<u>or</u> - An equivalent document recognised by the International Civil Aviation Organisation (ICAO); - The AMPS employs protection to prevent unauthorised access to "software";<u>and</u> - The AMPS incorporates an active mechanism that forces the system not to function when it is removed from the "civil aircraft" in which it was installed.
ML5	Fire control, surveillance and warning equipment, and related systems, test and alignment and countermeasure equipment, as follows, specially designed for military use, and specially designed components and accessories therefor: - Weapon sights, bombing computers, gun laying equipment and weapon control systems; - Other fire control, surveillance and warning equipment, and related systems, as follows: - Target acquisition, designation, range-finding, surveillance or tracking systems; - Detection, recognition or identification equipment; - Data fusion or sensor integration equipment; - Countermeasure equipment for items specified by ML5.a. or ML5.b.; <u>Note</u> For the purposes of ML5.c., countermeasure equipment includes detection equipment. d. Field test or alignment equipment, specially designed for items specified by ML5.a., ML5.b. or ML5.c.
ML6	Ground vehicles and components, as follows: <u>N.B.</u> For guidance and navigation equipment, see ML11. - Ground vehicles and components therefor, specially designed or modified for military use; <u>Note 1</u> ML6.a. includes: - Tanks and other military armed vehicles and military vehicles fitted with mountings for arms or equipment for mine laying or the launching of munitions specified by ML4; - Armoured vehicles;

	c. Amphibious and deep water fording vehicles; d. Recovery vehicles and vehicles for towing or transporting ammunition or weapon systems and associated load handling equipment; e. Trailers. <u>Note 2</u> Modification of a ground vehicle for military use specified by ML6.a. entails a structural, electrical or mechanical change involving one or more components that are specially designed for military use. Such components include: a. Pneumatic tyre casings of a kind specially designed to be bullet-proof; b. Armoured protection of vital parts (e.g. fuel tanks or vehicle cabs); c. Special reinforcements or mountings for weapons; d. Black-out lighting. b. Other ground vehicles and components, as follows: 1. Vehicles having all of the following: a. Manufactured or fitted with materials or components to provide ballistic protection equal to or better than level III (NIJ (?) 0108.01, September 1985, or "equivalent standards"); b. A transmission to provide drive to both front and rear wheels simultaneously, including those for vehicles having additional wheels for load bearing purposes whether driven or not; c. Gross Vehicle Weight Rating (GVWR) greater than 4 500 kg; <u>and</u> d. Designed or modified for off-road use; 2. Components having all of the following: a. Specially designed for vehicles specified in ML6.b.1.; <u>and</u> b. Providing ballistic protection equal to or better than level III (NIJ 0108.01, September 1985), or "equivalent standards". <u>N.B.</u> See also ML13.a. <u>Note 1</u> ML6 does not apply to civil vehicles designed or modified for transporting money or valuables. <u>Note 2</u> ML6. does not apply to vehicles that meet all of the following: a. Were manufactured before 1946; b. Do not have items specified in this Annex and manufactured after 1945, except for reproductions of original components or accessories for the vehicle;<u>and</u> c. Do not incorporate weapons specified in ML1., ML2. or ML4. unless they are inoperable and incapable of discharging a projectile.
ML7	Chemical agents, "biological agents", "riot control agents", radioactive materials, related equipment, components and materials, as follows: a. "Biological agents" or radioactive materials selected or modified to increase their effectiveness in producing casualties in humans or animals, degrading equipment or damaging crops or the environment; b. Chemical warfare (CW) agents, including: 1. CW nerve agents: a. O-Alkyl (equal to or less than C₁₀, including cycloalkyl) alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) -phosphonofluoridates, such as: Sarin (GB):O-Isopropyl methylphosphonofluoridate (CAS 107-44-8); and Soman (GD):O-Pinacolyl methylphosphonofluoridate (CAS 96-64-0); b. O-Alkyl (equal to or less than C₁₀, including cycloalkyl) N,N-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphoramidocyanidates, such as:

- Tabun (GA):O-Ethyl N,N-dimethylphosphoramidocyanidate (CAS 77-81-6);
- c. O-Alkyl (H or equal to or less than C₁₀, including cycloalkyl) S-2-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl)-aminoethyl alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphonothiolates and corresponding alkylated and protonated salts, such as:
- VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate (CAS 50782-69-9);
2. CW vesicant agents:
- a. Sulphur mustards, such as:
1. 2-Chloroethylchloromethylsulphide (CAS 2625-76-5);
 2. Bis(2-chloroethyl) sulphide (CAS 505-60-2);
 3. Bis(2-chloroethylthio) methane (CAS 63869-13-6);
 4. 1,2-bis (2-chloroethylthio) ethane (CAS 3563-36-8);
 5. 1,3-bis (2-chloroethylthio) -n-propane (CAS 63905-10-2);
 6. 1,4-bis (2-chloroethylthio) -n-butane (CAS 142868-93-7);
 7. 1,5-bis (2-chloroethylthio) -n-pentane (CAS 142868-94-8);
 8. Bis (2-chloroethylthiomethyl) ether (CAS 63918-90-1);
 9. Bis (2-chloroethylthioethyl) ether (CAS 63918-89-8);
- b. Lewisites, such as:
1. 2-chlorovinylchloroarsine (CAS 541-25-3);
 2. Tris (2-chlorovinyl) arsine (CAS 40334-70-1);
 3. Bis (2-chlorovinyl) chloroarsine (CAS 40334-69-8);
- c. Nitrogen mustards, such as:
1. HN1: bis (2-chloroethyl) ethylamine (CAS 538-07-8);
 2. HN2: bis (2-chloroethyl) methylamine (CAS 51-75-2);
 3. HN3: tris (2-chloroethyl) amine (CAS 555-77-1);
3. CW incapacitating agents, such as:
- a. 3-Quinuclidinyl benzilate (BZ) (CAS 6581-06-2);
4. CW defoliants, such as:
- a. Butyl 2-chloro-4-fluorophenoxyacetate (LNF);
- b. 2,4,5-trichlorophenoxyacetic acid (CAS 93-76-5) mixed with 2,4-dichlorophenoxyacetic acid (CAS 94-75-7) (Agent Orange (CAS 39277-47-9));
- c. CW binary precursors and key precursors, as follows:
1. Alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) Phosphonyl Difluorides, such as:

DF: Methyl Phosphonyldifluoride (CAS 676-99-3);
 2. O-Alkyl (H or equal to or less than C₁₀, including cycloalkyl) O-2-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl)-aminoethyl alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphonites and corresponding alkylated and protonated salts, such as:

QL: O-Ethyl O-2-di-isopropylaminoethyl methylphosphonite (CAS 57856-11-8);
 3. Chlorosarin: O-Isopropyl methylphosphonochloridate (CAS 1445-76-7);
 4. Chlorosoman: O-Pinacolyl methylphosphonochloridate (CAS 7040-57-5);

d. "Riot control agents", active constituent chemicals and combinations thereof, including:

1. α -Bromobenzeneacetonitrile, (Bromobenzyl cyanide) (CA) (CAS 5798-79-8);
2. [(2-chlorophenyl) methylene] propanedinitrile, (o-Chlorobenzylidenemalononitrile (CS) (CAS 2698-41-1);
3. 2-Chloro-1-phenylethanone, Phenylacetyl chloride (ω -chloroacetophenone) (CN) (CAS 532-27-4);
4. Dibenz-(b,f)-1,4-oxazepine, (CR) (CAS 257-07-8);
5. 10-Chloro-5,10-dihydrophenarsazine, (Phenarsazine chloride), (Adamsite), (DM) (CAS 578-94-9);
6. N-Nonanoylmorpholine, (MPA) (CAS 5299-64-9);

Note 1 ML7.d. does not apply to "riot control agents" individually packaged for personal self-defence purposes.

Note 2 ML7.d. does not apply to active constituent chemicals, and combinations thereof, identified and packaged for food production or medical purposes.

e. Equipment specially designed or modified for military use, designed or modified for the dissemination of any of the following, and specially designed components therefor:

1. Materials or agents specified by ML7.a., ML7.b. or ML7.d.; or
2. CW agents made up of precursors specified by ML7.c.;

f. Protective and decontamination equipment, specially designed or modified for military use, components and chemical mixtures, as follows:

1. Equipment designed or modified for defence against materials specified by ML7.a., ML7.b. or ML7.d., and specially designed components therefor;
2. Equipment designed or modified for decontamination of objects contaminated with materials specified by ML7.a. or ML7.b., and specially designed components therefor;
3. Chemical mixtures specially developed or formulated for the decontamination of objects contaminated with materials specified by ML7.a. or ML7.b.;

Note ML7.f.1. includes:

- a. Air conditioning units specially designed or modified for nuclear, biological or chemical filtration;
- b. Protective clothing.

N.B. For civil gas masks, protective and decontamination equipment, see also entry 1A004 on the EU Dual-Use List.

g. Equipment specially designed or modified for military use designed or modified for the detection or identification of materials specified by ML7.a., ML7.b. or ML7.d., and specially designed components therefor;

Note ML7.g. does not apply to personal radiation monitoring dosimeters.

