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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2021/1888

of 27 October 2021

fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea and amending Regulation (EU) 2021/92 as regards certain fishing opportunities in other waters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁽¹⁾ requires that conservation measures be adopted taking into account available scientific, technical and economic advice, including, where relevant, reports drawn up by the Scientific, Technical and Economic Committee for Fisheries and other advisory bodies, as well as advice from advisory councils established for the relevant geographical areas of competence and joint recommendations made by Member States.
- (2) The Council is to adopt measures on the fixing and allocation of fishing opportunities, including certain conditions functionally linked to those fishing opportunities, as appropriate. Regulation (EU) No 1380/2013 provides that fishing opportunities should be allocated to Member States in such a way as to ensure the relative stability of fishing activities of each Member State for each stock or fishery.
- (3) Regulation (EU) No 1380/2013 provides that the objective of the Common Fisheries Policy is to achieve the maximum sustainable yield (MSY) exploitation rate by 2015 where possible and, on a progressive, incremental basis, at the latest by 2020 for all stocks. The objective of the transitory period until 2020 was to balance the achievement of MSY for all stocks with the possible socioeconomic implications of the possible adjustments of related fishing opportunities.
- (4) The total allowable catches (TACs) should therefore be established, in accordance with Regulation (EU) No 1380/2013, on the basis of the available scientific advice, taking into account biological and socioeconomic implications while ensuring fair treatment between fishing sectors and taking into account the opinions expressed during the consultation with stakeholders.

⁽¹⁾ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

- (5) Regulation (EU) 2016/1139 of the European Parliament and of the Council ⁽²⁾ establishes a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and for the fisheries exploiting those stocks (the 'plan'). The plan aims to ensure that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce MSY. Regulation (EU) No 1380/2013 provides that, for stocks subject to specific multiannual plans, the fishing opportunities are to be established in accordance with the rules laid down in those multiannual plans.
- (6) In accordance with Article 4(1) of the plan, the fishing opportunities for stocks listed in Article 1 of the plan were to be fixed to achieve fishing mortality at MSY, expressed in ranges, as soon as possible and, on a progressive, incremental basis, at the latest by 2020. The catch limits applicable in 2022 for the relevant stocks in the Baltic Sea should therefore be established in line with the objectives of the plan.
- (7) The International Council for the Exploration of the Sea (ICES) published its annual stock advice for Baltic stocks on 28 May 2021. It indicated that the biomass of the western Baltic herring in ICES subdivisions 20-24 was only 54 % of the limit reference point for spawning stock biomass (B_{lim}), below which it is possible that reproductive capacity might be reduced. Furthermore, recruitment remains at historically low levels. ICES therefore published for the fourth consecutive year an advice for zero catches for western Baltic herring. Pursuant to Article 5(2) of Regulation (EU) 2016/1139, all appropriate remedial measures should therefore be adopted to ensure a rapid return of the stock concerned to levels above the level capable of producing MSY. Moreover, that provision requires further remedial measures to be adopted. If the fishing opportunities for western Baltic herring were set at the level indicated in the ICES advice, the obligation to land all catches in mixed fisheries with by-catches of western Baltic herring would lead to the phenomenon of 'choke species'. In order to strike the right balance between, on the one hand, allowing fisheries for other stocks to continue in view of otherwise potentially severe socioeconomic implications and, on the other hand, the need to achieve a good biological status for the stock, taking into account the difficulty of fishing all stocks in a mixed fishery at MSY at the same time, it is appropriate to establish a specific TAC for by-catches of western Baltic herring. However, fishing operations conducted for the exclusive purpose of scientific investigations and in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241 of the European Parliament and of the Council ⁽³⁾, as well as small-scale coastal fishermen fishing with certain passive gears, should be allowed to target western Baltic herring. The level of the TAC should be such that mortality is not increased and that it provides incentives for improvements in selectivity and avoidance.
- (8) As regards the eastern Baltic cod stock, since 2019 ICES has been able to base its precautionary advice on a more data-rich assessment. ICES estimates that the biomass of the eastern Baltic cod stock continues to be below B_{lim} and has decreased further since 2020. ICES therefore published for the third consecutive year an advice for zero catches for eastern Baltic cod. Since 2019, strict conservation measures have been adopted in the Union. Pursuant to Article 5(2) of Regulation (EU) 2016/1139, the targeted fishery of eastern Baltic cod was closed and the TAC for unavoidable by-catches of eastern Baltic cod was set at a very low level to avoid the phenomenon of 'choke species' in other fisheries. Moreover, further remedial measures functionally linked to the fishing opportunities were adopted in the form of spawning closures and the prohibition of recreational fisheries in the main distribution area. Given the ICES advice and the unchanged stock situation, it is appropriate to maintain unchanged the level of fishing opportunities and the functionally linked remedial measures.
- (9) As regards western Baltic cod, scientific estimates have indicated for several years that the spawning stock biomass was below the reference point, below which specific and appropriate management action is to be taken ($B_{trigger}$). Increasingly strict management measures have therefore been adopted in recent years. In 2021 ICES decided to perform a more in-depth assessment of the stock's situation and hence postponed its advice to 10 September 2021. That assessment revealed that the biomass of the western Baltic cod stock was less than half of the previous estimate and that for more than 10 years it has been mostly below B_{lim} . The current biomass is estimated to be about half of B_{lim} . Recruitment has been historically low since 2018. ICES estimates with a 53 % probability that the stock

⁽²⁾ Regulation (EU) 2016/1139 of the European Parliament and of the Council of 6 July 2016 establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007 (OJ L 191, 15.7.2016, p. 1).

⁽³⁾ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

biomass could increase slightly above B_{lim} in 2023 even with some catches. In such a situation, pursuant to Article 5(2) of Regulation (EU) 2016/1139, remedial measure should be taken and the fishing opportunities set in a way to ensure the rapid return of the stock to a level above the level capable of producing MSY. The level of advised catches is so low that it cannot sustain both a directed fishery and the unavoidable by-catches in other fisheries, in particular in demersal flatfish fisheries. Therefore, it is appropriate to set a TAC limited to unavoidable by-catches in other fisheries to avoid the phenomenon of 'choke species', with an exemption for fishing operations conducted for the exclusive purpose of scientific investigations and in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241. Moreover, further remedial measures functionally linked to the fishing opportunities were previously adopted in the form of spawning closures and limitations on recreational fisheries. Given the further severe deterioration of the stock, it is appropriate to extend the spawning closure from 15 January to 31 March in order to cover the period during which cod aggregates before spawning. An additional exemption from the spawning closure should be introduced for fishing vessels fishing with dredges for bivalve molluscs in ICES subdivision 22 in waters of less than 20 metres depth, since those fisheries take place outside of the cod spawning grounds and have very low by-catches of cod. Regarding recreational fisheries, contrary to previous years ICES was not in a position to provide a split between commercial and recreational catches, because of the low level of total advised catches. Given the condition of the stock, it is necessary to decrease the bag limit to the minimum in order to remain within the catch levels advised by ICES. Moreover, it is appropriate to no longer exempt recreational fisheries from the spawning closure period.

- (10) In 2020, ICES estimated that the biomass of the central Baltic herring had fallen below the spawning stock biomass reference point below which specific and appropriate management action is to be taken ($B_{trigger}$). In 2021, ICES estimated that the biomass had fallen further and is now close to B_{lim} . It is therefore appropriate to set the fishing opportunities in accordance with Article 5(1) of Regulation (EU) 2016/1139.
- (11) According to ICES advice, cod is by-caught in plaice fisheries. Sprat is caught in a mixed fishery with herring and is a prey species for cod. It is appropriate to take those multispecies interactions into account when setting the fishing opportunities for plaice and sprat.
- (12) Regarding salmon in ICES subdivisions 22-31, ICES had stated for several years previously that the status of the river stocks was very heterogeneous. In order to give experts more time to take that divergence better into account, ICES decided to postpone its advice to 15 September 2021. According to ICES advice, all commercial and recreational catches in the main basin, which are inherently mixed fisheries catching salmon from healthy and weak river stocks, should be stopped in order to protect the weak river stocks. ICES however considers that the existing directed fishery in the coastal areas of the Gulf of Bothnia and the Aland Sea could continue during the salmon summer migration. In order to strike the right balance between, on the one hand, allowing fisheries to continue in view of otherwise potentially severe socioeconomic implications and, on the other hand, the need to achieve a good biological status for the stock, taking into account the difficulty of fishing all stocks in a mixed fishery at MSY at the same time, it is appropriate to establish a specific TAC for by-catches of salmon in those areas, with the exemption of fishing operations conducted for the exclusive purpose of scientific investigations and in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241, and of coastal fisheries north of latitude 59°30'N during the period from 1 May to 31 August. Given the ICES advice, it is appropriate to adopt further remedial measures functionally linked to the fishing opportunities. The use of longlines beyond four nautical miles should be prohibited since this is typically a gear used to target salmon. Moreover, in those areas where commercial fisheries are not allowed it should be allowed to retain only one fin-clipped salmon per angler per day in recreational fisheries. Finally, to avoid misreporting, all specimens of any fish species retained should be landed whole to be able to unequivocally identify them.
- (13) In order to ensure full use of coastal fishing opportunities, a limited inter-area flexibility for salmon from ICES subdivisions 22-31 to ICES subdivision 32 was introduced in 2019. Given the changes in fishing opportunities for those two stocks, it is appropriate to reduce that flexibility.
- (14) The introduction of a prohibition of fishing for sea trout beyond four nautical miles and of a limitation of by-catches of sea trout to 3 % of the combined catch of sea trout and salmon has contributed to a large extent to substantially reducing previously significant misreporting of catches in the salmon fishery, in particular as sea trout catches. It is therefore appropriate to maintain that provision in order to maintain a low level of misreporting.

- (15) The use of the fishing opportunities set out in this Regulation is subject to Council Regulation (EC) No 1224/2009 ⁽⁴⁾, and in particular Articles 33 and 34 thereof concerning the recording of catches and fishing effort, and the transmission of data on the exhaustion of fishing opportunities to the Commission. This Regulation should therefore specify the codes relating to landings of stocks subject to this Regulation that are to be used by Member States when sending data to the Commission.
- (16) Council Regulation (EC) No 847/96 ⁽⁵⁾ introduced additional conditions for the year-to-year management of TACs including, under its Articles 3 and 4, flexibility provisions for precautionary and analytical TACs. Under Article 2 of that Regulation, when fixing the TACs, the Council is to decide to which stocks Article 3 or 4 are not to apply, in particular on the basis of the biological status of the stocks. More recently, the year-to-year flexibility mechanism was introduced by Article 15(9) of Regulation (EU) No 1380/2013 for all stocks that are subject to the landing obligation. Therefore, to avoid excessive flexibility that would undermine the principle of rational and responsible exploitation of living marine biological resources, hinder the achievement of the objectives of the Common Fisheries Policy and cause the biological status of the stocks to deteriorate, it should be established that Articles 3 and 4 of Regulation (EC) No 847/96 apply to analytical TACs only where the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013 is not used.
- (17) Moreover, given that the biomass of the stock of eastern Baltic cod, western Baltic herring and western Baltic cod is below B_{lim} and that only by-catch, scientific fisheries and, in the case of western Baltic herring, certain small-scale coastal fisheries are permitted in 2022, the Member States having a quota share of the relevant TAC have undertaken not to apply the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013 for those stocks in 2022 so that catches in 2022 will not exceed the TAC set for eastern Baltic cod, western Baltic herring and western Baltic cod. Furthermore, given that the biomass of the salmon river stocks south of latitude 59° 30' N are almost all below the limit reference point for smolt production (R_{lim}) and that in that area only by-catch and scientific fisheries are permitted in 2022, the relevant Member States have undertaken a similar commitment regarding year-to-year flexibility in relation to main basin salmon catches in 2022.
- (18) The fishing year for Norway pout in ICES division 3a, United Kingdom waters of ICES division 2a and United Kingdom and Union waters of ICES subarea 4 is from 1 November to 31 October. In order to allow for the start of the fishery on 1 November 2021, and on the basis of new scientific advice and following consultations with the United Kingdom, it is necessary to set a preliminary TAC for Norway pout in ICES division 3a, United Kingdom waters of ICES division 2a and United Kingdom and Union waters of ICES subarea 4 for the period from 1 November 2021 to 31 December 2021. That preliminary TAC should be set in line with ICES advice published on 8 October 2021.
- (19) In Council Regulation (EU) 2021/92 ⁽⁶⁾, the fishing opportunities table for mackerel in the North Sea refers to waters of 3a and 4, United Kingdom waters of 2a, Union waters of 3b, 3c and subdivisions 22-32 in line with the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽⁷⁾. However, in 2021, consultations on mackerel between the coastal States did not lead to an agreement on access arrangements between the Union, the United Kingdom and Norway. Therefore, the Union does not have access to fish its mackerel quota in Norwegian waters of the North Sea.

⁽⁴⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

⁽⁵⁾ Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas (OJ L 115, 9.5.1996, p. 3).

⁽⁶⁾ Council Regulation (EU) 2021/92 of 28 January 2021 fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (OJ L 31, 29.1.2021, p. 31).

⁽⁷⁾ OJ L 149, 30.4.2021, p. 10.