N.B. See also entry 1A004 on the EU Dual-Use List.

h. "Biopolymers" specially designed or processed for the detection or identification of CW agents specified by ML7.b., and the cultures of specific cells used to produce them;

i. "Biocatalysts" for the decontamination or degradation of CW agents, and biological systems therefor, as follows:

1. "Biocatalysts" specially designed for the decontamination or degradation of CW agents specified by ML7.b., and resulting from directed laboratory selection or genetic manipulation of biological systems;
2. Biological systems containing the genetic information specific to the production of "biocatalysts" specified by ML7.i.1., as follows:
 - a. "Expression vectors";

	b. Viruses; c. Cultures of cells. <u>Note 1</u> ML7.b. and ML7.d. do not apply to the following: - Cyanogen chloride (CAS 506-77-4). See entry 1C450.a.5. on the EU Dual-Use List; - Hydrocyanic acid (CAS 74-90-8); - Chlorine (CAS 7782-50-5); - Carbonyl chloride (phosgene) (CAS 75-44-5). See entry 1C450.a.4. on the EU Dual-Use List; - Diphosgene (trichloromethyl-chloroformate) (CAS 503-38-8); - Not used since 2004; - Xylyl bromide, ortho: (CAS 89-92-9), meta: (CAS 620-13-3), para: (CAS 104-81-4); - Benzyl bromide (CAS 100-39-0); - Benzyl iodide (CAS 620-05-3); - Bromo acetone (CAS 598-31-2); - Cyanogen bromide (CAS 506-68-3); - Bromo methylethylketone (CAS 816-40-0); - Chloro acetone (CAS 78-95-5); - Ethyl iodoacetate (CAS 623-48-3); - Iodo acetone (CAS 3019-04-3); - Chloropicrin (CAS 76-06-2). See entry 1C450.a.7. on the EU Dual-Use List. <u>Note 2</u> The cultures of cells and biological systems specified by ML7.h. and ML7.i.2. are exclusive and these sub-items do not apply to cells or biological systems for civil purposes, such as agricultural, pharmaceutical, medical, veterinary, environmental, waste management, or in the food industry.
ML8	"Energetic materials", and related substances, as follows: <u>N.B.1.</u> See also entry 1C011 on the EU Dual-Use List. <u>N.B.2.</u> For charges and devices, see ML4 and entry 1A008 on the EU Dual-Use List. <u>Technical Notes</u> - ances with at least one substance being listed in the ML8 sub-items. - Any substance listed in the ML8 sub-items is subject to this list, even when utilised in an application other than that indicated. (e.g. TAGN is predominantly used as an explosive but can also be used either as a fuel or an oxidizer.) - For the purposes of ML8., particle size is the mean particle diameter on a weight or volume basis. International or equivalent national standards will be used in sampling and determining particle size. a. "Explosives" as follows, and 'mixtures' thereof: - ADNBF (aminodinitrobenzofuroxan or 7-amino-4,6-dinitrobenzofurazane-1-oxide) (CAS 97096-78-1); - BNCP (cis-bis (5-nitrotetrazolato) tetra amine-cobalt (III) perchlorate) (CAS 117412-28-9); - CL-14 (diamino dinitrobenzofuroxan or 5,7-diamino-4,6-dinitrobenzofurazane-1-oxide) (CAS 117907-74-1); - CL-20 (HNIW or Hexanitrohexaazaisowurtzitane) (CAS 135285-90-4); clathrates of CL-20 (see also ML8.g.3. and g.4. for its "precursors"); - CP (2-(5-cyanotetrazolato) penta amine-cobalt (III) perchlorate) (CAS 70247-32-4); - DADE (1,1-diamino-2,2-dinitroethylene, FOX-7) (CAS 145250-81-3); - DATB (diaminotrinitrobenzene) (CAS 1630-08-6); - DDFP (1,4-dinitrodifurazanopiperazine);

9. DDPO (2,6-diamino-3,5-dinitropyrazine-1-oxide, PZO) (CAS 194486-77-6);
10. DIPAM (3,3'-diamino-2,2',4,4',6,6'-hexanitrobiphenyl or dipicramide) (CAS 17215-44-0);
11. DNGU (DINGU or dinitroglycoluril) (CAS 55510-04-8);
12. Furazans as follows:
 - a. DAAOF (DAAF, DAAFox, or diaminoazoxyfurazan);
 - b. DAAzF (diaminoazofurazan) (CAS 78644-90-3);
13. HMX and derivatives (see also ML8.g.5. for its "precursors"), as follows:
 - a. HMX (Cyclotetramethylenetetranitramine, octahydro-1,3,5,7-tetranitro-1,3,5,7-tetrazine, 1,3,5,7-tetranitro-1,3,5,7-tetraza-cyclooctane, octogen or octogene) (CAS 2691-41-0);
 - b. difluoroaminated analogs of HMX;
 - c. K-55 (2,4,6,8-tetranitro-2,4,6,8-tetraazabicyclo [3,3,0]-octanone-3, tetranitrosemi-glycouril or keto-bicyclic HMX) (CAS 130256-72-3);
14. HNAD (hexanitroadamantane) (CAS 143850-71-9);
15. HNS (hexanitrostilbene) (CAS 20062-22-0);
16. Imidazoles as follows:
 - a. BNNII (Octahydro-2,5-bis(nitroimino)imidazo [4,5-d]imidazole);
 - b. DNI (2,4-dinitroimidazole) (CAS 5213-49-0);
 - c. FDIA (1-fluoro-2,4-dinitroimidazole);
 - d. NTDNIA (N-(2-nitrotriazolo)-2,4-dinitroimidazole);
 - e. PTIA (1-picryl-2,4,5-trinitroimidazole);
17. NTNMH (1-(2-nitrotriazolo)-2-dinitromethylene hydrazine);
18. NTO (ONTA or 3-nitro-1,2,4-triazol-5-one) (CAS 932-64-9);
19. Polynitrocubanes with more than four nitro groups;
20. PYX (2,6-Bis(picrylamino)-3,5-dinitropyridine) (CAS 38082-89-2);
21. RDX and derivatives, as follows:
 - a. RDX (cyclotrimethylenetrinitramine, cyclonite, T4, hexahydro-1,3,5-trinitro-1,3,5-triazine, 1,3,5-trinitro-1,3,5-triaza-cyclohexane, hexogen or hexogene) (CAS 121-82-4);
 - b. Keto-RDX (K-6 or 2,4,6-trinitro-2,4,6-triazacyclohexanone) (CAS 115029-35-1);
22. TAGN (triaminoguanidinenitrate) (CAS 4000-16-2);
23. TATB (triaminotrinitrobenzene) (CAS 3058-38-6) (see also ML8.g.7 for its "precursors");
24. TEDDZ (3,3,7,7-tetrakis(difluoroamine) octahydro-1,5-dinitro-1,5-diazocine);
25. Tetrazoles as follows:
 - a. NTAT (nitrotriazol aminotetrazole);
 - b. NTNT (1-N-(2-nitrotriazolo)-4-nitrotetrazole);
26. Tetryl (trinitrophenylmethylnitramine) (CAS 479-45-8);
27. TNAD (1,4,5,8-tetranitro-1,4,5,8-tetraazadecalin) (CAS 135877-16-6) (see also ML8.g.6. for its "precursors");
28. TNAZ (1,3,3-trinitroazetidine) (CAS 97645-24-4) (see also ML8.g.2. for its "precursors");
29. TNGU (SORGUYL or tetranitroglycoluril) (CAS 55510-03-7);
30. TNP (1,4,5,8-tetranitro-pyridazino[4,5-d]pyridazine) (CAS 229176-04-9);
31. Triazines as follows:
 - a. DNAM (2-oxy-4,6-dinitroamino-s-triazine) (CAS 19899-80-0);
 - b. NNHT (2-nitroimino-5-nitro-hexahydro-1,3,5-triazine) (CAS 130400-13-4);

32. Triazoles as follows:
- 5-azido-2-nitrotriazole;
 - ADHTDN (4-amino-3,5-dihydrazino-1,2,4-triazole dinitramide) (CAS 1614-08-0);
 - ADNT (1-amino-3,5-dinitro-1,2,4-triazole);
 - BDNTA ([bis-dinitrotriazole]amine);
 - DBT (3,3'-dinitro-5,5-bi-1,2,4-triazole) (CAS 30003-46-4);
 - DNBT (dinitrobistriazole) (CAS 70890-46-9);
 - Not used since 2010 ;
 - NTDNT (1-N-(2-nitrotriazolo) 3,5-dinitrotriazole);
 - PDNT (1-picryl-3,5-dinitrotriazole);
 - TACOT (tetranitrobenzotriazolobenzotriazole) (CAS 25243-36-1);
33. "Explosives" not listed elsewhere in ML8.a. and having any of the following:
- Detonation velocity exceeding 8,700 m/s, at maximum density, or
 - Detonation pressure exceeding 34 GPa (340 kbar);
34. Not used since 2013;
35. DNAN (2,4-dinitroanisole) (CAS 119-27-7);
36. TEX (4,10-Dinitro-2,6,8,12-tetraoxa-4,10-diazaisowurtzitane);
37. GUDN (Guanylurea dinitramide) FOX-12 (CAS 217464-38-5);
38. Tetrazines as follows:
- BTAT (Bis(2,2,2-trinitroethyl)-3,6-diaminotetrazine);
 - LAX-112 (3,6-diamino-1,2,4,5-tetrazine-1,4-dioxide);
39. Energetic ionic materials melting between 343 K (70°C) and 373 K (100°C) and with detonation velocity exceeding 6,800 m/s or detonation pressure exceeding 18 GPa (180 kbar);
40. BTNEN (Bis(2,2,2-trinitroethyl)-nitramine) (CAS 19836-28-3);
41. FTDO (5,6-(3',4'-furazano)- 1,2,3,4-tetrazine-1,3-dioxide);
42. EDNA (Ethylenedinitramine) (CAS 505-71-5);
43. TKX-50 (Dihydroxylammonium 5,5'-bistetrazole-1,1'-diolate);
- Note ML8.a. includes 'explosive co-crystals'.