- (20) In 2021, the Union concluded negotiations with the United Kingdom on fishing opportunities and management measures for certain TACs for 2021, including for mackerel, which enables the Union to fish its mackerel quota in United Kingdom waters. As a result, the relevant fishing opportunities tables should be amended accordingly to reflect the fishing area delimitations in the waters of the North Sea to United Kingdom and Union waters.
- (21) In 2021, the Union does not have access to fish its mackerel quota in Norwegian waters of the North Sea. Regulation (EU) 2021/92 includes the fishing opportunities table for mackerel in Norwegian waters of 2a and 4a and it should be possible to fish the quota of 13 359 tonnes allocated to Denmark in Union and United Kingdom waters of the North Sea. A footnote should be inserted in the relevant fishing opportunities table to allow Denmark to fish that quota in Union and United Kingdom waters of the North Sea. The United Kingdom has been consulted on that possibility and raised no objection to the approach allowing that quota to be fished in those United Kingdom waters as of 12 October 2021.
- (22) The Sustainable Fisheries Partnership Agreement between the European Union, of the one part, and the Government of Greenland and the Government of Denmark, of the other part, and the implementing Protocol thereto ⁽⁸⁾, provide that the Union is to receive 7,7 % of the TAC for capelin to be fished in Greenland waters of ICES subareas 5 and 14. On 5 October 2021, the Union received information from the Greenland authorities that ICES has issued an advice for capelin for the 2021/2022 season at the level of 904 200 tonnes as TAC. Following scientific advice and based on the agreement reached between Greenland, Iceland and Norway on capelin, the Government of Greenland has fixed a quota of 135 630 tonnes. In accordance with the implementing Protocol, Greenland would like to offer the Union 69 623 tonnes of capelin, which equals to 7,7 % of the total TAC. That TAC should now be set on that basis. Furthermore, Greenland, Iceland and Norway agreed, as part of their framework arrangement on the conservation and management of capelin, on new fishing season arrangements. Therefore, it is also necessary to reflect the change in the fishing season, which should now refer to a period from 15 October 2021 to 15 April 2022.
- (23) Fishing authorisations are granted by the Commission to vessels flying the Venezuelan flag in order to allow them to fish for snapper in Union waters off the coast of French Guiana. The proposed amendment aims to ensure the continuity of fishing operations during the authorisation process in between two years under certain conditions.
- (24) Regulation (EU) 2021/92 should therefore be amended accordingly.
- (25) To avoid the interruption of fishing activities and to ensure the livelihoods of Union fishermen, the provisions of this Regulation concerning the Baltic Sea should apply from 1 January 2022. The catch limits provided for in Regulation (EU) 2021/92 apply from 1 January 2021. The provisions introduced by this Regulation concerning those catch limits should therefore also apply from 1 January 2021. However, this Regulation should apply to Norway pout in ICES division 3a, United Kingdom and Union waters of ICES subarea 4 and United Kingdom waters in ICES division 2a from 1 November 2021 until 31 October 2022. In view of the need to continue sustainable fishing activities and to start the relevant fisheries on time for the opening of the fishing seasons, the provisions of this Regulation concerning catch limits for mackerel in Norwegian waters of the North Sea and capelin in Greenland waters of ICES subareas 5 and 14 should apply from 12 October 2021 and 15 October 2021 respectively. Since the fishing opportunities concerned either have not yet been exhausted or will be increased by this Regulation, the principles of legal certainty and protection of legitimate expectations are not affected by the retroactive application of this Regulation. For reasons of urgency, this Regulation should enter into force immediately after its publication,

⁽⁸⁾ OJ L 175, 18.5.2021, p. 3.

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation fixes the fishing opportunities for certain fish stocks and groups of fish stocks in the Baltic Sea for 2022 and amends certain fishing opportunities in other waters fixed by Regulation (EU) 2021/92.

Article 2

Scope

1. This Regulation applies to Union fishing vessels operating in the Baltic Sea.
2. This Regulation also applies to recreational fisheries where they are expressly referred to in the relevant provisions.

Article 3

Definitions

For the purposes of this Regulation, the definitions laid down in Article 4 of Regulation (EU) No 1380/2013 apply.

In addition, the following definitions apply:

- (1) 'subdivision' means an International Council for the Exploration of the Sea (ICES) subdivision of the Baltic Sea as defined in Annex III to Regulation (EC) No 218/2009 of the European Parliament and of the Council ⁽⁹⁾;
- (2) 'total allowable catch' (TAC) means the quantity of each stock that can be caught over the period of a year;
- (3) 'quota' means a proportion of the TAC allocated to the Union, a Member State or a third country;
- (4) 'recreational fisheries' means non-commercial fishing activities exploiting marine biological resources such as for recreation, tourism or sport.

CHAPTER II

FISHING OPPORTUNITIES

Article 4

TACs and allocations

The TACs, quotas and conditions functionally linked thereto, where appropriate, are set out in the Annex.

⁽⁹⁾ Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (OJ L 87, 31.3.2009, p. 70).

*Article 5***Special provisions on allocation of fishing opportunities**

The allocation of fishing opportunities among Member States, as set out in this Regulation, shall be without prejudice to:

- (a) exchanges made pursuant to Article 16(8) of Regulation (EU) No 1380/2013;
- (b) deductions and reallocations made pursuant to Article 37 of Regulation (EC) No 1224/2009;
- (c) additional landings allowed under Article 3 of Regulation (EC) No 847/96 or under Article 15(9) of Regulation (EU) No 1380/2013;
- (d) quantities withheld in accordance with Article 4 of Regulation (EC) No 847/96 or transferred under Article 15(9) of Regulation (EU) No 1380/2013;
- (e) deductions made pursuant to Articles 105 and 107 of Regulation (EC) No 1224/2009.

*Article 6***Conditions for landing of catches and by-catches**

The stocks of non-target species within the safe biological limits referred to in Article 15(8) of Regulation (EU) No 1380/2013 which qualify for the derogation from the obligation to count catches against the relevant quota are identified in the Annex to this Regulation.

*Article 7***Closures to protect cod spawning**

1. It shall be prohibited to fish with any type of fishing gear in subdivisions 25 and 26 from 1 May to 31 August.
2. An exemption from the prohibition laid down in paragraph 1 shall apply in the following cases:
 - (a) fishing operations conducted for the exclusive purpose of scientific investigations, provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241;
 - (b) Union fishing vessels of less than 12 metres in length overall that fish with gillnets, entangling nets or trammel nets, with bottom set lines, longlines within four nautical miles measured from the baselines, drifting lines, handlines and jigging equipment or similar passive gear, in areas where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities;
 - (c) Union fishing vessels fishing in subdivision 25 for pelagic stocks for direct human consumption, using gears with a mesh size of 45 mm or less, in areas where the water depth is less than 50 metres according to the coordinates on the official sea chart issued by the competent national authorities, and whose landings are sorted.
3. It shall be prohibited to fish with any type of fishing gear in subdivisions 22 and 23 from 15 January to 31 March and in subdivision 24 from 15 May to 15 August.
4. An exemption from the prohibition laid down in paragraph 3 shall apply in the following cases:
 - (a) fishing operations conducted for the exclusive purpose of scientific investigations, provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241;
 - (b) Union fishing vessels of less than 12 metres in length overall that fish with gillnets, entangling nets or trammel nets, with bottom set lines, longlines within four nautical miles measured from the baselines, drifting lines, handlines and jigging equipment or similar passive gear, in areas where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities;

- (c) Union fishing vessels fishing in subdivision 24 for pelagic stocks for direct human consumption, using gears with a mesh size of 45 mm or less, in areas where the water depth is less than 40 metres according to the coordinates on the official sea chart issued by the competent national authorities, and whose landings are sorted;
 - (d) Union fishing vessels fishing with dredges for bivalve molluscs in subdivision 22, in areas where the water depth is less than 20 metres according to the coordinates on the official sea chart issued by the competent national authorities.
5. Masters of fishing vessels as referred to in paragraph 2, point (b) or (c), and paragraph 4, point (b), (c) or (d), shall ensure that their fishing activity can be monitored at any time by the control authorities of the Member State.

Article 8

Measures on recreational fisheries of cod in subdivisions 22-26

1. In recreational fisheries, no more than one specimen of cod may be retained per fisherman per day in subdivisions 22 and 23, and in subdivision 24 within six nautical miles measured from the baselines, except in the period from 15 January to 31 March, when recreational fisheries of cod shall be prohibited.
2. Recreational fisheries of cod shall be prohibited in subdivision 24 beyond six nautical miles measured from the baselines, and in subdivisions 25 and 26.
3. This Article is without prejudice to more stringent national measures.

Article 9

Measures on recreational fisheries of salmon in subdivisions 22-31

1. Recreational fisheries of salmon shall be prohibited in subdivisions 22-31. Any specimen of salmon caught shall be immediately released back into the sea.
2. By way of derogation from paragraph 1, recreational fisheries of salmon shall be allowed under the following cumulative conditions:
 - (a) no more than one specimen of adipose fin-clipped salmon may be retained per fisherman per day;
 - (b) all specimens of any fish species retained shall be landed whole.
3. By way of derogation from paragraphs 1 and 2, north of latitude 59°30'N recreational fisheries of salmon shall be allowed from 1 May to 31 August without restrictions in areas within four nautical miles measured from the baselines.
4. This Article is without prejudice to more stringent national measures.

Article 10

Measures for the conservation of the sea trout and salmon stocks in subdivisions 22-32

1. It shall be prohibited for fishing vessels to fish for sea trout beyond four nautical miles measured from the baselines in subdivisions 22-32 from 1 January to 31 December 2022. When fishing for salmon beyond four nautical miles measured from the baselines in subdivision 32, by-catches of sea trout shall not exceed 3 % of the total catch of salmon and sea trout at any moment on board or landed after each fishing trip.
2. Fishing with longlines beyond four nautical miles measured from the baselines in subdivisions 22-31 shall be prohibited.
3. This Article is without prejudice to more stringent national measures.

Article 11

Flexibility

1. Except where specified otherwise in the Annex to this Regulation, Article 3 of Regulation (EC) No 847/96 applies to stocks subject to precautionary TACs and Article 3(2) and (3) and Article 4 of that Regulation applies to stocks subject to an analytical TAC.
2. Article 3(2) and (3) and Article 4 of Regulation (EC) No 847/96 does not apply where a Member State uses the year-to-year flexibility provided for in Article 15(9) of Regulation (EU) No 1380/2013.

Article 12

Data transmission

When, pursuant to Articles 33 and 34 of Regulation (EC) No 1224/2009, Member States send data relating to quantities of stocks caught or landed to the Commission, they shall use the stock codes set out in the Annex to this Regulation.

CHAPTER III

FINAL PROVISIONS

Article 13

Amendments to Regulation (EU) 2021/92

Regulation (EU) 2021/92 is amended as follows:

(1) Annex IA is amended as follows:

(a) the fishing opportunities table for cod in ICES division 7d is replaced by the following:

'Species:	Cod <i>Gadus morhua</i>	Zone:	7d (COD/07D.)
Belgium	33 ⁽¹⁾	Analytical TAC	
France	649 ⁽¹⁾	Article 3 of Regulation (EC) No 847/96 shall not apply	
Netherlands	19 ⁽¹⁾	Article 4 of Regulation (EC) No 847/96 shall not apply	
Union	701 ⁽¹⁾		
United Kingdom	71 ⁽²⁾		
TAC	772		
(1)	Special condition: of which up to 5 % may be fished in 4, in that part of 3a which is not covered by the Skagerrak and Kattegat and in United Kingdom waters of 2a (COD/*2A3X4).		
(2)	Special condition: of which up to 5 % may be fished in United Kingdom and Union waters of 4, in that part of 3a which is not covered by the Skagerrak and Kattegat and in United Kingdom waters of 2a (COD/*2A3X4)'		

- (b) the fishing opportunities table for mackerel in United Kingdom and Union waters of ICES division 2a, and subareas 3 and 4 is replaced by the following:

‘Species:		Zone:
Mackerel <i>Scomber scombrus</i>		United Kingdom and Union waters of 2a, 3 and 4 (MAC/2A34.)
Belgium	544 ⁽¹⁾⁽²⁾	Analytical TAC
Denmark	18 666 ⁽¹⁾⁽²⁾	Article 8(2) of this Regulation applies
Germany	567 ⁽¹⁾⁽²⁾	
France	1 713 ⁽¹⁾⁽²⁾	
The Netherlands	1 724 ⁽¹⁾⁽²⁾	
Sweden	5 108 ⁽¹⁾⁽²⁾⁽³⁾	
Union	28 322 ⁽¹⁾⁽²⁾	
Norway	Not relevant ⁽⁴⁾	
United Kingdom	Not relevant ⁽¹⁾⁽²⁾⁽³⁾	
TAC	852 284	
⁽¹⁾ Special condition: up to 60 % may be fished in United Kingdom and international waters of 2a, 5b, 6, 7, 8d, 8e, 12 and 14 (MAC/*2AX14).		
⁽²⁾ Within the limits of the abovementioned quotas, no more than the quantities given below may also be taken in the two following zones:		
	Norwegian waters of 2a (MAC/*02AN-)	Faroese waters (MAC/*FRO1)
Belgium	0	0
Denmark	0	0
Germany	0	0
France	0	0
The Netherlands	0	0
Sweden	0	0
Union	0	0
⁽³⁾ Special condition: including the following tonnage to be taken in Norwegian waters of 2a and 4a (MAC/*2A4AN):		
	251	
When fishing under this special condition, by-catches of cod, haddock, pollack, whiting and saithe are to be counted against the quotas for those species.		
⁽⁴⁾ To be deducted from Norway's share of the TAC (access quota). This amount includes the following Norwegian share of the North Sea TAC:		
	0	
This quota may be fished in 4a only (MAC/*04A.), except for the following amount, in tonnes, which may be fished in 3a (MAC/*03A.):		
	0	

Special condition: within the limits of the abovementioned quotas, no more than the quantities given below may be taken in the following zones:

	3a	United Kingdom and Union waters of 3a and 4b	4b	4c	United Kingdom and international waters of 2a, 5b, 6, 7, 8d, 8e, 12 and 14
	(MAC/*03A.)	(MAC/*3A4BC)	(MAC/*04B.)	(MAC/*04C.)	(MAC/*2A6.)
Belgium	0	0	0	0	326
Denmark	0	4 130	0	0	11 200
Germany	0	0	0	0	340
France	0	490	0	0	1 028
The Netherlands	0	490	0	0	1 034
Sweden	0	0	390	10	3 065
Union	0	5 110	390	10	16 993
United Kingdom	0	Not relevant	0	0	Not relevant
Norway	0	0	0	0	0'

- (c) the fishing opportunities table for mackerel in Norwegian waters of ICES divisions 2a and 4a is replaced by the following:

‘Species:	Mackerel <i>Scomber scombrus</i>	Zone:	Norwegian waters of 2a and 4a (MAC/2A4A-N)
Denmark	13 359 ⁽¹⁾	Analytical TAC	
Union	13 359 ⁽¹⁾		
TAC	Not relevant		
⁽¹⁾	In 2021, this quota may only be fished in United Kingdom and Union waters of 2a, 3 and 4 (MAC/*2A34X).’		