Technical Note

An 'explosive co-crystal' is a solid material consisting of an ordered three dimensional arrangement of two or more explosive molecules, where at least one is specified in ML8.a.

- b. "Propellants" as follows:
- Any solid "propellant" with a theoretical specific impulse (under standard conditions) of more than:
 - 240 seconds for non-metallized, non-halogenized "propellant";
 - 250 seconds for non-metallized, halogenized "propellant"; or
 - 260 seconds for metallized "propellant";
 - Not used since 2013;
 - "Propellants" having a force constant of more than 1 200 kJ/kg;
 - "Propellants" that can sustain a steady-state linear burning rate of more than 38 mm/s under standard conditions (as measured in the form of an inhibited single strand) of 6.89 MPa (68.9 bar) pressure and 294 K (21 °C);

5. Elastomer Modified Cast Double Base (EMCDB) "propellants" with extensibility at maximum stress of more than 5 % at 233 K (- 40°C);
 6. Any "propellant" containing substances specified by ML8.a.;
 7. "Propellants", not specified elsewhere in this Annex, specially designed for military use;
 - c. "Pyrotechnics", fuels and related substances, as follows, and 'mixtures' thereof:
 1. "Aircraft" fuels specially formulated for military purposes;
Note 1 ML8.c.1 does not apply to the following "aircraft" fuels: JP-4, JP-5, and JP-8.
Note 2 "Aircraft" fuels specified by ML8.c.1. are finished products, not their constituents.
 2. Alane (aluminium hydride) (CAS 7784-21-6);
 3. Boranes, as follows, and their derivatives:
 - a. Carboranes;
 - b. Borane homologues, as follows:
 1. Decaborane (14) (CAS 17702-41-9);
 2. Pentaborane (9) (CAS 19624-22-7);
 3. Pentaborane (11) (CAS 18433-84-6);
 4. Hydrazine and derivatives, as follows (see also ML8.d.8. and d.9. for oxidising hydrazine derivatives):
 - a. Hydrazine (CAS 302-01-2) in concentrations of 70 % or more;
 - b. Monomethyl hydrazine (CAS 60-34-4);
 - c. Symmetrical dimethyl hydrazine (CAS 540-73-8);
 - d. Unsymmetrical dimethyl hydrazine (CAS 57-14-7);
Note ML8.c.4.a. does not apply to hydrazine 'mixtures' specially formulated for corrosion control.
 5. Metal fuels, fuel 'mixtures' or "pyrotechnic" 'mixtures', in particle form whether spherical, atomised, spheroidal, flaked or ground, manufactured from material consisting of 99 % or more of any of the following:
 - a. Metals, as follows, and 'mixtures' thereof:
 1. Beryllium (CAS 7440-41-7) in particle sizes of less than 60 µm;
 2. Iron powder (CAS 7439-89-6) with particle size of 3 µm or less produced by reduction of iron oxide with hydrogen;
 - b. 'Mixtures' containing any of the following:
 1. Zirconium (CAS 7440-67-7), magnesium (CAS 7439-95-4) or alloys of these in particle sizes of less than 60 µm; or
 2. Boron (CAS 7440-42-8) or boron carbide (CAS 12069-32-8) fuels of 85 % purity or higher and particle sizes of less than 60 µm;
- Note 1 ML8.c.5. applies to "explosives" and fuels, whether or not the metals or alloys are encapsulated in aluminium, magnesium, zirconium, or beryllium.
- Note 2 ML8.c.5.b. only applies to metal fuels in particle form when they are mixed with other substances to form a 'mixture' formulated for military purposes such as liquid "propellant" slurries, solid "propellants", or "pyrotechnic" 'mixtures'.
- Note 3 ML8.c.5.b.2. does not apply to boron and boron carbide enriched with boron-10 (20% or more of total boron-10 content.)
6. Military materials, containing thickeners for hydrocarbon fuels, specially formulated for use in flame throwers or incendiary munitions, such as metal stearates (e.g. octal (CAS 637-12-7)) or palmitates;
 7. Perchlorates, chlorates and chromates, composited with powdered metal or other high energy fuel components;
 8. Spherical or spheroidal aluminium powder (CAS 7429-90-5) with a particle size of 60 µm or less and manufactured from material with an aluminium content of 99 % or more;

9. Titanium subhydride (TiH_n) of stoichiometry equivalent to $n = 0.65\text{--}1.68$;
10. Liquid high energy density fuels not specified in ML8.c.1., as follows:
 - a. Mixed fuels, that incorporate both solid and liquid fuels (e.g. boron slurry), having a mass-based energy density of 40 MJ/kg or greater;
 - b. Other high energy density fuels and fuel additives (e.g. cubane, ionic solutions, JP-7, JP-10), having a volume-based energy density of 37.5 GJ per cubic meter or greater, measured at 293 K (20°C) and one atmosphere (101.325 kPa) pressure;

Note ML8.c.10.b. does not apply to fossil refined fuels or biofuels, or fuels for engines certified for use in civil aviation.

11. "Pyrotechnic" and pyrophoric materials, as follows:
 - a. "Pyrotechnic" or pyrophoric materials specifically formulated to enhance or control the production of radiated energy in any part of the IR spectrum;
 - b. Mixtures of magnesium, polytetrafluoroethylene (PTFE) and a vinylidene difluoride-hexafluoropropylene copolymer (e.g. MTV);
12. Fuel mixtures, "pyrotechnic" mixtures or "energetic materials", not specified elsewhere in ML8, having all of the following:
 - a. Containing greater than 0.5% of particles of any of the following:
 1. Aluminium;
 2. Beryllium;
 3. Boron;
 4. Zirconium;
 5. Magnesium; or
 6. Titanium;
 - b. Particles specified by ML8.c.12.a. with a size less than 200 nm in any direction; and
 - c. Particles specified by ML8.c.12.a. with a metal content of 60% or greater;

Note ML8.c.12. includes thermites.

- d. Oxidizers, as follows, and 'mixtures' thereof:
 1. ADN (ammonium dinitramide or SR 12) (CAS 140456-78-6);
 2. AP (ammonium perchlorate) (CAS 7790-98-9);
 3. Compounds composed of fluorine and any of the following:
 - a. Other halogens;
 - b. Oxygen; or
 - c. Nitrogen;

Note 1 ML8.d.3. does not apply to chlorine trifluoride (CAS 7790-91-2).

Note 2 ML8.d.3 does not apply to nitrogen trifluoride (CAS 7783-54-2) in its gaseous state.

 4. DNAD (1,3-dinitro-1,3-diazetidine) (CAS 78246-06-7);
 5. HAN (hydroxylammonium nitrate) (CAS 13465-08-2);
 6. HAP (hydroxylammonium perchlorate) (CAS 15588-62-2);
 7. HNF (hydrazinium nitroformate) (CAS 20773-28-8);
 8. Hydrazine nitrate (CAS 37836-27-4);
 9. Hydrazine perchlorate (CAS 27978-54-7);
 10. Liquid oxidisers comprised of or containing inhibited red fuming nitric acid (IRFNA) (CAS 8007-58-7);

Note ML8.d.10 does not apply to non-inhibited fuming nitric acid.
- e. Binders, plasticisers, monomers and polymers, as follows:

1. AMMO (azidomethylmethyloxetane and its polymers) (CAS 90683-29-7) (see also ML8.g.1. for its "precursors");
2. BAMO (3,3-bis(azidomethyl)oxetane and its polymers) (CAS 17607-20-4) (see also ML8.g.1. for its "precursors");
3. BDNPA (bis (2,2-dinitropropyl)acetal) (CAS 5108-69-0);
4. BDNPF (bis (2,2-dinitropropyl)formal) (CAS 5917-61-3);
5. BTTN (butanetrioltrinitrate) (CAS 6659-60-5) (see also ML8.g.8. for its "precursors");
6. Energetic monomers, plasticizers or polymers, specially formulated for military use and containing any of the following:
 - a. Nitro groups;
 - b. Azido groups;
 - c. Nitrate groups;
 - d. Nitraza groups; or
 - e. Difluoroamino groups;
7. FAMAO (3-difluoroaminomethyl-3-azidomethyl oxetane) and its polymers;
8. FEFO (bis-(2-fluoro-2,2-dinitroethyl) formal) (CAS 17003-79-1);
9. FPF-1 (poly-2,2,3,3,4,4-hexafluoropentane-1,5-diol formal) (CAS 376-90-9);
10. FPF-3 (poly-2,4,4,5,5,6,6-heptafluoro-2-tri-fluoromethyl-3-oxaheptane-1,7-diol formal);
11. GAP (glycidylazide polymer) (CAS 143178-24-9) and its derivatives;
12. HTPB (hydroxyl terminated polybutadiene) with a hydroxyl functionality equal to or greater than 2.2 and less than or equal to 2.4, a hydroxyl value of less than 0.77 meq/g, and a viscosity at 30 °C of less than 47 poise (CAS 69102-90-5);
13. Alcohol functionalised poly(epichlorohydrin) with a molecular weight less than 10,000, as follows:
 - a. Poly(epichlorohydrindiol);
 - b. Poly(epichlorohydrintriol)
14. NENAs (nitrateethylnitramine compounds) (CAS 17096-47-8, 85068-73-1, 82486-83-7, 82486-82-6 and 85954-06-9);
15. PGN (poly-GLYN, polyglycidynitrate or poly(nitratomethyl oxirane)) (CAS 27814-48-8);
16. Poly-NIMMO (poly (nitratomethylmethyloxetane), poly-NMMO or poly(3-Nitratomethyl-3-methyloxetane)) (CAS 84051-81-0);
17. Polynitroorthocarbonates;
18. TVOPA (1,2,3-tris[1,2-bis(difluoroamino)ethoxy] propane or tris vinoxy propane adduct) (CAS 53159-39-0);
19. 4,5 diazidomethyl-2-methyl-1,2,3-triazole (iso- DAMTR);
20. PNO (Poly(3-nitrato oxetane));
21. TMETN (Trimethylolethane trinitrate) (CAS 3032-55-1);
- f. "Additives" as follows:
 1. Basic copper salicylate (CAS 62320-94-9);
 2. BHEGA (bis-(2-hydroxyethyl) glycolamide) (CAS 17409-41-5);
 3. BNO (butadienenitrileoxide) ;
 4. Ferrocene derivatives as follows:
 - a. Butacene (CAS 125856-62-4);
 - b. Catocene (2,2-bis-ethylferrocenyl propane) (CAS 37206-42-1);
 - c. Ferrocene carboxylic acids and ferrocene carboxylic acid esters;
 - d. n-butyl-ferrocene (CAS 31904-29-7);

- e. Other adducted polymer ferrocene derivatives not specified elsewhere in ML8.f.4. ;
- f. Ethyl ferrocene (CAS 1273-89-8);
- g. Propyl ferrocene;
- h. Pentyl ferrocene (CAS 1274-00-6);
- i. Dicyclopentyl ferrocene;
- j. Dicyclohexyl ferrocene;
- k. Diethyl ferrocene (CAS 1273-97-8);
- l. Dipropyl ferrocene;
- m. Dibutyl ferrocene (CAS 1274-08-4);
- n. Dihexyl ferrocene (CAS 93894-59-8);
- o. Acetyl ferrocene (CAS 1271-55-2)/1,1'-diacetyl ferrocene (CAS 1273-94-5);
5. Lead beta-resorcyate (CAS 20936-32-7) or copper beta-resorcyate (CAS 70983-44-7);
6. Lead citrate (CAS 14450-60-3);
7. Lead-copper chelates of beta-resorcyate or salicylates (CAS 68411-07-4);
8. Lead maleate (CAS 19136-34-6);
9. Lead salicylate (CAS 15748-73-9);
10. Lead stannate (CAS 12036-31-6);
11. MAPO (tris-1-(2-methyl)aziridinyl phosphine oxide) (CAS 57-39-6); BOBBA 8 (bis(2-methyl aziridinyl) 2-(2-hydroxypropanoxy) propylamino phosphine oxide); and other MAPO derivatives;
12. Methyl BAPO (bis(2-methyl aziridinyl) methylamino phosphine oxide) (CAS 85068-72-0);
13. N-methyl-p-nitroaniline (CAS 100-15-2);
14. 3-Nitroazirane-1,5-pentane diisocyanate (CAS 7406-61-9);
15. Organo-metallic coupling agents as follows:
 - a. Neopentyl[diallyl]oxy, tri[dioctyl]phosphato-titanate (CAS 103850-22-2); also known as titanium IV, 2,2[bis 2-propenolato-methyl, butanolato, tris (dioctyl) phosphato] (CAS 110438-25-0); or LICA 12 (CAS 103850-22-2);
 - b. Titanium IV, [(2-propenolato-1) methyl, n-propanolatomethyl] butanolato-1, tris [dioctyl] pyrophosphate or KR3538;
 - c. Titanium IV, [(2-propenolato-1)methyl, n-propanolatomethyl] butanolato-1, tris(dioctyl)phosphate;
16. Polycyanodifluoroaminoethyleneoxide;
17. Bonding agents as follows:
 - a. 1,1R,1S-trimesoyl-tris(2-ethylaziridine) (HX-868, BITA) (CAS 7722-73-8);
 - b. Polyfunctional aziridine amides with isophthalic, trimesic, isocyanuric or trimethyladipic backbone also having a 2-methyl or 2-ethyl aziridine group;

Note Item ML.8.f.17.b. includes:

 - a. 1,1H-Isophthaloyl-bis(2-methylaziridine)(HX-752) (CAS 7652-64-4);
 - b. 2,4,6-tris(2-ethyl-1-aziridinyl)-1,3,5-triazine (HX-874) (CAS 18924-91-9);
 - c. 1,1'-trimethyladipoyl-bis(2-ethylaziridine) (HX-877)(CAS 71463-62-2).
18. Propyleneimine (2-methylaziridine) (CAS 75-55-8);
19. Superfine iron oxide (Fe₂O₃) (CAS 1317-60-8) with a specific surface area more than 250 m²/g and an average particle size of 3.0 nm or less;
20. TEPAN (tetraethylenepentaamineacrylonitrile) (CAS 68412-45-3); cyanoethylated polyamines and their salts;

21. TEPANOL (tetraethylenepentaamineacrylonitrileglycidol) (CAS 68412-46-4); cyanoethylated polyamines adducted with glycidol and their salts;
22. TPB (triphenyl bismuth) (CAS 603-33-8);
23. TEPB (Tris (ethoxyphenyl) bismuth) (CAS 90591-48-3);

g. "Precursors" as follows:

N.B. In ML8.g. the references are to specified "Energetic Materials" manufactured from these substances.

1. BCMO (3,3-bis(chloromethyl)oxetane) (CAS 78-71-7) (see also ML8.e.1. and e.2.);
2. Dinitroazetidine-t-butyl salt (CAS 125735-38-8) (see also ML8.a.28.);
3. Hexaazaisowurtzitane derivatives including HBIW (hexabenzylhexaazaisowurtzitane) (CAS 124782-15-6) (see also ML8.a.4.) and TAIW (tetraacetyldibenzylhexaazaisowurtzitane) (CAS 182763-60-6) (see also ML8.a.4.);
4. Not used since 2013;
5. TAT (1,3,5,7 tetraacetyl-1,3,5,7-tetraaza cyclo-octane) (CAS 41378-98-7) (see also ML8.a.13.);
6. 1,4,5,8-tetraazadecalin (CAS 5409-42-7) (see also ML8.a.27.);
7. 1,3,5-trichlorobenzene (CAS 108-70-3) (see also ML8.a.23.);
8. 1,2,4-trihydroxybutane (1,2,4-butanetriol) (CAS 3068-00-6) (see also ML8.e.5.);
9. DADN (1,5-diacetyl-3,7-dinitro-1, 3, 5, 7-tetraaza-cyclooctane) (see also ML8.a.13.).

h. 'Reactive material' powders and shapes, as follows:

1. Powders of any of the following materials, with a particle size less than 250 µm in any direction and not specified elsewhere by ML8:
 - a. Aluminium;
 - b. Niobium;
 - c. Boron;
 - d. Zirconium;
 - e. Magnesium;
 - f. Titanium;
 - g. Tantalum;
 - h. Tungsten;
 - i. Molybdenum; or
 - j. Hafnium;
2. Shapes, not specified by ML3, ML4, ML12 or ML16, fabricated from powders specified by ML8.h.1.

Technical Notes

1. 'Reactive materials' are designed to produce an exothermic reaction only at high shear rates and for use as liners or casings in warheads.
2. 'Reactive material' powders are produced by, for example, a high energy ball milling process.
3. 'Reactive material' shapes are produced by, for example, selective laser sintering

Note 1 ML8 does not apply to the following substances unless they are compounded or mixed with the "energetic material" specified by ML8.a. or powdered metals specified by ML8.c.:

- a. Ammonium picrate (CAS 131-74-8);
- b. Black powder;

- c. Hexanitrodiphenylamine (CAS 131-73-7);
- d. Difluoroamine (CAS 10405-27-3);
- e. Nitrostarch (CAS 9056-38-6);
- f. Potassium nitrate (CAS 7757-79-1);
- g. Tetranitronaphthalene;
- h. Trinitroanisole;
- i. Trinitronaphthalene;
- j. Trinitroxylene;
- k. N-pyrrolidinone; 1-methyl-2-pyrrolidinone (CAS 872-50-4);
- l. Dioctylmaleate (CAS 142-16-5);
- m. Ethylhexylacrylate (CAS 103-11-7);
- n. Triethylaluminium (TEA) (CAS 97-93-8), trimethylaluminium (TMA) (CAS 75-24-1), and other pyrophoric metal alkyls and aryls of lithium, sodium, magnesium, zinc or boron;
- o. Nitrocellulose (CAS 9004-70-0);
- p. Nitroglycerin (or glyceroltrinitrate, trinitroglycerine) (NG) (CAS 55-63-0);
- q. 2,4,6-trinitrotoluene (TNT) (CAS 118-96-7);
- r. Ethylenediaminedinitrate (EDDN) (CAS 20829-66-7);
- s. Pentaerythritoltetranitrate (PETN) (CAS 78-11-5);
- t. Lead azide (CAS 13424-46-9), normal lead styphnate (CAS 15245-44-0) and basic lead styphnate (CAS 12403-82-6), and primary explosives or priming compositions containing azides or azide complexes;
- u. Triethyleneglycoldinitrate (TEGDN) (CAS 111-22-8);
- v. 2,4,6-trinitroresorcinol (styphnic acid) (CAS 82-71-3);
- w. Diethyldiphenylurea (CAS 85-98-3); dimethyldiphenylurea (CAS 611-92-7); methylethyl-diphenyl urea [Centralites];
- x. N,N-diphenylurea (unsymmetrical diphenylurea) (CAS 603-54-3);
- y. Methyl-N,N-diphenylurea (methyl unsymmetrical diphenylurea) (CAS 13114-72-2);
- z. Ethyl-N,N-diphenylurea (ethyl unsymmetrical diphenylurea) (CAS 64544-71-4);
- aa. 2-Nitrodiphenylamine (2-NDPA) (CAS 119-75-5);
- bb. 4-Nitrodiphenylamine (4-NDPA) (CAS 836-30-6);
- cc. 2,2-dinitropropanol (CAS 918-52-5);
- dd. Nitroguanidine (CAS 556-88-7) (see entry 1C011.d. on the EU Dual-Use List).

Note 2 ML8. does not apply to ammonium perchlorate (ML8.d.2.), NTO (ML8.a.18.) or catocene (ML8.f.4.b.), and meeting all of the following:

- a. Specially shaped and formulated for civil-use gas generation devices;
- b. Compounded or mixed, with non-active thermoset binders or plasticizers, and having a mass of less than 250 g;
- c. Having a maximum of 80% ammonium perchlorate (ML8.d.2.) in mass of active material;
- d. Having less than or equal to 4 g of NTO (ML8.a.18.); and
- e. Having less than or equal to 1 g of catocene (ML8.f.4.b.).

ML9

Vessels of war (surface or underwater), special naval equipment, accessories, components and other surface vessels, as follows:*N.B. For guidance and navigation equipment, see ML11.***a. Vessels and components, as follows:**

1. Vessels (surface or underwater) specially designed or modified for military use, regardless of current state of repair or operating condition, and whether or not they contain weapon delivery systems or armour, and hulls or parts of hulls for such vessels, and components therefor specially designed for military use;

Note ML9.a.1. includes vehicles specially designed or modified for the delivery of divers.

2. Surface vessels, not specified in ML9.a.1., having any of the following, fixed or integrated into the vessel:

- a. Automatic weapons - specified in ML1, or weapons specified in ML2, ML4, ML12 or ML19, or 'mountings' or hard points for weapons having a calibre of 12.7 mm or greater;

*Technical Note**'Mountings' refers to weapon mounts or structural strengthening for the purpose of installing weapons.*

- b. Fire control systems specified in ML5;

- c. Having all of the following:

1. 'Chemical, Biological, Radiological and Nuclear (CBRN) protection'; and
2. 'Pre-wet or wash down system' designed for decontamination purposes; or

Technical Notes

1. 'CBRN protection' is a self-contained interior space containing features such as over-pressurization, isolation of ventilation systems, limited ventilation openings with CBRN filters and limited personnel access points incorporating air-locks.

2. 'Pre-wet or wash down system' is a seawater spray system capable of simultaneously wetting the exterior superstructure and decks of a vessel.

- d. Active weapon countermeasure systems specified in ML4.b., ML5.c. or ML11.a. and having any of the following:

1. 'CBRN protection';
2. Hull and superstructure, specially designed to reduce the radar cross section;
3. Thermal signature reduction devices, (e.g. an exhaust gas cooling system), excluding those specially designed to increase overall power plant efficiency or to reduce the environmental impact; or
4. A degaussing system designed to reduce the magnetic signature of the whole vessel;

- b. Engines and propulsion systems, as follows, specially designed for military use and components therefor specially designed for military use:

1. Diesel engines specially designed for submarines;
2. Electric motors specially designed for submarines and having all of the following:
 - a. Power output of more than 0.75 MW (1 000 hp);
 - b. Quick reversing;
 - c. Liquid cooled; and
 - d. Totally enclosed;
3. Diesel engines having all of the following:
 - a. Power output of 37.3 kW (50 hp) or more; and
 - b. 'Non-magnetic' content in excess of 75% of total mass;

*Technical Note**For the purpose of ML9.b.3., 'non-magnetic' means the relative permeability is less than 2.*

4. 'Air Independent Propulsion' (AIP) systems specially designed for submarines;

	<u>Technical Note</u> 'Air Independent Propulsion' (AIP) allows a submerged submarine to operate its propulsion system, without access to atmospheric oxygen, for a longer time than the batteries would have otherwise allowed. For the purposes of ML9.b.4., AIP does not include nuclear power. c. Underwater detection devices, specially designed for military use, controls therefor and components therefor specially designed for military use; d. Anti-submarine nets and anti-torpedo nets, specially designed for military use; e. Not used since 2003; f. Hull penetrators and connectors, specially designed for military use, that enable interaction with equipment external to a vessel, and components therefor specially designed for military use; <u>Note</u> ML9.f. includes connectors for vessels which are of the single-conductor, multi-conductor, coaxial or waveguide type, and hull penetrators for vessels, both of which are capable of remaining impervious to leakage from without and of retaining required characteristics at marine depths exceeding 100 m; and fibre-optic connectors and optical hull penetrators, specially designed for "laser" beam transmission, regardless of depth. ML9.f. does not apply to ordinary propulsive shaft and hydrodynamic control-rod hull penetrators. g. Silent bearings having any of the following, components therefor and equipment containing those bearings, specially designed for military use: 1. Gas or magnetic suspension; 2. Active signature controls; <u>or</u> 3. Vibration suppression controls. h. Nuclear power generating equipment or propulsion equipment, specially designed for vessels specified in ML9.a. and components therefor specially designed or 'modified' for military use. <u>Technical Note</u> For the purpose of ML9.h., 'modified' means any structural, electrical, mechanical, or other change that provides a non-military item with military capabilities equivalent to an item which is specially designed for military use. <u>Note</u> ML9.h. includes "nuclear reactors".
ML10	"Aircraft", "lighter-than-air vehicles", "Unmanned Aerial Vehicles" ("UAVs"), aero-engines and "aircraft" equipment, related equipment, and components, as follows, specially designed or modified for military use: <u>N.B.</u> For guidance and navigation equipment, see ML11. a. Manned "aircraft" and "lighter-than-air vehicles", and specially designed components therefor; b. Not used since 2011; c. Unmanned "aircraft" and "lighter-than-air vehicles", and related equipment, as follows, and specially designed components therefor: 1. "UAVs", Remotely Piloted Air Vehicles (RPVs), autonomous programmable vehicles and unmanned "lighter-than-air vehicles"; 2. Launchers, recovery equipment and ground support equipment; 3. Equipment designed for command or control; d. Propulsion aero-engines and specially designed components therefor; e. Airborne refuelling equipment specially designed or modified for any of the following, and specially designed components therefor: 1. "Aircraft" specified by ML10.a.; <u>or</u> 2. Unmanned "aircraft" specified by ML10.c.; f. 'Ground equipment' specially designed for "aircraft" specified by ML10.a. or aero-engines specified by ML10.d.; <u>Technical Note</u> 'Ground equipment' includes pressure refuelling equipment and equipment designed to facilitate operations in confined areas.

- g. Aircrew life support equipment, aircrew safety equipment and other devices for emergency escape, not specified in ML10.a., designed for "aircraft" specified by ML10.a.;

Note ML10.g. does not control aircrew helmets that do not incorporate, or have mountings or fittings for, equipment specified in this Annex.

N.B. For helmets see also ML13.c.

- h. Parachutes, paragliders and related equipment, as follows, and specially designed components therefor:

1. Parachutes not specified elsewhere in this Annex;
2. Paragliders;
3. Equipment specially designed for high altitude parachutists (e.g. suits, special helmets, breathing systems, navigation equipment);

- i. Controlled opening equipment or automatic piloting systems, designed for parachuted loads.

Note 1 ML10.a. does not apply to "aircraft" and "lighter-than-air vehicles" or variants of those "aircraft", specially designed for military use and which are all of the following:

- a. Not a combat "aircraft";
- b. Not configured for military use and not fitted with equipment or attachments specially designed or modified for military use; and
- c. Certified for civil use by civil aviation authorities of one or more EU Member States or Wassenaar Arrangement Participating States.

Note 2 ML10.d. does not apply to:

- a. Aero-engines designed or modified for military use which have been certified by civil aviation authorities of one or more EU Member States or Wassenaar Arrangement Participating States for use in "civil aircraft", or specially designed components therefor;
- b. Reciprocating engines or specially designed components therefor, except those specially designed for "UAVs".

Note 3 For the purposes of ML10.a. and ML10.d., specially designed components and related equipment for non-military "aircraft" or aero-engines modified for military use applies only to those military components and to military related equipment required for the modification to military use.

Note 4 For the purposes of ML10.a., military use includes: combat, military reconnaissance, assault, military training, logistics support, and transporting and airdropping troops or military equipment.