- (d) the fishing opportunities table for Norway pout and associated by-catches in ICES division 3a and the United Kingdom and Union waters of ICES subarea 4 and United Kingdom waters of ICES division 2a is replaced by the following:

‘Species:	Norway pout and associated by-catches <i>Trisopterus esmarkii</i>				Zone:	3a; United Kingdom and Union waters of 4; United Kingdom waters of 2a (NOP/2A3A4.)
Year	2021		2022			
Denmark	116 447	(1)(3)	24 727	(1)(6)	Analytical TAC	
Germany	22	(1)(2)(3)	5	(1)(2)(6)	Article 3 of Regulation (EC) No 847/96 shall not apply	
The Netherlands	86	(1)(2)(3)	18	(1)(2)(6)	Article 4 of Regulation (EC) No 847/96 shall not apply	
Union	116 555	(1)(3)	24 750	(1)(6)		
United Kingdom	11 745	(2)(3)	5 250	(2)(6)		
Norway	0	(4)	0	(4)		
Faroe Islands	0	(5)	0	(5)		
TAC	Not relevant		Not relevant			
(1)	Up to 5 % of the quota may consist of by-catches of haddock and whiting (OT2/*2A3A4). By-catches of haddock and whiting counted against the quota pursuant to this provision and by-catches of species counted against the quota pursuant to Article 15(8) of Regulation (EU) No 1380/2013 shall, together, not exceed 9 % of the quota.					
(2)	Quota may be fished in United Kingdom and Union waters of ICES zones 2a, 3a and 4 only.					
(3)	May only be fished from 1 November 2020 to 31 October 2021.					
(4)	A sorting grid shall be used.					
(5)	A sorting grid shall be used. Includes a maximum of 15 % of unavoidable by-catches (NOP/*2A3A4), to be counted against this quota.					
(6)	May only be fished from 1 November 2021 to 31 December 2021.’					

- (e) the fishing opportunities table for other species in Union waters of ICES subarea 4 and division 6a north of 56°30' N is replaced by the following:

‘Species:	Other species	Zone:	Union waters of 4 and 6a north of 56° 30’ N (OTH/2A46AN)
Union	Not relevant	Precautionary TAC	
Norway	1 000	(1)(2)	
Faroe Islands	0		
TAC	Not relevant		
(1)	Limited to 4 (OTH/*2A4-C).		
(2)	Species not covered by other TACs.’		

(2) in Annex IB, the fishing opportunities table for capelin in Greenland waters of 5 and 14 is replaced by the following:

'Species: Capelin <i>Mallotus villosus</i>		Zone: Greenland waters of 5 and 14 (CAP/514GRN)
Denmark	51 088	Analytical TAC
Germany	2 224	Article 3 of Regulation (EC) No 847/96 shall not apply
Sweden	3 666	Article 4 of Regulation (EC) No 847/96 shall not apply
All Member States	2 645 ⁽¹⁾	
Union	59 623 ⁽²⁾	
Norway	10 000 ⁽²⁾	
TAC	Not relevant	
⁽¹⁾ Denmark, Germany and Sweden may access the 'All Member States' quota only once they have exhausted their own quota. However, Member States with more than 10 % of the Union quota shall not access the 'All Member States' quota at all. Catches to be counted against this shared quota shall be reported separately (CAP/514GRN_AMS).		
⁽²⁾ For a fishing period from 15 October 2021 to 15 April 2022.'		

(3) in Annex V, Part B, the following footnote relating to Venezuela is added to the table setting out the maximum number of fishing authorisations for third-country vessels fishing in Union waters:

'(2) Fishing activities are authorised on an annual calendar basis. However, a fishing vessel can continue its fishing activities up to three months after expiry of its fishing authorisation, provided that the operator:

- initiated the renewal process of its fishing authorisation;
- fulfilled all its contractual and information communication obligations.

This extension expires upon entry into force of the Commission decision delivering a new fishing authorisation or notification of the refusal of the new fishing authorisation to that vessel.'

Article 14

Entry into force

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

It shall apply from 1 January 2022.

By way of derogation from the second paragraph:

- (a) Article 13, points (1)(a), (1)(b) and (1)(e) and point (3), shall apply from 1 January 2021;
- (b) Article 13, point (1)(c), shall apply from 12 October 2021;
- (c) Article 13, point (2), shall apply from 15 October 2021 until 15 April 2022;
- (d) Article 13, point (1)(d), shall apply from 1 November 2021 until 31 October 2022.

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

Done at Brussels, 27 October 2021.

For the Council
The President
G. DOVŽAN

ANNEX

TACs APPLICABLE TO UNION FISHING VESSELS IN AREAS WHERE TACs EXIST BY SPECIES AND BY AREA

The following tables set out the TACs and quotas (in tonnes live weight, except where otherwise specified) by stock, and conditions functionally linked thereto.

The references to fishing zones are references to ICES zones, unless otherwise specified.

The fish stocks are referred to using the alphabetical order of the Latin names of the species.

For the purposes of this Regulation, the following comparative table of Latin names and common names is provided:

Scientific name	Alpha-3 code	Common name
<i>Clupea harengus</i>	HER	Herring
<i>Gadus morhua</i>	COD	Cod
<i>Pleuronectes platessa</i>	PLE	Plaice
<i>Salmo salar</i>	SAL	Atlantic salmon
<i>Sprattus sprattus</i>	SPR	Sprat

Table 1

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 30-31 (HER/30/31.)
Finland	91 287	Analytical TAC	
Sweden	20 058		
Union	111 345		
TAC	111 345		

Table 2

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivisions 22-24 (HER/3BC+24)
Denmark	110 ⁽¹⁾	Analytical TAC	
Germany	435 ⁽¹⁾	Article 3(2) and (3) of Regulation (EC) No 847/96 does not apply.	
Finland	0 ⁽¹⁾	Article 4 of Regulation (EC) No 847/96 does not apply.	
Poland	103 ⁽¹⁾		
Sweden	140 ⁽¹⁾		
Union	788 ⁽¹⁾		
TAC	788 ⁽¹⁾		

⁽¹⁾ Exclusively for by-catches. No directed fisheries are permitted under this quota. By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to herring provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

By way of derogation from the first paragraph, fishing this quota is permitted for Union fishing vessels of less than 12 metres length overall fishing with gillnets, entangling nets, handlines, pound nets or jigging equipment. Masters of those fishing vessels shall ensure that their fishing activity can be monitored at any time by the control authorities of the Member State.

Table 3

Species:	Herring <i>Clupea harengus</i>	Zone:	Union waters of subdivisions 25-27, 28.2, 29 and 32 (HER/3D-R30)
Denmark	1 180	Analytical TAC Article 6 of this Regulation applies.	
Germany	313		
Estonia	6 028		
Finland	11 766		
Latvia	1 488		
Lithuania	1 566		
Poland	13 367		
Sweden	17 945		
Union	53 653		
TAC	Not relevant		

Table 4

Species:	Herring <i>Clupea harengus</i>	Zone:	Subdivision 28.1 (HER/03D.RG)
Estonia	22 026	Analytical TAC Article 6 of this Regulation applies.	
Latvia	25 671		
Union	47 697		
TAC	47 697		

Table 5

Species:	Cod <i>Gadus morhua</i>	Zone:	Union waters of subdivisions 25-32 (COD/3DX32.)
Denmark	137 ⁽¹⁾	Precautionary TAC Article 3(2) and (3) of Regulation (EC) No 847/96 do not apply. Article 4 of Regulation (EC) No 847/96 does not apply.	
Germany	54 ⁽¹⁾		
Estonia	13 ⁽¹⁾		
Finland	10 ⁽¹⁾		
Latvia	51 ⁽¹⁾		
Lithuania	33 ⁽¹⁾		
Poland	159 ⁽¹⁾		

Sweden 138 ⁽¹⁾

Union 595 ⁽¹⁾

TAC Not relevant

⁽¹⁾ Exclusively for by-catches. No directed fisheries are permitted under this quota. By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to cod provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.

Table 6

Species:	Cod <i>Gadus morhua</i>	Zone:	Subdivisions 22-24 (COD/3BC+24)
Denmark	214 ⁽¹⁾	Analytical TAC	
Germany	104 ⁽¹⁾	Article 3(2) and (3) of Regulation (EC) No 847/96 do not apply.	
Estonia	5 ⁽¹⁾	Article 4 of Regulation (EC) No 847/96 does not apply.	
Finland	4 ⁽¹⁾		
Latvia	18 ⁽¹⁾		
Lithuania	11 ⁽¹⁾		
Poland	57 ⁽¹⁾		
Sweden	76 ⁽¹⁾		
Union	489 ⁽¹⁾		
TAC	489 ⁽¹⁾		
⁽¹⁾ Exclusively for by-catches. No directed fisheries are permitted under this quota. By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to cod provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241.			

Table 7

Species:	Plaice <i>Pleuronectes platessa</i>	Zone:	Union waters of subdivisions 22-32 (PLE/3BCD-C)
Denmark	6 483	Analytical TAC	
Germany	720	Article 6 of this Regulation applies.	
Poland	1 358		
Sweden	489		
Union	9 050		
TAC	9 050		

Table 8

Species:	Atlantic salmon <i>Salmo salar</i>	Zone:	Union waters of subdivisions 22-31 (SAL/3BCD-F)
Denmark	13 223	(1)(2)	Analytical TAC Article 3(2) and (3) of Regulation (EC) No 847/96 do not apply. Article 4 of Regulation (EC) No 847/96 does not apply.
Germany	1 471	(1)(2)	
Estonia	1 344	(1)(2)(3)	
Finland	16 488	(1)(2)	
Latvia	8 411	(1)(2)	
Lithuania	989	(1)(2)	
Poland	4 011	(1)(2)	
Sweden	17 874	(1)(2)	
Union	63 811	(1)(2)	
TAC	Not relevant		
(1)	Expressed by number of individual fish.		
(2)	Exclusively for by-catches. No directed fisheries are permitted under this quota. By way of derogation from the first paragraph, fishing operations conducted for the exclusive purpose of scientific investigations may be directed to salmon provided that those investigations are carried out in full compliance with the conditions set out in Article 25 of Regulation (EU) 2019/1241. By way of derogation from the first paragraph, fishing this quota is permitted for Union fishing vessels north of latitude 59°30'N in areas within four nautical miles measured from the baselines during the period from 1 May to 31 August.		
(3)	Special condition: no more than 450 specimens of this quota may be fished in Union waters of subdivision 32 (SAL/*3D32).		

Table 9

Species:	Atlantic salmon <i>Salmo salar</i>	Zone:	Union waters of subdivision 32 (SAL/3D32.)
Estonia	969 ⁽¹⁾	Precautionary TAC	
Finland	8 486 ⁽¹⁾		
Union	9 455 ⁽¹⁾		
TAC	Not relevant		
⁽¹⁾	Expressed by number of individual fish.		