Note 5 ML10.a. does not apply to "aircraft" or "lighter-than-air-vehicles" that meet all of the following:

- a. Were first manufactured before 1946;
- b. Do not incorporate items specified in this Annex, unless the items are required to meet safety or airworthiness standards of civil aviation authorities of one or more EU Member States or Wassenaar Arrangement Participating States; and
- c. Do not incorporate weapons specified in this Annex, unless inoperable and incapable of being returned to operation.

Note 6 ML10.d. does not apply to propulsion aero-engines that were first manufactured before 1946.

ML11	Electronic equipment, "spacecraft" and components, not specified elsewhere in this Annex, as follows: a. Electronic equipment specially designed for military use and specially designed components therefor ; <u>Note</u> ML11.a. includes: a. Electronic countermeasure and electronic counter-countermeasure equipment (i.e. equipment designed to introduce extraneous or erroneous signals into radar or radio communication receivers or otherwise hinder the reception, operation or effectiveness of adversary electronic receivers including their countermeasure equipment), including jamming and counter-jamming equipment; b. Frequency agile tubes; c. Electronic systems or equipment, designed either for surveillance and monitoring of the electromagnetic spectrum for military intelligence or security purposes or for counteracting such surveillance and monitoring; d. Underwater countermeasures, including acoustic and magnetic jamming and decoy, equipment designed to introduce extraneous or erroneous signals into sonar receivers; e. Data processing security equipment, data security equipment and transmission and signalling line security equipment, using ciphering processes; f. Identification, authentication and keyloader equipment and key management, manufacturing and distribution equipment; g. Guidance and navigation equipment; h. Digital troposcatter-radio communications transmission equipment; i. Digital demodulators specially designed for signals intelligence; j. "Automated command and control systems". <u>N.B.</u> For "software" associated with military "Software" Defined Radio (SDR), see ML21. b. "Satellite navigation system" jamming equipment and specially designed components therefor; c. "Spacecraft" specially designed or modified for military use, and "spacecraft" components specially designed for military use.
ML12	High velocity kinetic energy weapon systems and related equipment, as follows, and specially designed components therefor: a. Kinetic energy weapon systems specially designed for destruction or effecting mission-abort of a target; b. Specially designed test and evaluation facilities and test models, including diagnostic instrumentation and targets, for dynamic testing of kinetic energy projectiles and systems. <u>N.B.</u> For weapon systems using sub-calibre ammunition or employing solely chemical propulsion, and ammunition therefor, see ML1 to ML4. <u>Note 1</u> ML12 includes the following when specially designed for kinetic energy weapon systems: a. Launch propulsion systems capable of accelerating masses larger than 0.1 g to velocities in excess of 1.6 km/s, in single or rapid fire modes; b. Prime power generation, electric armour, energy storage (e.g. high energy storage capacitors), thermal management, conditioning, switching or fuel-handling equipment; and electrical interfaces between power supply, gun and other turret electric drive functions; <u>N.B.</u> See also 3A001.e.2. on the EU Dual-Use List for high energy storage capacitors. c. Target acquisition, tracking, fire control or damage assessment systems; d. Homing seeker, guidance or divert propulsion (lateral acceleration) systems for projectiles. <u>Note 2</u> ML12 applies to weapon systems using any of the following methods of propulsion: a. Electromagnetic; b. Electrothermal; c. Plasma; d. Light gas;<u>or</u> e. Chemical (when used in combination with any of the above).

ML13	Armoured or protective equipment, constructions and components, as follows: a. Metallic or non-metallic armoured plate, having any of the following: 1. Manufactured to comply with a military standard or specification; <u>or</u> 2. Suitable for military use; <i>N.B. For body armour plates, see ML13.d.2.</i> b. Constructions of metallic or non-metallic materials, or combinations thereof, specially designed to provide ballistic protection for military systems, and specially designed components therefor; c. Helmets manufactured according to military standards or specifications, or comparable national standards, and specially designed helmet shells, liners, or comfort pads, therefor; <i>N.B. For other military helmet components or accessories, see the relevant entry in this Annex.</i> d. Body armour or protective garments, and components therefor, as follows: 1. Soft body armour or protective garments, manufactured to military standards or specifications, or to their equivalents, and specially designed components therefor; <i>Note For the purposes of ML13.d.1., military standards or specifications include, at a minimum, specifications for fragmentation protection.</i> 2. Hard body armour plates providing ballistic protection equal to or greater than level III (NIJ 0101,06, July 2008) or "equivalent standards". <i>Note 1 ML13.b. includes materials specially designed to form explosive reactive armour or to construct military shelters.</i> <i>Note 2 ML13.c. does not apply to conventional steel helmets, neither modified or designed to accept, nor equipped with any type of accessory device.</i> <i>Note 3 ML13.c. and d. do not apply to helmets, body armour or protective garments, when accompanying their user for the user's own personal protection.</i> <i>Note 4 The only helmets specially designed for bomb disposal personnel that are specified by ML13.c. are those specially designed for military use.</i> <i>N.B. 1 See also entry 1A005 on the EU Dual-Use List.</i> <i>N.B. 2 For "fibrous or filamentary materials" used in the manufacture of body armour and helmets, see entry 1C010 on the EU Dual-Use List.</i>
ML14	'Specialised equipment for military training' or for simulating military scenarios, simulators specially designed for training in the use of any firearm or weapon specified by ML1 or ML2, and specially designed components and accessories therefor. <i>Technical Note</i> <i>The term 'specialised equipment for military training' includes military types of attack trainers, operational flight trainers, radar target trainers, radar target generators, gunnery training devices, anti-submarine warfare trainers, flight simulators (including human-rated centrifuges for pilot/astronaut training), radar trainers, instrument flight trainers, navigation trainers, missile launch trainers, target equipment, drone "aircraft", armament trainers, pilotless "aircraft" trainers, mobile training units and training equipment for ground military operations.</i> <i>Note 1 ML14 includes image generating and interactive environment systems for simulators, when specially designed or modified for military use.</i> <i>Note 2 ML14 does not apply to equipment specially designed for training in the use of hunting or sporting weapons.</i>
ML15	Imaging or countermeasure equipment, as follows, specially designed for military use, and specially designed components and accessories therefor: a. Recorders and image processing equipment; b. Cameras, photographic equipment and film processing equipment; c. Image intensifier equipment; d. Infrared or thermal imaging equipment;

	e. Imaging radar sensor equipment; f. Countermeasure or counter-countermeasure equipment, for the equipment specified by ML15.a. to ML15.e. <u>Note</u> ML15.f. includes equipment designed to degrade the operation or effectiveness of military imaging systems or to minimize such degrading effects. <u>Note</u> ML15. does not apply to "first generation image intensifier tubes" or equipment specially designed to incorporate "first generation image intensifier tubes". <u>N.B.</u> For the classification of weapons sights incorporating "first generation image intensifier tubes" see ML1, ML2. and ML5.a. <u>N.B.</u> See also entries 6A002.a.2. and 6A002.b. on the EU Dual-Use List.
ML16	Forgings, castings and other unfinished products, specially designed for items specified by ML1 to ML4, ML6, ML9, ML10, ML12 or ML19. <u>Note</u> ML16. applies to unfinished products when they are identifiable by material composition, geometry or function.
ML17	Miscellaneous equipment, materials and "libraries", as follows, and specially designed components therefor: a. Diving and underwater swimming apparatus, specially designed or modified for military use, as follows: 1. Self-contained diving rebreathers, closed or semi-closed circuit; 2. Underwater swimming apparatus specially designed for use with the diving apparatus specified in ML17.a.1.; <u>N.B.</u> See also 8A002.q. on the EU Dual-Use List. b. Construction equipment specially designed for military use; c. Fittings, coatings and treatments, for signature suppression, specially designed for military use; d. Field engineer equipment specially designed for use in a combat zone; e. "Robots", "robot" controllers and "robot" "end-effectors", having any of the following characteristics: 1. Specially designed for military use; 2. Incorporating means of protecting hydraulic lines against externally induced punctures caused by ballistic fragments (e.g. incorporating self-sealing lines) and designed to use hydraulic fluids with flash points higher than 839 K (566 °C); or 3. Specially designed or rated for operating in an electromagnetic pulse (EMP) environment; <u>Technical Note</u> Electro-magnetic pulse does not refer to unintentional interference caused by electromagnetic radiation from nearby equipment (e.g. machinery, appliances or electronics) or lightning. f. "Libraries" specially designed or modified for military use with systems, equipment or components, specified in this Annex; g. Nuclear power generating equipment or propulsion equipment, not specified elsewhere, specially designed for military use and components therefor specially designed or 'modified' for military use; <u>Note</u> ML17.g. includes "nuclear reactors". h. Equipment and material, coated or treated for signature suppression, specially designed for military use, not specified elsewhere in this Annex; i. Simulators specially designed for military "nuclear reactors"; j. Mobile repair shops specially designed or 'modified' to service military equipment;

	k. Field generators specially designed or 'modified' for military use; l. ISO intermodal containers or demountable vehicle bodies (i.e. swap bodies), specially designed or 'modified' for military use; m. Ferries, not specified elsewhere in this Annex, bridges and pontoons, specially designed for military use; n. Test models specially designed for the "development" of items specified by ML4, ML6, ML9 or ML10; o. "Laser" protection equipment (e.g. eye or sensor protection) specially designed for military use; p. "Fuel cells", not specified elsewhere in this Annex, specially designed or 'modified' for military use. <u>Technical Notes</u> 1. Not used since 2014. 2. For the purpose of ML17, 'modified' means any structural, electrical, mechanical, or other change that provides a non-military item with military capabilities equivalent to an item which is specially designed for military use.
ML18	'Production' equipment, environmental test facilities and components, as follows: a. Specially designed or modified 'production' equipment for the 'production' of products specified in this Annex, and specially designed components therefor; b. Specially designed environmental test facilities and specially designed equipment therefor, for the certification, qualification or testing of products specified in this Annex. <u>Technical Note</u> For the purposes of ML18, the term 'production' includes design, examination, manufacture, testing and checking. <u>Note</u> ML18.a. and ML18.b. include the following equipment: a. Continuous nitrators; b. Centrifugal testing apparatus or equipment having any of the following: 1. Driven by a motor or motors having a total rated horsepower of more than 298 kW (400 hp); 2. Capable of carrying a payload of 113 kg or more; or 3. Capable of exerting a centrifugal acceleration of 8 g or more on a payload of 91 kg or more; c. Dehydration presses; d. Screw extruders specially designed or modified for military "explosive" extrusion; e. Cutting machines for the sizing of extruded "propellants"; f. Sweetie barrels (tumblers) 1.85 m or more in diameter and having over 227 kg product capacity; g. Continuous mixers for solid "propellants"; h. Fluid energy mills for grinding or milling the ingredients of military "explosives"; i. Equipment to achieve both sphericity and uniform particle size in metal powder listed in ML8.c.8.; j. Convection current converters for the conversion of materials listed in ML8.c.3.
ML19	Directed Energy Weapon (DEW) systems, related or countermeasure equipment and test models, as follows, and specially designed components therefor: a. "Laser" systems specially designed for destruction or effecting mission-abort of a target; b. Particle beam systems capable of destruction or effecting mission-abort of a target; c. High power Radio-Frequency (RF) systems capable of destruction or effecting mission-abort of a target; d. Equipment specially designed for the detection or identification of, or defence against, systems specified by ML19.a. to ML19.c.;

	e. Physical test models for the systems, equipment and components, specified by ML19; f. "Laser" systems specially designed to cause permanent blindness to unenhanced vision, i.e. to the naked eye or to the eye with corrective eyesight devices. <u>Note 1</u> DEW systems specified by ML19 include systems whose capability is derived from the controlled application of: "Lasers" of sufficient power to effect destruction similar to the manner of conventional ammunition; - Particle accelerators which project a charged or neutral particle beam with destructive power; - High pulsed power or high average power radio frequency beam transmitters, which produce fields sufficiently intense to disable electronic circuitry at a distant target. <u>Note 2</u> ML19 includes the following when specially designed for DEW systems: - Prime power generation, energy storage, switching, power conditioning or fuel-handling equipment; - Target acquisition or tracking systems; - Systems capable of assessing target damage, destruction or mission-abort; - Beam-handling, propagation or pointing equipment; - Equipment with rapid beam slew capability for rapid multiple target operations; - Adaptive optics and phase conjugators; - Current injectors for negative hydrogen ion beams; "Space-qualified" accelerator components; - Negative ion beam funnelling equipment; - Equipment for controlling and slewing a high energy ion beam; "Space-qualified" foils for neutralising negative hydrogen isotope beams.
ML20	Cryogenic and "superconductive" equipment, as follows, and specially designed components and accessories therefor: - Equipment specially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, capable of operating while in motion and of producing or maintaining temperatures below 103 K (- 170 °C); <u>Note</u> ML20.a. includes mobile systems incorporating or employing accessories or components manufactured from non-metallic or non-electrical conductive materials, such as plastics or epoxy-impregnated materials. "Superconductive" electrical equipment (rotating machinery or transformers) specially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, and capable of operating while in motion. <u>Note</u> ML20.b. does not apply to direct current hybrid homopolar generators that have single-pole normal metal armatures which rotate in a magnetic field produced by superconducting windings, provided those windings are the only superconducting components in the generator.
ML21	"Software" as follows: "Software" specially designed or modified for any of the following: "Development", "production", operation or maintenance of equipment specified in this Annex; "Development" or "production" of materials specified in this Annex; <u>or</u> "Development", "production", operation or maintenance of "software" specified in this Annex. - Specific "software", other than that specified by ML21.a., as follows: "Software" specially designed for military use and specially designed for modelling, simulating or evaluating military weapon systems;

	2. "Software" specially designed for military use and specially designed for modelling or simulating military operational scenarios; 3. "Software" for determining the effects of conventional, nuclear, chemical or biological weapons; 4. "Software" specially designed for military use and specially designed for Command, Communications, Control and Intelligence (C³I) or Command, Communications, Control, Computer and Intelligence (C⁴I) applications; 5. "Software" specially designed or modified for the conduct of military offensive cyber operations; <u>Note 1</u> ML21.b.5. includes "software" designed to destroy, damage, degrade or disrupt systems, equipment or "software", specified in this Annex, cyber reconnaissance and cyber command and control "software", therefor. <u>Note 2</u> ML21.b.5. does not apply to "vulnerability disclosure" or to "cyber incident response", limited to non-military defensive cybersecurity readiness or response. c. "Software", not specified by ML21.a. or ML21.b., specially designed or modified to enable equipment not specified in this Annex to perform the military functions of equipment specified in this Annex. <u>N.B.</u> See systems, equipment or components specified in this Annex for general purpose "digital computers" with installed "software" specified by ML21.c.
ML22	"Technology" as follows: a. "Technology", other than specified in ML22.b., which is "required" for the "development", "production", operation, installation, maintenance (checking), repair, overhaul or refurbishing of items specified in this Annex; b. "Technology" as follows: "Technology" "required" for the design of, the assembly of components into, and the operation, maintenance and repair of, complete production installations for items specified in this Annex, even if the components of such production installations are not specified; "Technology" "required" for the "development" and "production" of small arms even if used to produce reproductions of antique small arms; - Not used since 2013; <u>N.B.</u> See ML22.a. for "technology" previously specified by ML22.b.3. - Not used since 2013; <u>N.B.</u> See ML22.a. for "technology" previously specified by ML22.b.4. "Technology" "required" exclusively for the incorporation of "biocatalysts", specified by ML7. i.1., into military carrier substances or military material. <u>Note 1</u> "Technology" "required" for the "development", "production", operation, installation, maintenance (checking), repair, overhaul or refurbishing of items specified in this Annex remains under control even when applicable to any item not specified in this Annex. <u>Note 2</u> ML22 does not apply to: "Technology" that is the minimum necessary for the installation, operation, maintenance (checking) or repair, of those items which are not controlled or whose export has been authorised; "Technology" that is "in the public domain", "basic scientific research" or the minimum necessary information for patent applications; "Technology" for magnetic induction for continuous propulsion of civil transport devices.

(1) Military List.

(2) National Institute of Justice (USA) in charge with standard categorization

DEFINITIONS OF TERMS USED IN THIS LIST

The following are definitions of the terms used in this List, in alphabetical order.

Note 1 Definitions apply throughout the List. The references are purely advisory and have no effect on the universal application of defined terms throughout the List.

Note 2 Words and terms contained in this List of Definitions only take the defined meaning where this is indicated by their being enclosed in "double quotations marks". Definitions of terms between 'single quotation marks' are given in a Technical to the relevant item. Elsewhere, words and terms take their commonly accepted (dictionary) meanings.

ML8	"Additives" Substances used in explosive formulations to improve their properties.
ML8, 10, 14	"Aircraft" A fixed wing, swivel wing, rotary wing (helicopter), tilt rotor or tilt-wing airborne vehicle.
	"Airship" A power-driven airborne vehicle that is kept buoyant by a body of gas (usually helium, formerly hydrogen) which is lighter than air.
ML11	"Automated Command and Control Systems" Electronic systems, through which information essential to the effective operation of the grouping, major formation, tactical formation, unit, ship, subunit or weapons under command is entered, processed and transmitted. This is achieved by the use of computer and other specialised hardware designed to support the functions of a military command and control organisation. The main functions of an automated command and control system are: the efficient automated collection, accumulation, storage and processing of information; the display of the situation and the circumstances affecting the preparation and conduct of combat operations; operational and tactical calculations for the allocation of resources among force groupings or elements of the operational order of battle or battle deployment according to the mission or stage of the operation; the preparation of data for appreciation of the situation and decision-making at any point during operation or battle; computer simulation of operations.
ML22	"Basic scientific research" Experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts, not primarily directed towards a specific practical aim or objective.
ML7, 22	"Biocatalysts" 'Enzymes' for specific chemical or biochemical reactions or other biological compounds which bind to and accelerate the degradation of CW agents. <u>Technical Note</u> 'Enzymes' means "biocatalysts" for specific chemical or biochemical reactions.
ML7	"Biological agents" Pathogens or toxins, selected or modified (such as altering purity, shelf life, virulence, dissemination characteristics, or resistance to UV radiation) to produce casualties in humans or animals, degrade equipment or damage crops or the environment.