Table 10

Species: Sprat <i>Sprattus sprattus</i>		Zone: Union waters of subdivisions 22-32 (SPR/3BCD-C)	
Denmark	24 852	Analytical TAC Article 6 of this Regulation applies.	
Germany	15 745		
Estonia	28 859		
Finland	13 010		
Latvia	34 855		
Lithuania	12 608		
Poland	73 969		
Sweden	48 045		
Union	251 943		
TAC	Not relevant		

COMMISSION DELEGATED REGULATION (EU) 2021/1889**of 23 July 2021****amending Council Regulation (EEC) No 95/93 as regards the extension of measures for temporary relief from the slot utilisation rules due to the COVID-19 crisis**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports ⁽¹⁾, and in particular Article 10a(5) thereof,

Whereas:

- (1) The COVID-19 crisis continues to cause a drop in air traffic as a result of a significant fall in demand for air travel and direct measures taken by the Member States as well as third countries to contain the spread of COVID-19. Eurocontrol reported that in the first half of 2021, air traffic in the EEA airspace has been rather stable and accounted for approximately 38 % of 2019 air traffic in the corresponding period with an upward trend. According to the Eurocontrol forecast, the annual average air traffic is expected to reach 50 % and 72 % in 2021 and 2022 respectively, on the basis of the most realistic forecast scenario.
- (2) Such circumstances are beyond the control of air carriers and consequent voluntary or obligatory cancellations of air services by air carriers in line with evolving demand is a necessary or legitimate response to those circumstances.
- (3) Pursuant to Article 8(2) of Regulation (EEC) No 95/93, read in conjunction with Article 10(2), air carriers are to use at least 80 % of a slot series allocated to them, or lose historical precedence for those slots, known as the 'use-it-or-lose-it-rule'. In light of the COVID-19 crisis, and to protect the financial health of air carriers and avoid the negative environmental impact of empty or largely-empty flights operated only for the purpose of maintaining underlying airport slots, the 'use-it-or-lose-it' rule was suspended from 1 March 2020 until 28 March 2021.
- (4) On 16 February 2021, and given the continuing impact of the COVID-19 crisis on air traffic, the Union amended Regulation (EEC) No 95/93 to grant airlines further relief from the 'use-it-or-lose-it' rule during the summer 2021 scheduling period by suspending the rule for a further period from 28 March 2021 to 30 October 2021.
- (5) Pursuant to Article 10a(5) of Regulation (EEC) No 95/93, the Commission is empowered to adopt delegated acts to amend the period of suspension of the 'use-it-or-lose-it' rule set out in Article 10a(3).
- (6) Furthermore, pursuant to Article 10a(5) of Regulation (EEC) No 95/93, the Commission is empowered to adopt, where strictly necessary in order to address the evolving impact of the COVID-19 crisis on air traffic levels, delegated acts to amend the slot use rate within a range between 30 % and 70 %.
- (7) Despite a gradual increase, air traffic levels in the first half of 2021 are still low when compared to the same period in 2019, at approximately 38 % on average of 2019 air traffic in the corresponding period. While acknowledging the difficulties in accurately predicting the recovery path of air traffic levels, it is reasonable to expect the situation to persist in the near future with a steady narrowing of the gap between air traffic in 2021 when compared to 2019. Based on the four-year Eurocontrol forecast of 21 May 2021, under the most likely scenario, which assumes that vaccination should achieve efficacy in 2022, annual traffic levels would reach an annual average of 50 % to 72 % of the corresponding 2019 levels, in 2021 and 2022 respectively. On the basis of the available Eurocontrol monthly forecasts for 2021 and the available Eurocontrol annual average for 2022, air traffic during the winter 2021/2022 scheduling period is expected to be at 70 % of 2019 levels.

⁽¹⁾ OJ L 14, 22.1.1993, p. 1.

- (8) Data compiled by the World Health Organisation and the European Centre for Disease Control demonstrates that the persistent reduction of air traffic is the result of the impact of the COVID-19 crisis. The available data shows a correlation between the evolving numbers of cases and the Member States' and third countries' responses to those evolving numbers, by adopting measures that have an impact on air travel, and result in a decline in air traffic. Such measures, which can be implemented or lifted at a very short notice contribute to a climate of uncertainty and negatively impact consumer confidence and booking behaviour.
- (9) Due to the evolving numbers of COVID-19 cases and the possible spread of new variants, it is reasonable to expect a significant number of cancellations as a consequence of the COVID-19 crisis over the forthcoming winter scheduling period, running from 31 October 2021 to 26 March 2022, if airlines were required to operate their full 2019 slot portfolios in accordance with Article 8 of Regulation (EEC) No 95/93.
- (10) It is therefore necessary to extend the period laid down in Article 10a(3) of Regulation (EEC) No 95/93 from 31 October 2021 to 26 March 2022.
- (11) The demand for travel during the winter scheduling period from 31 October 2021 to 26 March 2022 could still remain low despite progress of vaccination campaigns, increased safety for travel, and countries' scale back of measures impacting travel. A persistent low demand during the winter scheduling period could likely be an indication of long term structural changes in the market and consumer behaviour. Therefore, the slot use rate should on the one hand avoid unintended negative consequences on airlines' financial situation and negative environmental impacts due to empty or largely-empty flights operated only to retain historical rights on slots, and on the other hand, either incentivise airlines to make efficient use of airport capacity, or release the slots to the pool for other users in order to ensure the efficient use of airport capacity.
- (12) Moreover, the slot use rate should be set at a rate which guarantees a minimum amount of services in order to increase passenger trust, efficient use of airport capacity during the 2021/2022 winter scheduling period and reliable connectivity.
- (13) The slot use rate should also take into account more long-term structural changes in the market and consumer behaviour, in order to allow the market to gradually adapt to changing demand and unlock capacity for the winter 2022/2023 scheduling period. In particular, since some airlines have made use of ad hoc slots during 2020 and the beginning of 2021 without obtaining historic slots.
- (14) Therefore, the slot use rate for the winter 2021/2022 scheduling period should be set to 50 %.
- (15) While it is generally assumed that air carriers would operate as soon as demand returns, a lower use threshold poses the risk that some carriers may limit operations at some airports to the minimum necessary just for the purpose of maintaining historic rights in those slots to the detriment of competitors, airport operators and consumers. The possible release of some airport capacity due to this new use rate is not likely to cause a severe disruption to airlines' operations and networks, which a higher use rate would.
- (16) For the purposes of legal certainty, in particular for slot coordinators and air operators, this Regulation should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 10a of Regulation (EEC) No 95/93, paragraph 3 is replaced by the following:

'3. In respect of slots which have not been made available to the coordinator for reallocation in accordance with Article 10(2a), during the period from 28 March 2021 until 26 March 2022 and for the purposes of Articles 8(2) and 10(2), if an air carrier demonstrates to the satisfaction of the coordinator that the series of slots in question has been operated, as cleared by the coordinator, by that air carrier for at least 50 % of the time during the scheduling period of 28 March 2021 to 30 October 2021, and 50 % of the time during the scheduling period of 31 October 2021 to 26 March 2022, the air carrier shall be entitled to the same series of slots for the next equivalent scheduling period.

In respect of the period referred to in the first subparagraph of this paragraph, the percentage values referred to in Article 10(4) and in point (a) of Article 14(6) shall be 50 % for the scheduling period of 28 March 2021 to 30 October 2021, and 50 % for the scheduling period of 31 October 2021 to 26 March 2022.'

Article 2

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

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

Done at Brussels, 23 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION DELEGATED REGULATION (EU) 2021/1890**of 2 August 2021****amending Implementing Regulation (EU) No 543/2011 as regards marketing standards in the fruit and vegetables sector**

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 75(2) thereof,

Whereas:

- (1) Annex I to Commission Implementing Regulation (EU) No 543/2011 ⁽²⁾ lays down detailed rules on marketing standards for fruit and vegetables.
- (2) From 2018 to 2020 the Working Party on Agricultural Quality Standards of the United Nations Economic Commission for Europe (UNECE) revised the UNECE standards for sweet peppers (2018 and 2020), table grapes (2019 and 2020), apples and pears (2020). In order to avoid unnecessary barriers to trade, the general and specific marketing standards for those fruits and vegetables provided for in Implementing Regulation (EU) No 543/2011 should be aligned with the new UNECE standards.
- (3) Considering that those revised UNECE standards were successfully submitted to the approval of the Member States according to the procedure laid down in the Council Decision (EU) 2017/2104 of 6 November 2017 on the position to be taken on behalf of the European Union within the UNECE — Working Party on Agricultural Quality Standards (UNECE-WP.7) ⁽³⁾.
- (4) Regulation (EU) No 543/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment of Implementing Regulation (EU) No 543/2011

Annex I of Implementing Regulation (EU) No 543/2011 is replaced by the text set out in the Annex to this Regulation.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors (OJ L 157, 15.6.2011, p. 1).

⁽³⁾ Council Decision (EU) 2017/2104 of 6 November 2017 on the position to be taken on behalf of the European Union within the United Nations Economic Commission for Europe — Working Party on Agricultural Quality Standards (UNECE-WP.7) concerning proposals on quality standards for fruit and vegetables (OJ L 303, 18.11.2017, p. 1).

*Article 2***Entry into force**

This Regulation shall enter into force on the seventh 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, 2 August 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

ANNEX I

MARKETING STANDARDS REFERRED TO IN ARTICLE 3

PART A

General marketing standard

The purpose of this general marketing standard is to define the quality requirements for fruit and vegetables, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- a slight deterioration due to their development and their tendency to perish.

1. Minimum requirements

Subject to the tolerances allowed, the products shall be:

- intact,
- sound; products affected by rotting or deterioration such as to make them unfit for consumption are excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- free from damage caused by pests affecting the flesh,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The condition of the products must be such as to enable them:

- to withstand transportation and handling,
- to arrive in satisfactory condition at the place of destination.

2. Minimum maturity requirements

The products must be sufficiently developed, but not overdeveloped, and fruit must display satisfactory ripeness and must not be overripe.

The development and state of maturity of the products must be such as to enable them to continue their ripening process and to reach a satisfactory degree of ripeness.

3. Tolerance

A tolerance of 10 % by number or weight of product not satisfying the minimum quality requirements shall be permitted in each lot. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

4. Marking

Each package ⁽¹⁾ must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

A. Identification

Name and physical address of the packer and/or the dispatcher (for example: street/city/region/postal code and, if different from the country of origin, the country).

⁽¹⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Origin

Full name of the country of origin ⁽²⁾. For products originating in a Member State this shall be in the language of the country of origin or any other language understandable by the consumers of the country of destination. For other products, this shall be in any language understandable by the consumers of the country of destination.

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART B

Specific marketing standards

PART 1: MARKETING STANDARD FOR APPLES

I. DEFINITION OF PRODUCE

This standard applies to apples of varieties (cultivars) grown from *Malus domestica* Borkh., to be supplied fresh to the consumer, apples for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for apples, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the "Extra" Class, a slight deterioration due to their development and their tendency to perish.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, apples must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- free from damage caused by pests affecting the flesh,
- free from serious watercore, except for varieties marked with "V" listed in the appendix to this standard,

⁽²⁾ The full or commonly used name shall be indicated.

- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of the apples must be such as to enable them:

- to withstand transportation and handling, and
- to arrive in satisfactory condition at the place of destination.

B. **Maturity requirements**

The apples must be sufficiently developed, and display satisfactory ripeness.

The development and state of maturity of the apples must be such as to enable them to continue their ripening process and to reach the degree of ripeness required in relation to the varietal characteristics.

In order to verify the minimum maturity requirements, several parameters may be considered (for example morphological aspect, taste, firmness and refractometric index).

C. **Classification**

Apples are classified in three classes defined below.

(i) *“Extra” Class*

Apples in this class must be of superior quality. They must be characteristic of the variety ⁽³⁾ and with the stalk which must be intact.

Apples must express the following minimum surface colour characteristic of the variety:

- 3/4 of total surface red coloured in case of colour group A,
- 1/2 of total surface mixed red coloured in case of colour group B,
- 1/3 of total surface slightly red coloured, blushed or striped in case of colour group C,
- no minimum colour requirement in case of colour group D.

The flesh must be perfectly sound.

They must be free from defects with the exception of very slight superficial defects provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- very slight skin defects,
- very slight russetting ⁽⁴⁾ such as:
 - brown patches that may not go outside the stem cavity and may not be rough and/or
 - slight isolated traces of russetting.

(ii) *Class I*

Apples in this class must be of good quality. They must be characteristic of the variety ⁽³⁾.

Apples must express the following minimum surface colour characteristic of the variety:

- 1/2 of total surface red coloured in case of colour group A,
- 1/3 of total surface mixed red coloured in case of colour group B,

⁽³⁾ A non-exhaustive list of varieties providing a classification on colouring and russetting is set out in the appendix to this standard.

⁽⁴⁾ Varieties marked with “R” in the appendix to this standard are exempt from the provisions on russetting.

⁽⁵⁾ A non-exhaustive list of varieties providing a classification on colouring and russetting is set out in the appendix to this standard.

- 1/10 of total surface slightly red coloured, blushed or striped in case of colour group C,
- no minimum colour requirement in case of colour group D.

The flesh must be perfectly sound.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- a slight defect in development,
- a slight defect in colouring,
- slight bruising not exceeding 1 cm² of total surface area and not discoloured,
- slight skin defects which must not extend over more than:
 - 2 cm in length for defects of elongated shape,
 - 1 cm² of total surface area for other defects, with the exception of scab (*Venturia inaequalis*), which must not extend over more than 0,25 cm², cumulative, in area,
- slight russetting ⁽⁶⁾ such as:
 - brown patches that may go slightly beyond the stem or pistil cavities but may not be rough and/or
 - thin net-like russetting not exceeding 1/5 of the total fruit surface and not contrasting strongly with the general colouring of the fruit and/or
 - dense russetting not exceeding 1/20 of the total fruit surface, while
 - thin net-like russetting and dense russetting taken together may not exceed a maximum of 1/5 of the total surface of the fruit.

The stalk may be missing, provided the break is clean and the adjacent skin is not damaged.

(iii) *Class II*

This class includes apples which do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

The flesh must be free from major defects.

The following defects may be allowed, provided the apples retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- defects in development,
- defects in colouring,
- slight bruising not exceeding 1,5 cm² in area which may be slightly discoloured,
- skin defects which must not extend over more than:
 - 4 cm in length for defects of elongated shape,
 - 2,5 cm² of total surface area for other defects, with the exception of scab (*Venturia inaequalis*), which must not extend over more than 1 cm², cumulative, in area;

⁽⁶⁾ Varieties marked with "R" in the appendix to this standard are exempt from the provisions on russetting.

- slight russetting ⁽⁷⁾ such as
 - brown patches that may go beyond the stem or pistil cavities and may be slightly rough and/or
 - thin net-like russetting not exceeding 1/2 of the total fruit surface and not contrasting strongly with the general colouring of the fruit and/or
 - dense russetting not exceeding 1/3 of the total fruit surface, while
 - thin net-like russetting and dense russetting taken together may not exceed a maximum of 1/2 of the total surface of the fruit.

III. PROVISIONS CONCERNING SIZING

Size is determined either by the maximum diameter of the equatorial section or by weight.

The minimum size shall be 60 mm, if measured by diameter or 90 g, if measured by weight. Fruit of smaller sizes may be accepted, if the Brix level ⁽⁸⁾ of the produce is equal to or greater than to 10,5° Brix and the size is not smaller than 50 mm or 70 g.

To ensure the uniformity in size, the range in size between produce in the same package shall not exceed:

(a) for fruit sized by diameter:

- 5 mm for the “Extra” Class fruit and for Classes I and II fruit packed in rows and layers. However, for apples of the varieties Bramley’s Seedling (Bramley, Triomphe de Kiel) and Horneburger, the difference in diameter may amount to 10 mm, and
- 10 mm for Class I fruit packed in sales packages or loose in the package. However, for apples of the varieties Bramley’s Seedling (Bramley, Triomphe de Kiel) and Horneburger, the difference in diameter may amount to 20 mm.

(b) for fruit sized by weight:

- For the “Extra” Class and Classes I and II apples packed in rows and layers:

Range (g)	Weight difference (g)
70-90	15 g
91-135	20 g
136-200	30 g
201-300	40 g
> 300	50 g

- For Class I fruit packed in sales packages or loose in the package:

Range (g)	Uniformity (g)
70-135	35
136-300	70
> 300	100

⁽⁷⁾ Varieties marked with “R” in the appendix to this standard are exempt from the provisions on russetting.

⁽⁸⁾ Calculated as described in the OECD guidance on objective tests, available at: <http://www.oecd.org/agriculture/fruit-vegetables/publications>

There is no sizing uniformity requirement for Class II fruit packed in sales packages or loose in the package.

Varieties of miniature apples, marked with an “M” in the appendix to this standard, are exempted from the sizing provisions. Those miniature varieties must have a minimum Brix level ⁽⁹⁾ of 12°.

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) “Extra” Class

A total tolerance of 5 per cent, by number or weight, of apples not satisfying the requirements of the class, but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) Class I

A total tolerance of 10 per cent, by number or weight, of apples not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) Class II

A total tolerance of 10 per cent, by number or weight, of apples satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. Size tolerances

For all classes: a total tolerance of 10 per cent, by number or weight, of apples not satisfying the requirements as regards sizing is allowed. This tolerance may not be extended to include produce with a size:

- 5 mm or more below the minimum diameter,
- 10 g or more below the minimum weight.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only apples of the same origin, variety, quality and size (if sized) and the same degree of ripeness.

In the case of the “Extra” Class, uniformity also applies to colouring.

However, a mixture of apples of distinctly different varieties may be packed together in a sales package provided they are uniform in quality and, for each variety concerned, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The apples must be packed in such a way as to protect the produce properly. In particular, sales packages of a net weight exceeding 3 kg shall be sufficiently rigid to ensure proper protection of the produce.

⁽⁹⁾ Calculated as described in the OECD guidance on objective tests, available at: <http://www.oecd.org/agriculture/fruit-vegetables/publications>

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defects.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽¹⁰⁾ must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- 'Apples' if the contents are not visible from the outside.
- Name of the variety. In the case of a mixture of apples of distinctly different varieties, names of the different varieties.
- The name of the variety may be replaced by a synonym. A trade name ⁽¹¹⁾ may only be given in addition to the variety or the synonym.
- In the case of mutants with varietal protection, this variety name may replace the basic variety name. In case of mutants without varietal protection, this mutant name may only be indicated in addition to the basic variety name.
- "Miniature variety", where appropriate.

C. Origin of produce

Country of origin ⁽¹²⁾ and, optionally, district where grown, or national, regional or local place name.

In the case of a mixture of distinctly different varieties of apples of different origins, the indication of each country of origin shall appear next to the name of the variety concerned.

D. Commercial specifications

- Class
- Size, or for fruit packed in rows and layers, number of units.

⁽¹⁰⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

⁽¹¹⁾ A trade name can be a trade mark for which protection has been sought or obtained, or any other commercial denomination.

⁽¹²⁾ The full or commonly used name shall be indicated.

If identification is by the size, this should be expressed:

- (a) for produce subject to the uniformity rules, as minimum and maximum diameters or minimum and maximum weights;
- (b) optionally, for produce not subject to the uniformity rules, as the diameter or the weight of the smallest fruit in the package followed by 'and over' or equivalent denomination or, where appropriate, followed by the diameter or weight of the largest fruit in the package.

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

Appendix

Non-exhaustive list of apple varieties

Fruits of varieties that are not part of the list must be graded according to their varietal characteristics.

Some of the varieties listed in the following table may be marketed under names for which trademark protection has been sought or obtained in one or more countries. The three first columns of the table hereunder do not intend to include such trademarks. References to known trademarks have been included in the fourth column for information only.

Legend:

M = miniature variety

R = russet variety

V = watercore

* = mutant without varietal protection but linked to a registered/protected trademark; mutants not marked with the asterisk are protected varieties

Varieties	Mutant	Synonyms	Trademarks	Colour group	Additional specifications
African Red			African Carmine TM	B	
Akane		Tohoku 3, Primerouge		B	
Alkmene		Early Windsor		C	
Alwa				B	
Amasya				B	
Ambrosia			Ambrosia [®]	B	
Annurca				B	
Ariane			Les Naturianes [®]	B	
Arlet		Swiss Gourmet		B	R
AW 106			Sapora [®]	C	
Belgica				B	
Belle de Boskoop		Schone van Boskoop, Goudreinette		D	R
	Boskoop rouge	Red Boskoop, Roter Boskoop, Rode Boskoop		B	R
	Boskoop Valastrid			B	R

Berlepsch		Freiherr von Berlepsch		C	
	Berlepsch rouge	Red Berlepsch, Roter Berlepsch		B	
Bonita				A	
Braeburn				B	
	Hidala		Hillwell ®	A	
	Joburn		Aurora TM , Red Braeburn TM , Southern Rose TM	A	
	Lochbuie Red Braeburn			A	
	Mahana Red Braeburn		Redfield ®	A	
	Mariri Red		Eve TM , Aporo ®	A	
	Royal Braeburn			A	
Bramley's Seedling		Bramley, Triomphe de Kiel		D	
Cardinal				B	
Caudle			Cameo ®, Camela®	B	
	Cauflight		Cameo ®, Camela®	A	
CIV323			Isaaq ®	B	
CIVG198			Modi ®	A	
Civni			Rubens ®	B	
Collina				C	
Coop 38			Goldrush ®, Delisdor ®	D	R
Coop 39			Crimson Crisp ®	A	
Coop 43			Juliet ®	B	
Coromandel Red		Corodel		A	
Cortland				B	
Cox's Orange Pippin		Cox orange, Cox's O.P.		C	R

Cripps Pink			Pink Lady ®, Flavor Rose ®	C	
	Lady in Red		Pink Lady ®	B	
	Rosy Glow		Pink Lady ®	B	
	Ruby Pink			B	
Cripps Red			Sundowner ™, Joya ®	B	
Dalinbel			Antares ®	B	R
Dalitron			Altess ®	D	
Delblush			Tentation ®	D	
Delcorf			Delbarestivale ®	C	
	Celeste			B	
	Bruggers Festivale		Sissired ®	A	
	Dalili		Ambassy ®	A	
	Wonik*		Appache ®	A	
Delcoros			Autento ®	A	
Delgollune			Delbard Jubilé ®	B	
Delicious ordinaire		Ordinary Delicious		B	
Discovery				C	
Dykmanns Zoet				C	
Egremont Russet				D	R
Elise		De Roblos, Red Delight		A	
Elstar				C	
	Bel-El		Red Elswout ®	C	
	Daliest		Elista ®	C	
	Daliter		Elton ™	C	
	Elshof			C	
	Elstar Boerekamp		Excellent Star ®	C	
	Elstar Palm		Elstar PCP ®	C	
	Goedhof		Elnica ®	C	
	Red Elstar			C	
	RNA9842		Red Flame ®	C	
	Valstar			C	
	Vermuel		Elrosa ®	C	

Empire				A	
Fengapi			Tessa ®	B	
Fiesta		Red Pippin		C	
Fresco			Wellant ®	B	R
Fuji				B	V
	Aztec		Fuji Zhen ®	A	V
	Brak		Fuji Kiku ® 8	B	V
	FUCIV51		SAN-CIV ®	A	V
	Fuji Fubrax		Fuji Kiku ® Fubrax	B	V
	Fuji Supreme			A	V
	Fuji VW		King Fuji ®	A	V
	Heisei Fuji		Beni Shogun ®	A	V
	Raku-Raku			B	V
Gala				C	
	Alvina			A	
	ANABP 01		Bravo ™	A	
	Baigent		Brookfield ®	A	
	Bigigalaprim		Early Red Gala ®	A	
	Devil Gala			A	
	Fengal		Gala Venus	A	
	Gala Schnico		Schniga ®	A	
	Gala Schnico Red		Schniga ®	A	
	Galafresh		Breeze ®	A	
	Galaval			A	
	Galaxy		Selekta ®	B	
	Gilmac		Neon ®	A	
	Imperial Gala			B	
	Jugala			B	
	Mitchgla		Mondial Gala ®	B	
	Natali Gala			B	
	Regal Prince		Gala Must ®	B	
	Royal Beaut			A	
	Simmons		Buckeye ® Gala	A	
	Tenroy		Royal Gala ®	B	
	ZoukG1		Gala One®	A	

Galmac			Camelot ®	B	
Gloster				B	
Golden 972				D	
Golden Delicious		Golden		D	
	CG10 Yellow Delicious		Smothee ®	D	
	Golden Delicious Reinders		Reinders ®	D	
	Golden Parsi		Da Rosa ®	D	
	Leratess		Pink Gold ®	D	
	Quemoni		Rosagold ®	D	
Goldstar			Rezista Gold Granny ®	D	
Gradigold			Golden Supreme TM , Golden Extreme TM	D	
Gradiyel			Goldkiss ®	D	
Granny Smith				D	
	Dalivair		Challenger ®	D	
Gravensteiner		Gravenstein		D	
GS 66			Fräulein ®	B	
HC2-1			Easy pep's! Zingy ®	A	
Hokuto				C	
Holsteiner Cox		Holstein		C	R
Honeycrisp			Honeycrunch ®	C	
Horneburger				D	
Idared				B	
	Idaredest			B	
	Najdared			B	
Ingrid Marie				B	R
Inored			Story ®, LoliPop ®	A	
James Grieve				D	
Jonagold				C	
	Early Jonagold		Milenga ®	C	

	Dalyrian			C	
	Decosta			C	
	Jonagold Boerekamp		Early Queen ®	C	
	Jonagold Novajo	Veulemanns		C	
	Jonagored		Morren's Jonagored ®	C	
	Jonagored Supra		Morren's Jonagored ® Supra ®	C	
	Red Jonaprince		Wilton's ®, Red Prince ®	C	
	Rubinstar			C	
	Schneica	Jonica		C	
	Vivista			C	
Jonathan				B	
Karmijn de Sonnville				C	R
Kizuri			Morgana ®	B	
Ladina				B	
La Flamboyante			Mairac ®	B	
Laxton's Superb				C	R
Ligol				B	
Lobo				B	
Lurefresh			Redlove ® Era ®	A	
Lureprec			Redlove ® Circe ®	A	
Luregust			Redlove ® Calypso ®	A	
Luresweet			Redlove ® Odyso ®	A	
Maigold				B	
Maribelle			Lola ®	B	
MC38			Crimson Snow ®	A	
McIntosh				B	
Melrose				C	