ML7	"Biopolymers" Biological macromolecules as follows: - Enzymes for specific chemical or biochemical reactions; 'Anti-idiotypic', 'monoclonal' or 'polyclonal' 'antibodies'; - Specially designed or specially processed 'receptors'. <u>Technical Notes</u> 'Anti-idiotypic antibodies' means antibodies which bind to the specific antigen binding sites of other antibodies; 'Monoclonal antibodies' means proteins which bind to one antigenic site and are produced by a single clone of cells; 'Polyclonal antibodies' means a mixture of proteins which bind to the specific antigen and are produced by more than one clone of cells; 'Receptors' means biological macromolecular structures capable of binding ligands, the binding of which affects physiological functions.
ML4, 10	"Civil aircraft" Those "aircraft" listed by designation in published airworthiness certification lists by civil aviation authorities of one or more EU Member States or Wassenaar Arrangement Participating States to fly commercial civil internal and external routes or for legitimate civil, private or business use.
ML21	"Cyber incident response" The process of exchanging necessary information on a cybersecurity incident with individuals or organisations responsible for conducting or coordinating remediation to address the cybersecurity incident.
ML1	"Deactivated firearm" A firearm that has been made incapable of firing any projectile by processes defined by the EU Member State's or Wassenaar Arrangement Participating State's national authority. These processes permanently modify the essential elements of the firearm. According to national laws and regulations, deactivation of the firearm may be attested by a certificate delivered by a competent authority and may be marked on the firearm by a stamp on an essential part.
ML17 21, 22	"Development" Is related to all stages prior to serial production, such as: design, design research, design analyses, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into a product, configuration design, integration design, layouts.
ML21	"Digital computer" Equipment which can, in the form of one or more discrete variables, perform all of the following: - Accept data; - Store data or instructions in fixed or alterable (writable) storage devices; - Process data by means of a stored sequence of instructions which is modifiable; <u>and</u> - Provide output of data. <u>Technical Note</u> Modifications of a stored sequence of instructions include replacement of fixed storage devices, but not a physical change in wiring or interconnections.

ML17	"End-effectors" Grippers, 'active tooling units' and any other tooling that is attached to the baseplate on the end of a "robot" manipulator arm. <i>Technical Note</i> 'Active tooling units' are devices for applying motive power, process energy or sensing to a workpiece.
ML8	"Energetic materials" Substances or mixtures that react chemically to release energy required for their intended application. "Explosives", "pyrotechnics" and "propellants" are subclasses of energetic materials.
ML6, 13	"Equivalent standards" Comparable national or international standards recognised by one or more EU Member States or Wassenaar Arrangement Participating States and applicable to the relevant entry.
ML8, 18	"Explosives" Solid, liquid or gaseous substances or mixtures of substances which, in their application as primary, booster, or main charges in warheads, demolition and other applications, are required to detonate.
ML7	"Expression Vectors" Carriers (e.g. plasmid or virus) used to introduce genetic material into host cells.
ML13	"Fibrous or filamentary materials" Include: - Continuous monofilaments; - Continuous yarns and rovings; - Tapes, fabrics, random mats and braids; - Chopped fibres, staple fibres and coherent fibre blankets; - Whiskers, either monocrystalline or polycrystalline, of any length; - Aromatic polyamide pulp.
ML15	"First generation image intensifier tubes" Electrostatically focused tubes, employing input and output fibre optic or glass face plates, multi-alkali photocathodes (S-20 or S-25), but not microchannel plate amplifiers.
ML17	"Fuel cell" An electrochemical device that converts chemical energy directly into Direct Current (DC) electricity by consuming fuel from an external source.
ML22	"In the public domain" This means "technology" or "software" which has been made available without restrictions upon its further dissemination. <i>Note</i> : Copyright restrictions do not remove "technology" or "software" from being "in the public domain".
ML9, 19	"Laser" An item that produces spatially and temporally coherent light through amplification by stimulated emission of radiation.
ML17	"Library" (parametric technical database) A collection of technical information, reference to which may enhance the performance of relevant systems, equipment or components.

ML10	"Lighter-than-air vehicles" Balloons and "airships" that rely on hot air or on lighter-than-air gases such as helium or hydrogen for their lift. "Microprogram" A sequence of elementary instructions maintained in a special storage, the execution of which is initiated by the introduction of its reference instruction into an instruction register.
ML17	"Nuclear reactor" Includes the items within or attached directly to the reactor vessel, the equipment which controls the level of power in the core, and the components which normally contain or come into direct contact with or control the primary coolant of the reactor core.
ML8	"Precursors" Speciality chemicals used in the manufacture of explosives.
ML 21, 22	"Production" Means all production stages, such as: product engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance.
	"Program" A sequence of instructions to carry out a process in, or convertible into, a form executable by an electronic computer.
ML8	"Propellants" Substances or mixtures that react chemically to produce large volumes of hot gases at controlled rates to perform mechanical work.
ML4, 8	"Pyrotechnic(s)" Mixtures of solid or liquid fuels and oxidizers which, when ignited, undergo an energetic chemical reaction at a controlled rate intended to produce specific time delays, or quantities of heat, noise, smoke, visible light or infrared radiation. Pyrophorics are a subclass of pyrotechnics, which contain no oxidizers but ignite spontaneously on contact with air.
ML22	"Required" As applied to "technology", refers to only that portion of "technology" which is peculiarly responsible for achieving or exceeding the controlled performance levels, characteristics or functions. Such "required" "technology" may be shared by different products.
ML7	"Riot control agents" Substances which, under the expected conditions of use for riot control purposes, produce rapidly in humans sensory irritation or disabling physical effects which disappear within a short time following termination of exposure. (Tear gases are a subset of "riot control agents".)
ML17	"Robot" A manipulation mechanism, which may be of the continuous path or of the point-to-point variety, may use sensors, and has all the following characteristics: - Is multifunctional; - Is capable of positioning or orienting material, parts, tools or special devices through variable movements in three-dimensional space; - Incorporates three or more closed or open loop servo-devices which may include stepping motors; <u>and</u> - Has "user-accessible programmability" by means of the teach/playback method or by means of an electronic computer which may be a programmable logic controller, i.e. without mechanical intervention.

	'User-accessible programmability' refers to the facility allowing a user to insert, modify or replace "programs" by means other than: - A physical change in wiring or interconnections; or - The setting of function controls including entry of parameters. <u>Note</u> The above definition does not include the following devices: - Manipulation mechanisms which are only manually/teleoperator controllable; - Fixed sequence manipulation mechanisms which are automated moving devices, operating according to mechanically fixed programmed motions. The programme is mechanically limited by fixed stops, such as pins or cams. The sequence of motions and the selection of paths or angles are not variable or changeable by mechanical, electronic or electrical means; - Mechanically controlled variable sequence manipulation mechanisms which are automated moving devices, operating according to mechanically fixed programmed motions. The programme is mechanically limited by fixed, but adjustable, stops, such as pins or cams. The sequence of motions and the selection of paths or angles are variable within the fixed programme pattern. Variations or modifications of the programme pattern (e.g. changes of pins or exchanges of cams) in one or more motion axes are accomplished only through mechanical operations; - Non-servo-controlled variable sequence manipulation mechanisms which are automated moving devices, operating according to mechanically fixed programmed motions. The programme is variable but the sequence proceeds only by the binary signal from mechanically fixed electrical binary devices or adjustable stops; - Stacker cranes defined as Cartesian coordinate manipulator systems manufactured as an integral part of a vertical array of storage bins and designed to access the contents of those bins for storage or retrieval.
ML11	"Satellite navigation system" A system consisting of ground stations, a constellation of satellites, and receivers, that enables receiver locations to be calculated on the basis of signals received from the satellites. It includes Global Navigation Satellite Systems and Regional Navigation Satellite Systems.
ML4, 11, 21	"Software" A collection of one or more "programs" or "microprograms" fixed in any tangible medium of expression.
ML11	"Spacecraft" Active and passive satellites and space probes.
ML19	"Space-qualified" Designed, manufactured, or qualified through successful testing, for operation at altitudes greater than 100 km above the surface of the Earth. <u>Note</u> A determination that a specific item is "space-qualified" by virtue of testing does not mean that other items in the same production run or model series are "space-qualified" if not individually tested.
ML20	"Superconductive" Refers to materials, (i.e. metals, alloys or compounds) which can lose all electrical resistance (i.e. which can attain infinite electrical conductivity and carry very large electrical currents without Joule heating). "Critical temperature" (sometimes referred to as the transition temperature) of a specific "superconductive" material is the temperature at which the material loses all resistance to the flow of direct electrical current. <u>Technical Note</u> The "superconductive" state of a material is individually characterised by a "critical temperature", a critical magnetic field, which is a function of temperature, and a critical current density which is, however, a function of both magnetic field and temperature.

ML22	"Technology" Specific information necessary for the "development", "production" or "use" of a product. The information takes the form of 'technical data' or 'technical assistance'. Specified "technology" for this Annex is defined in ML22. <u>Technical Notes</u> 1. 'Technical data' may take forms such as blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read-only memories. 2. 'Technical assistance' may take forms such as instruction, skills, training, working knowledge, consulting services. 'Technical assistance' may involve transfer of 'technical data'.
ML10	"Unmanned aerial vehicle" ("UAV") Any "aircraft" capable of initiating flight and sustaining controlled flight and navigation without any human presence on board.
ML21	"Vulnerability disclosure" The process of identifying, reporting or communicating a vulnerability to, or analysing a vulnerability with, individuals or organisations responsible for conducting or coordinating remediation for the purpose of resolving the vulnerability.

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