Milwa			Diwa ®, Junami ®	B	
Minneiska			SweeTango ®	B	
Moonglo				C	
Morgenduft		Imperatore		B	
Mountain Cove			Ginger Gold ™	D	
Mored			Joly Red ®	A	
Mutsu		Crispin		D	
Newton				C	
Nicogreen			Greenstar ®	D	
Nicoter			Kanzi ®	B	
Northern Spy				C	
Ohrin		Orin		D	
Paula Red				B	
Pinova			Corail ®	C	
	RoHo 3615		Evelina ®	B	
Piros				C	
Plumac			Koru ®	B	
Prem A153			Lemonade ®, Honeymoon ®	C	
Prem A17			Smitten ®	C	
Prem A280			Sweetie™	B	
Prem A96			Rockit ™	B	M
R201			Kissabel ® Rouge	A	
Rafzubin			RubINETTE ®	C	
	Frubaur		RubINETTE ® Rossina	A	
	Rafzubex		RubINETTE ® Rosso	A	
Rajka			Rezista Romelike ®	B	
Regalyou			Candine ®	A	
Red Delicious		Rouge américaine		A	
	Campsur		Red Chief ®	A	
	Erovan		Early Red One ®	A	

	Evasni		Scarlet Spur ®	A	
	Stark Delicious			A	
	Starking			C	
	Starkrimson			A	
	Starkspur			A	
	Topred			A	
	Trumdor		Oregon Spur Delicious ®	A	
Reine des Reinettes		Gold Parmoné, Goldparmäne		C	V
Reinette grise du Canada		Graue Kanadarenette, Renetta Canada		D	R
RM1			Red Moon ®	A	
Rome Beauty		Belle de Rome, Rome, Rome Sport		B	
RS1			Red Moon ®	A	
Rubelit				A	
Rubin				C	
Rubinola				B	
Šampion		Shampion, Champion, Szampion		B	
	Reno 2			A	
	Šampion Arno	Szampion Arno		A	
Santana				B	
Sciearly			Pacific Beauty ™, NZ Beauty	A	
Scifresh			Jazz ™	B	
Sciglo			Southern Snap ™	A	
Scilate			Envy ®	B	
Sciray		GS48		A	
Scired			NZ Queen	A	R
Sciros			Pacific Rose ™, NZ Rose	A	
Senshu				C	

Shinano Gold			Yello ®	D	
Spartan				A	
SQ 159			Natyra ®, Magic Star ®	A	
Stayman				B	
Summerred				B	
Sunrise				A	
Sunset				D	R
Suntan				D	R
Sweet Caroline				C	
TCL3			Posy ®	A	
Topaz				B	
Tydemán's Early Worcester		Tydemán's Early		B	
Tsugaru				C	
UEB32642			Opal ®	D	
WA 2			Sunrise Magic ™	A	
WA 38			Cosmic Crisp ™	A	
Worcester Pearmain				B	
Xeleven			Swing ® natural more	A	
York				B	
Zari				B	
Zouk 16			Flanders Pink ®, Mariposa ®	B	
Zouk 31			Rubisgold ®	D	
Zouk 32			Coryphée ®	A	

PART 2: MARKETING STANDARD FOR CITRUS FRUIT

I. DEFINITION OF PRODUCE

This standard applies to citrus fruit of varieties (cultivars) grown from the following species, to be supplied fresh to the consumer, citrus fruit for industrial processing being excluded:

- lemons grown from the species *Citrus limon* (L.) Burm. f. and hybrids thereof,
- mandarins grown from the species *Citrus reticulata* Blanco, including satsumas (*Citrus unshiu* Marcow), clementines (*Citrus clementina* hort. ex Tanaka), common mandarins (*Citrus deliciosa* Ten.) and tangerines (*Citrus tangerina* Tanaka) grown from these species and hybrids thereof,
- oranges grown from the species *Citrus sinensis* (L.) Osbeck and hybrids thereof.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for citrus fruit after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the “Extra” Class, a slight deterioration due to their development and their tendency to perish.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the citrus fruit must be:

- intact,
- free of bruising and/or extensive healed overcuts,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- free from damage caused by pests affecting the flesh,
- free of signs of shrivelling and dehydration,
- free of damage caused by low temperature or frost,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of the citrus fruit must be such as to enable it:

- to withstand transportation and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Maturity requirements

The citrus fruit must have reached an appropriate degree of development and ripeness, account being taken of criteria proper to the variety, the time of picking and the growing area.

Maturity of citrus fruit is defined by the following parameters specified for each species below:

- minimum juice content,
- minimum sugar/acid ratio ⁽¹³⁾,
- colouring.

The degree of colouring shall be such that following normal development the citrus fruit reach the colour typical of the variety at their destination point.

	Minimum juice content (per cent)	Minimum sugar/acid ratio	Colouring
Lemons	20		Must be typical of the variety. Fruit with a green (but not dark green) colour is allowed, provided it satisfies the minimum requirements as to juice content

Satsumas, clementines, other mandarin varieties and their hybrids

Satsumas	33	6,5:1	Must be typical of the variety on at least one third of the surface of the fruit
Clementines	40	7,0:1	
Other mandarin varieties and their hybrids	33	7,5:1 ⁽¹⁴⁾	

Oranges

Blood oranges	30	6,5:1	Must be typical of the variety. However, fruit with light green colour not exceeding one fifth of the total surface area of the fruit is allowed, provided it satisfies the minimum requirements as to juice content.
Navels group	33	6,5:1	
Other varieties	35	6,5:1	
Mosambi, Sathgudi and Pacitan with more than one fifth green colour	33		Oranges produced in areas with high temperatures and high relative humidity conditions during the developing period having a green colour exceeding one fifth of the surface area of the fruit are allowed, provided they satisfy the minimum requirements as to juice content.
Other varieties with more than one fifth green colour	45		

Citrus fruit meeting these maturity requirements may be 'degreened'. This treatment is only permitted if the other natural organoleptic characteristics are not modified.

C. Classification

Citrus fruit is classified in three classes, as defined below:

(i) "Extra" Class

Citrus fruit in this class must be of superior quality. It must be characteristic of the variety and/or commercial type.

⁽¹³⁾ Calculated as described in the OECD guidance on objective tests, available at: <http://www.oecd.org/agriculture/fruit-vegetables/publications>

⁽¹⁴⁾ For the varieties Mandarina and Minneola the minimum sugar/acid ratio is 6.0:1 until the end of the marketing year commencing 1 January 2023.

It must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Citrus fruit in this class must be of good quality. It must be characteristic of the variety and/or commercial type.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- slight defects in colouring, including slight sunburn,
- slight progressive skin defects, provided they do not affect the flesh,
- slight skin defects occurring during the formation of the fruit, such as silver scurfs, russets or pest damage,
- slight healed defects due to a mechanical cause such as hail damage, rubbing or damage from handling,
- slight and partial detachment of the peel (or rind) for all fruit of the mandarin group.

(iii) *Class II*

This class includes citrus fruit which does not qualify for inclusion in the higher classes but satisfies the minimum requirements specified above.

The following defects may be allowed, provided the citrus fruit retains its essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- defects in colouring, including sunburn,
- progressive skin defects, provided they do not affect the flesh,
- skin defects occurring during the formation of the fruit, such as silver scurfs, russets or pest damage,
- healed defects due to a mechanical cause such as hail damage, rubbing or damage from handling,
- superficial healed skin alterations,
- rough skin,
- a slight and partial detachment of the peel (or rind) for oranges and a partial detachment of the peel (or rind) for all fruit of the mandarin group.

III. PROVISIONS CONCERNING SIZING

Size is determined by the maximum diameter of the equatorial section of the fruit or by count.

A. Minimum size

The following minimum sizes apply:

Fruit	Diameter (mm)
Lemons	45
Satsumas, other mandarin varieties and hybrids	45
Clementines	35
Oranges	53

B. Uniformity

Citrus fruit may be sized by one of the following options:

- (a) To ensure uniformity in size, the range in size between produce in the same package shall not exceed:
- 10 mm, if the diameter of the smallest fruit (as indicated on the package) is < 60 mm
 - 15 mm, if the diameter of the smallest fruit (as indicated on the package) is ≥ 60 mm but < 80 mm
 - 20 mm, if the diameter of the smallest fruit (as indicated on the package) is ≥ 80 mm but < 110 mm
 - there is no limitation of difference in diameter for fruit ≥ 110 mm.
- (b) When size codes are applied, the codes and ranges in the following tables must be respected:

	Size code	Diameter (mm)
Lemons		
	0	79 - 90
	1	72 - 83
	2	68 - 78
	3	63 - 72
	4	58 - 67
	5	53 - 62
	6	48 - 57
	7	45 - 52
Satsumas, clementines, and other mandarin varieties and hybrids		
	1 - XXX	78 and above
	1 - XX	67 - 78
	1 or 1 - X	63 - 74
	2	58 - 69
	3	54 - 64
	4	50 - 60
	5	46 - 56
	6 ⁽¹⁵⁾	43 - 52
	7	41 - 48
	8	39 - 46
	9	37 - 44
	10	35 - 42
Oranges		
	0	92 - 110
	1	87 - 100

⁽¹⁵⁾ Sizes below 45 mm refer to clementines only.

2	84 – 96
3	81 – 92
4	77 – 88
5	73 – 84
6	70 – 80
7	67 – 76
8	64 – 73
9	62 – 70
10	60 – 68
11	58 – 66
12	56 – 63
13	53 – 60

Uniformity in size is achieved by the above-mentioned size scales, unless otherwise stated as follows:

For fruit in bulk bins and fruit in sales packages of a maximum net weight of 5 kg, the maximum difference must not exceed the range obtained by grouping three consecutive sizes in the size scale.

(c) For fruit sized by count, the difference in size should be consistent with (a).

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) “Extra” Class

A total tolerance of 5 per cent, by number or weight, of citrus fruit not satisfying the requirements of the class, but meeting those of Class I is allowed. Within this tolerance, not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) Class I

A total tolerance of 10 per cent, by number or weight, of citrus fruit not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance, not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) Class II

A total tolerance of 10 per cent, by number or weight, of citrus fruit satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance, not more than 2 per cent in total may consist of produce affected by decay.

B. Size tolerances

For all classes: a total tolerance of 10 per cent, by number or weight, of citrus fruit corresponding to the size immediately below and/or above that (or those, in the case of the combination of three sizes) mentioned on the packages is allowed.

In any case, the tolerance of 10 % applies only to fruit not smaller than the following minima:

Fruit	Diameter (mm)
Lemons	43
Satsumas, other mandarin varieties and hybrids	43
Clementines	34
Oranges	50

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only citrus fruit of the same origin, variety or commercial type, quality and size, and appreciably of the same degree of ripeness and development.

In addition, for the “Extra” Class, uniformity in colouring is required.

However, a mixture of citrus fruit of distinctly different species may be packed together in a sales package, provided they are uniform in quality and, for each species concerned, in variety or commercial type and origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The citrus fruit must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defects.

If the fruit is wrapped, thin, dry, new and odourless ⁽¹⁶⁾ paper must be used.

The use of any substance tending to modify the natural characteristics of the citrus fruit, especially its taste or smell ⁽¹⁷⁾, is prohibited.

Packages must be free of all foreign matter. However, a presentation where a short (not wooden) twig with some green leaves adheres to the fruit is allowed.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽¹⁸⁾ must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

⁽¹⁶⁾ The use of preserving agents or any other chemical substance liable to leave a foreign smell on the skin of the fruit is permitted where it is compatible with the applicable European Union provisions.

⁽¹⁷⁾ The use of preserving agents or any other chemical substance liable to leave a foreign smell on the skin of the fruit is permitted where it is compatible with the applicable European Union provisions.

⁽¹⁸⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- "Lemons", "Mandarins" or "Oranges" if the produce is not visible from the outside.
- "Mixture of citrus fruit" or equivalent denomination and common names of the different species, in case of a mixture of citrus fruit of distinctly different species.
- For oranges, name of the variety, and/or the respective variety group in the case of "Navels", and "Valencias".
- For "Satsumas" and "Clementines", the common name of the species is required and the name of the variety is optional.
- For other mandarins and hybrids thereof, the name of the variety is required.
- For lemons: the name of the variety is optional.
- "Seeded" in case of clementines with more than 10 seeds.
- "Seedless" (optional, seedless citrus fruit may occasionally contain seeds)

C. Origin of produce

- Country of origin ⁽¹⁹⁾ and, optionally, district where grown, or national, regional or local place name.
- In the case of a mixture of citrus fruit of distinctly different species of different origins, the indication of each country of origin shall appear next to the name of the species concerned.

D. Commercial specifications

- Class.
- Size expressed as:
 - Minimum and maximum sizes (in mm) or
 - Size code(s) followed, optionally, by a minimum and maximum size or
 - Count.
- When used, mention of the preserving agent or other chemical substances used at post-harvest stage.

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

⁽¹⁹⁾ The full or commonly used name shall be indicated.

PART 3: MARKETING STANDARD FOR KIWIFRUIT

I. DEFINITION OF PRODUCE

This standard applies to kiwifruit (also known as *Actinidia* or kiwi) of varieties (cultivars) grown from *Actinidia chinensis* Planch. and *Actinidia deliciosa* (A. Chev.), C.F. Liang and A.R. Ferguson to be supplied fresh to the consumer, kiwifruit for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for kiwifruit, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the “Extra” Class, a slight deterioration due to their development and their tendency to perish.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the kiwifruit must be:

- intact (but free of peduncle),
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- free from damage caused by pests affecting the flesh,
- adequately firm; not soft, shrivelled or water-soaked,
- well formed, double/multiple fruit being excluded,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of the kiwifruit must be such as to enable it:

- to withstand transportation and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Minimum maturity requirements

The kiwifruit must be sufficiently developed and display satisfactory ripeness.

In order to satisfy this requirement, the fruit at packing must have attained a degree of ripeness of at least 6,2° Brix ⁽²⁰⁾ or an average dry matter content of 15 %, which should lead to 9,5° Brix ²¹ when entering the distribution chain.

C. Classification

Kiwifruit is classified in three classes as defined below.

(i) “Extra” Class

Kiwifruit in this class must be of superior quality. It must be characteristics of the variety.

The fruit must be firm and the flesh must be perfectly sound.

⁽²⁰⁾ Calculated as described in the OECD guidance on objective tests, available at: <http://www.oecd.org/agriculture/fruit-vegetables/publications>

It must be free from defects with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

The ratio of the minimum/maximum diameter of the fruit measured at the equatorial section must be 0,8 or greater.

(ii) *Class I*

Kiwifruit in this class must be of good quality. It must be characteristic of the variety.

The fruit must be firm and the flesh must be perfectly sound.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape (but free of swelling or malformations),
- slight defects in colouring,
- slight skin defects, provided the total area affected does not exceed 1 cm²,
- small 'Hayward mark' like longitudinal lines and without protuberance.

The ratio of the minimum/maximum diameter of the fruit measured at the equatorial section must be 0,7 or greater.

(iii) *Class II*

This class includes kiwifruit that does not qualify for inclusion in the higher classes, but satisfies the minimum requirements specified above.

The fruit must be reasonably firm and the flesh should not show any serious defects.

The following defects may be allowed provided the kiwifruit retains its essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- defects in colouring,
- skin defects such as small healed cuts or scarred/grazed tissue, provided that the total area affected does not exceed 2 cm²,
- several more pronounced 'Hayward marks' with a slight protuberance,
- slight bruising.

III. PROVISIONS CONCERNING SIZING

Size is determined by the weight of the fruit.

The minimum weight for the "Extra" Class is 90 g, for Class I is 70 g and for Class II is 65 g.

To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

- 10 g for fruit of weight up to 85 g,
- 15 g for fruit weighing between 85 g and 120 g,
- 20 g for fruit weighing between 120 g and 150 g,
- 40 g for fruit weighing 150 g or more.

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances**(i) “Extra” Class**

A total tolerance of 5 per cent, by number or weight, of kiwifruit not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) Class I

A total tolerance of 10 per cent, by number or weight, of kiwifruit not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) Class II

A total tolerance of 10 per cent, by number or weight, of kiwifruit satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. Size tolerances

For all classes: a total tolerance of 10 %, by number or weight, of kiwifruit not satisfying the requirements as regards sizing is allowed.

However, the kiwifruit must not weigh less than 85 g in the “Extra” Class, 67 g in Class I and 62 g in Class II.

V. PROVISIONS CONCERNING PRESENTATION**A. Uniformity**

The contents of each package must be uniform and contain only kiwifruit of the same origin, variety, quality and size.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The kiwifruit must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps, bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed to the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defects.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽²¹⁾ must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

⁽²¹⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- 'Kiwifruit' and/or 'Actinidia', if the contents are not visible from the outside.
- Name of the variety (optional).
- Flesh colour or equivalent indication, if not green.

C. Origin of produce

Country of origin ⁽²²⁾ and, optionally, district where grown, or national, regional or local place name.

D. Commercial specifications

- Class.
- Size expressed by the minimum and maximum weight of the fruit.
- Number of fruits (optional).

E. Official control mark (optional)

Packages need not bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 4: MARKETING STANDARD FOR LETTUCES, CURLED-LEAVED ENDIVES AND BROAD-LEAVED (BATAVIAN) ENDIVES

I. DEFINITION OF PRODUCE

This standard applies to

- lettuces of varieties (cultivars) grown from:
 - *Lactuca sativa* var. *capitata* L. (head lettuces including crisphead and "Iceberg" type lettuces),
 - *Lactuca sativa* var. *longifolia* Lam. (cos or romaine lettuces),
 - *Lactuca sativa* var. *crispa* L. (leaf lettuces),
 - crosses of these varieties and
 - curled-leaved endives of varieties (cultivars) grown from *Cichorium endivia* var. *crispum* Lam. and
 - broad-leaved (Batavian) endives (escaroles) of varieties (cultivars) grown from *Cichorium endivia* var. *latifolium* Lam.
- to be supplied fresh to the consumer.

This standard does not apply to produce for industrial processing, produce presented as individual leaves, lettuces with root ball or lettuces in pots.

⁽²²⁾ The full or the commonly used name shall be indicated.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for produce, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- a slight deterioration due to their development and their tendency to perish.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the produce must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean and trimmed, i.e. practically free from all earth or other growing medium and practically free of any visible foreign matter,
- fresh in appearance,
- practically free from pests,
- practically free from damage caused by pests,
- turgid,
- not running to seed,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

In the case of lettuce, a reddish discolouration, caused by low temperature during growth, is allowed, unless it seriously affects the appearance of the lettuce.

The roots must be cut close to the base of the outer leaves and the cut must be neat.

The produce must be of normal development. The development and condition of the produce must be such as to enable it:

- to withstand transportation and handling, and
- to arrive in a satisfactory condition at the place of destination.

B. Classification

The produce is classified in two classes, as defined below:

(i) Class I

Produce in this class must be of good quality. It must be characteristic of the variety and/or commercial type.

The produce must also be:

- well formed,
- firm, taking into account the cultivation methods and the type of produce,
- free from damage or deterioration impairing edibility,
- free from frost damage.

Head lettuces must have a single well-formed heart. However, in the case of head lettuces grown under protection, the heart may be small.

Cos lettuces must have a heart, which may be small.

The centre of curled-leaved endives and broad-leaved (Batavian) endives must be yellow in colour.

(ii) *Class II*

This class includes produce which do not qualify for inclusion in Class I, but satisfy the minimum requirements specified above.

The produce must be:

- reasonably well-formed,
- free from damage and deterioration which may seriously impair edibility.

The following defects may be allowed provided the produce retains its essential characteristics as regards the quality, the keeping quality and presentation:

- slight discolouration,
- slight damage caused by pests.

Head lettuces must have a heart, which may be small. However, in the case of head lettuces grown under protection, absence of heart is permissible.

Cos lettuces may show no heart.

III. PROVISIONS CONCERNING SIZING

Size is determined by the weight of one unit.

To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

(a) Lettuces

- 40 g when the lightest unit weighs less than 150 g per unit,
- 100 g when the lightest unit weighs between 150 g and 300 g per unit,
- 150 g when the lightest unit weighs between 300 g and 450 g per unit,
- 300 g when the lightest unit weighs more than 450 g per unit.

(b) Curled-leaved and broad-leaved (Batavian) endives

- 300 g.

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) *Class I*

A total tolerance of 10 per cent, by number, of produce not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(ii) *Class II*

A total tolerance of 10 per cent, by number, of produce satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. Size tolerances

For all classes: a total tolerance of 10 per cent, by number, of produce not satisfying the requirements as regards sizing is allowed.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only produce of the same origin, variety or commercial type, quality and size.

However, a mixture of lettuces and/or endives of distinctly different, varieties, commercial types and/or colours may be packed together in a package, provided they are uniform in quality and, for each variety, commercial type and/or colour, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The produce must be packed in such a way as to protect it properly. It must be reasonably packed having regard to the size and type of packaging, without empty spaces or crushing.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽²³⁾ must bear the following particulars in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference «Packer and/or Dispatcher» (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention «Packed for:» or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- "Lettuces", "butterhead lettuces", "batavia", "crisphead lettuces (Iceberg)", "cos lettuces", "leaf lettuce" (or, for example and where appropriate, "Oak leaf", "Lollo bionda", "Lollo rossa"), "curled-leaved endives", "broad-leaved (Batavian) endives", or equivalent denomination if the contents are not visible from the outside.
- "Grown under protection", or equivalent denomination where appropriate.
- Name of the variety (optional).
- "Mixture of lettuces/endives", or equivalent denomination in the case of a mixture of lettuces and/or endives of distinctly different varieties, commercial types and/or colours. If the produce is not visible from the outside, the varieties, commercial types and/or colours, and the quantity of each in the package must be indicated.

⁽²³⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

C. Origin of produce

- Country of origin ⁽²⁴⁾ and, optionally, district where grown, or national, regional or local place name.
- In the case of a mixture of lettuces and/or endives of distinctly different varieties, commercial types and/or colours of different origins, the indication of each country of origin shall appear next to the name of the variety, commercial type and/or colour concerned.

D. Commercial specifications

- Class
- Size, expressed by the minimum weight per unit, or number of units

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 5: MARKETING STANDARD FOR PEACHES AND NECTARINES**I. DEFINITION OF PRODUCE**

This standard applies to peaches and nectarines of varieties (cultivars) grown from *Prunus persica* Sieb. and Zucc., to be supplied fresh to the consumer, peaches and nectarines for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for peaches and nectarines, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the “Extra” Class, a slight deterioration due to their development and their tendency to perish.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, peaches and nectarines must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- free from damage caused by pests affecting the flesh,
- free of fruit split at the stalk cavity,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of peaches and nectarines must be such as to enable them:

- to withstand transportation and handling, and
- to arrive in satisfactory condition at the place of destination.

⁽²⁴⁾ The full or the commonly used name shall be indicated.

B. Maturity requirements

The fruit must be sufficiently developed and display satisfactory ripeness. The minimum refractometric index of the flesh should be greater than or equal to 8° Brix ⁽²⁵⁾.

C. Classification

Peaches and nectarines are classified into three classes, as defined below:

(i) "Extra" Class

Peaches and nectarines in this class must be of a superior quality. They must be characteristic of the variety.

The flesh must be perfectly sound.

They must be free from defects with the exception of very slight superficial defects, provided that these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) Class I

Peaches and nectarines in this class must be of good quality. They must be characteristic of the variety. The flesh must be perfectly sound.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- a slight defect in development,
- slight defects in colouring,
- slight pressure marks not exceeding 1 cm² in total surface area,
- slight skin defects which must not extend over more than:
 - 1,5 cm in length for defects of elongated shape,
 - 1 cm² in total surface area for other defects.

(iii) Class II

This class includes peaches and nectarines which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The flesh must be free from major defects.

The following defects may be allowed provided the peaches and nectarines retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- defects in development, including split stones, provided the fruit is closed and the flesh is sound,
- defects in colouring,
- bruises which may be slightly discoloured and not exceeding 2 cm² in total surface area,
- skin defects which must not extend over more than
 - 2,5 cm in length for defects of elongated shape,
 - 2 cm² in total surface area for other defects.

⁽²⁵⁾ Calculated as described in the OECD guidance on objective tests, available at: <http://www.oecd.org/agriculture/fruit-vegetables/publications>

III. PROVISIONS CONCERNING SIZING

Size is determined either by the maximum diameter of the equatorial section, by weight, or by count.

The minimum size shall be:

- 56 mm or 85 g in the “Extra” Class,
- 51 mm or 65 g in Classes I and II.

However, fruit below 56 mm or 85 g, is not marketed in the period from 1 July to 31 October (northern hemisphere) and from 1 January to 30 April (southern hemisphere).

The following provisions are optional for Class II.

To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

(a) For fruit sized by diameter:

- 5 mm for fruit below 70 mm,
- 10 mm for fruit of 70 mm and more.

(b) For fruit sized by weight:

- 30 g for fruit below 180 g,
- 80 g for fruit of 180 g and more.

(c) For fruit sized by count, the difference in size should be consistent with (a) or (b).

If size codes are applied, those in the table below have to be respected.

	code	Diameter			weight	
		from (mm)	To (mm)		from (g)	to (g)
1	D	51	56	or	65	85
2	C	56	61		85	105
3	B	61	67		105	135
4	A	67	73		135	180
5	AA	73	80		180	220
6	AAA	80	90		220	300
7	AAAA	> 90			> 300	

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements for the class indicated.

A. Quality tolerances

(i) “Extra” Class

A total tolerance of 5 per cent, by number or weight, of peaches or nectarines not satisfying the requirements of the class, but meeting those of class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of peaches or nectarines not satisfying the requirements of the class, but meeting those of class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of peaches or nectarines satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. Size tolerances

For all classes (if sized): a total tolerance of 10 per cent, by number or weight, of peaches or nectarines not satisfying the requirements as regards sizing is allowed.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only peaches or nectarines of the same origin, variety, quality, degree of ripeness and size (if sized), and for the "Extra" Class, the contents must also be uniform in colouring.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The peaches or nectarines must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed to the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defect.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽²⁶⁾ must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside:

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

⁽²⁶⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

B. Nature of produce

- 'Peaches' or 'Nectarines', if the contents are not visible from the outside.
- Colour of the flesh.
- Name of the variety (optional).

C. Origin of produce

Country of origin ⁽²⁷⁾ and, optionally, district where grown, or national, regional or local place name.

D. Commercial specifications

- Class.
- Size (if sized) expressed as minimum and maximum diameters (in mm) or minimum and maximum weights (in g) or as size code.
- Number of units (optional).

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 6: MARKETING STANDARD FOR PEARS**I. DEFINITION OF PRODUCE**

This standard applies to pears of varieties (cultivars) grown from *Pyrus communis* L. to be supplied fresh to the consumer, pears for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for pears, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the "Extra" Class, a slight deterioration due to their development and their tendency to perish.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, pears must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- free from damage caused by pests affecting the flesh,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of the pears must be such as to enable them:

- to withstand transportation and handling, and
- to arrive in satisfactory condition at the place of destination.

⁽²⁷⁾ The full or the commonly used name shall be indicated.

B. Maturity requirements

The development and state of maturity of the pears must be such as to enable them to continue their ripening process and to reach the degree of ripeness required in relation to the varietal characteristics.

C. Classification

Pears are classified in three classes, as defined below:

(i) "Extra" Class

Pears in this class must be of superior quality. They must be characteristic of the variety ⁽²⁸⁾.

The flesh must be perfectly sound, and the skin free from rough russetting.

They must be free from defects with the exception of very slight superficial defects provided these do not affect the general appearance of the fruit, the quality, the keeping quality and presentation in the package.

The stalk must be intact.

Pears must not be gritty.

(ii) Class I

Pears in this class must be of good quality. They must be characteristic of the variety. ⁽²⁹⁾

The flesh must be perfectly sound.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- a slight defect in development,
- slight defects in colouring,
- very slight rough russetting,
- slight skin defects which must not extend over more than:
 - 2 cm in length for defects of elongated shape,
 - 1 cm² of total surface area for other defects, with the exception of scab (*Venturia pirina* and *V. inaequalis*), which must not extend over more than 0,25 cm² cumulative in area.
- slight bruising not exceeding 1 cm² in area.

The stalk may be slightly damaged.

Pears must not be gritty.

(iii) Class II

This class includes pears that do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

The flesh must be free from major defects.

The following defects may be allowed provided the pears retain their essential characteristics as regards the quality, the keeping quality and presentation.

- defects in shape,
- defects in development,
- defects in colouring,
- slight rough russetting,

⁽²⁸⁾ A non-exhaustive list of large fruited and summer pear varieties is included in the appendix to this standard.

⁽²⁹⁾ A non-exhaustive list of large fruited and summer pear varieties is included in the appendix to this standard.

- skin defects which must not extend over more than:
 - 4 cm in length for defects of elongated shape,
 - 2,5 cm² of total surface area for other defects, with the exception of scab (*Venturia pirina* and *V. inaequalis*), which must not extend over more than 1 cm² cumulative in area,
 - slight bruising not exceeding 2 cm² in area.

III. PROVISIONS CONCERNING SIZING

Size is determined by maximum diameter of the equatorial section or by weight.

The minimum size shall be:

(a) For fruit sized by diameter:

	"Extra"	Class I	Class II
Large-fruited varieties	60 mm	55 mm	55 mm
Other varieties	55 mm	50 mm	45 mm

(b) For fruit sized by weight:

	"Extra"	Class I	Class II
Large-fruited varieties	130 g	110 g	110 g
Other varieties	110 g	100 g	75 g

Summer pears included in the appendix to this standard do not have to respect the minimum size.

To ensure the uniformity in size, the range in size between produce in the same package shall not exceed:

(a) For fruit sized by diameter:

- 5 mm for the "Extra" Class fruit and for Class I and II fruit packed in rows and layers
- 10 mm for Class I fruit packed in sales packages or loose in the package.

(b) For fruit sized by weight:

- For the "Extra" Class fruit and Class I and II fruit packed in rows and layers:

Range (g)	Weight difference (g)
75 - 100	15
100 - 200	35
200-250	50
> 250	80

- for Class I fruit packed in sales packages or loose in the package:

Range (g)	Weight difference (g)
100 - 200	50
> 200	100

There is no sizing uniformity limit for Class II fruit packed in sales packages or loose in the package.

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) "Extra" Class

A total tolerance of 5 per cent, by number or weight, of pears not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) Class I

A total tolerance of 10 per cent, by number or weight, of pears not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) Class II

A total tolerance of 10 per cent, by number or weight, of pears satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. Size tolerances

For all classes: a total tolerance of 10 per cent, by number or weight, of pears not satisfying the requirements as regards sizing is allowed. This tolerance may not be extended to include produce with a size:

- 5 mm or more below the minimum diameter
- 10 g or more below the minimum weight.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only pears of the same origin, variety, quality, and size (if sized) and the same degree of ripeness.

In the case of the "Extra" Class, uniformity also applies to colouring.

However, a mixture of pears of distinctly different varieties may be packed together in a sales package, provided they are uniform in quality and, for each variety concerned, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

Pears must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defects.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽³⁰⁾ must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference «Packer and/or Dispatcher» (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention «Packed for:» or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- “Pears”, if the contents of the package are not visible from the outside.
- Name of the variety. In the case of a mixture of pears of distinctly different varieties, names of the different varieties.

The name of the variety may be replaced by a synonym. A trade name ⁽³¹⁾ may only be given in addition to the variety or the synonym.

C. Origin of produce

Country of origin ⁽³²⁾ and, optionally, district where grown, or national, regional or local place name.

In the case of a mixture of distinctly different varieties of pears of different origins, the indication of each country of origin shall appear next to the name of the variety concerned.

D. Commercial specifications

- Class.
- Size, or for fruit packed in rows and layers, number of units.

If identification is by the size, this should be expressed:

- (a) for produce subject to the uniformity rules, as minimum and maximum diameters or minimum and maximum weights,
- (b) optionally, for produce not subject to the uniformity rules, as the diameter or the weight of the smallest fruit in the package followed by “and over” or equivalent denomination or, where appropriate, the diameter or the weight of the largest fruit in the package.

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

⁽³⁰⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

⁽³¹⁾ A trade name can be a trade mark for which protection has been sought or obtained or any other commercial denomination.

⁽³²⁾ The full or the commonly used name shall be indicated.

Appendix

Non-exhaustive list of large-fruited and summer pear varieties

Small-fruited and other varieties which do not appear in the table may be marketed as long as they meet the size requirements for other varieties as described in Section III of the standard.

Some of the varieties listed in the following table may be marketed under names for which trade mark protection has been sought or obtained in one or more countries. The first and second columns of the table do not intend to include such trade marks. References to known trade marks have been included in the third column for information only.

Legend:

L = Large-fruited variety

SP = Summer pear, for which no minimum size is required.

Variety	Synonyms	Trade marks/Trade names	Size
Abbé Fétel	Abate Fétel		L
Abugo o Siete en Boca			SP
Akça			SP
Alka			L
Alsa			L
Alexandrine Douillard			L
Amfora			L
Angelys		Angys ®	L
Bambinella			SP
Bay 6474		Alessia ®	L
Bergamotten			SP
Beurré Alexandre Lucas	Lucas		L
Beurré Bosc	Bosc, Beurré d'Apremont, Empereur Alexandre, Kaiser Alexander		L
Beurré Clairgeau			L
Beurré d'Arenberg	Hardenpont		L
Beurré Giffard			SP
Beurré précoce Morettini	Morettini		SP
Blanca de Aranjuez	Agua de Aranjuez, Espadona, Blanquilla		SP
Bon Rouge		Victoria Blush	L
Cape Rose		Cheeky ®	L
Carusella			SP
Castell	Castell de Verano		SP
Celina		QTee ®	L

Variety	Synonyms	Trade marks/Trade names	Size
Cepuna		Migo ®	L
CH201		Fred ®	L
Colorée de Juillet	Bunte Juli		SP
Comice rouge			L
Concorde			L
Condoula			SP
Coscia	Ercolini		SP
Curé	Curato, Pastoren, Del cura de Ouro, Espadon de invierno, Bella de Berry, Lombardia de Rioja, Batall de Campana		L
D'Anjou			L
Deveci			L
Dita			L
D. Joaquina	Doyenné de Juillet		SP
Doyenné d'hiver	Winterdechant		L
Doyenné du Comice	Comice, Vereinsdechant		L
Dpp1		Flare ™, Cape Fire ®	L
Erika			L
Etrusca			SP
Falstaff			L
Flamingo			L
Forelle		Vermont Beauty	L
Général Leclerc		Amber Grace ™	L
Gentile			SP
Golden Russet Bosc			L
Gräfin Gepa		Saxonia ®, Early Desire ®	L
Grand Champion			L
H2-169		Ambrosia ®	L
Harovin Sundown		Cold Snap ®	L
Harrow Delight			L
Jeanne d'Arc			L
Joséphine			L
Kieffer			L
Klapa Milule			L

Variety	Synonyms	Trade marks/Trade names	Size
Leonardeta	Mosqueruela, Margallon, Colorada de Alcanadre, Leonarda de Magallon		SP
Lombacad		Cascade ®	L
Moscatella			SP
Mramornaja			L
Mustafabey			SP
Nojabrskaja	Novemberbirne	Xenia ®, Novembra ®	L
Packham's Triumph	Williams d'Automne		L
Passe Crassane	Passa Crassana		L
PE2UNIBO		Early Giulia ®	L
PE3UNIBO		Debby Green ®	L
Perita de San Juan			SP
Pérola			SP
Pitmaston	Williams Duchesse		L
Précoce de Trévoux	Trévoux		SP
Président Drouard			L
Rode Doyenne van Doorn		Sweet Sensation ®, Sweet Dored ®	L
Rosemarie		Sempre	L
Santa Maria	Santa Maria Morettini		L
Spadoncina	Agua de Verano, Agua de Agosto		SP
Suvenirs			L
Taylors Gold			L
Thimo		Saxonia ®, Queens Forelle ™	L
Triomphe de Vienne			L
Uta		Dazzling Gold ®	L
Vasarine Sviestine			L
Williams Bon Chrétien	Bon Chrétien, Bartlett, Williams, Summer Bartlett		L

PART 7: MARKETING STANDARD FOR STRAWBERRIES

I. **DEFINITION OF PRODUCE**

This standard applies to strawberries of varieties (cultivars) grown from the genus *Fragaria* L. to be supplied fresh to the consumer, strawberries for industrial processing being excluded.

II. **PROVISIONS CONCERNING QUALITY**

The purpose of the standard is to define the quality requirements for strawberries, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the “Extra” Class, a slight deterioration due to their development and their tendency to perish.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed, the strawberries must be:

- intact, undamaged,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- fresh in appearance, but not washed,
- practically free from pests,
- practically free from damage caused by pests,
- with the calyx (except in the case of wood strawberries); the calyx and the stalk (if present) must be fresh and green,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The strawberries must be sufficiently developed and display satisfactory ripeness. The development and the condition must be such as to enable them:

- to withstand transportation and handling, and
- to arrive in satisfactory condition at the place of destination.

B. **Classification**

The strawberries are classified in three classes, as defined below:

(i) *“Extra” Class*

The strawberries in this class must be of superior quality. They must be characteristic of the variety.

They must be:

- bright in appearance, allowing for the characteristics of the variety,
- free from soil.

They must be free from defects with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Strawberries in this class must be of good quality. They must be characteristic of the variety.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- presence of a small white patch, not exceeding one tenth of the total surface area of the fruit,
- slight superficial pressure marks.

They must be practically free from soil.

(iii) *Class II*

This class includes strawberries that do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The following defects may be allowed provided the strawberries retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- a white patch not exceeding one fifth of the total surface area of the fruit,
- slight dry bruising not likely to spread,
- slight traces of soil.

III. PROVISIONS CONCERNING SIZING

Size is determined by the maximum diameter of the equatorial section.

The minimum size shall be:

- 25 mm in the “Extra” Class,
- 18 mm in Classes I and II.

There is no minimum size for wood strawberries.

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) “Extra” Class

A total tolerance of 5 per cent, by number or weight, of strawberries not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by number or weight, of strawberries not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 2 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

(iii) *Class II*

A total tolerance of 10 per cent, by number or weight, of strawberries satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. Size tolerances

For all classes: a total tolerance of 10 per cent, by number or weight, of strawberries not satisfying the requirements as regards the minimum size is allowed.

V. PROVISIONS CONCERNING PRESENTATION**A. Uniformity**

The contents of each package must be uniform and contain only strawberries of the same origin, variety and quality.

In the 'Extra' Class, strawberries, with the exception of wood strawberries, must be particularly uniform and regular with respect to degree of ripeness, colour and size. In Class I, strawberries may be less uniform in size.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The strawberries must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽³³⁾ must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- 'Strawberries' if the contents of the package are not visible from the outside.
- Name of the variety (optional).

C. Origin of produce

Country of origin ⁽³⁴⁾ and, optionally, district where grown or national, regional or local place name.

D. Commercial specifications

- Class.

⁽³³⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

⁽³⁴⁾ The full or the commonly used name shall be indicated.

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 8: MARKETING STANDARD FOR SWEET PEPPERS**I. DEFINITION OF PRODUCE**

This standard applies to sweet peppers of varieties ⁽³⁵⁾ (cultivars) grown from *Capsicum annuum* L., to be supplied fresh to the consumer, sweet peppers for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for sweet peppers, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the “Extra” Class, a slight deterioration due to their development and their tendency to perish.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the sweet peppers must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- fresh in appearance,
- firm,
- practically free from pests,
- free from damage caused by pests affecting the flesh,
- free of damage caused by low temperature or frost,
- with peduncles attached; the peduncle must be neatly cut and the calyx be intact,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of the sweet peppers must be such as to enable them to:

- withstand transport and handling, and
- arrive in satisfactory condition at the place of destination.

B. Classification

Sweet peppers are classified in three classes, as defined below:

(i) “Extra” Class

Sweet peppers in this class must be of superior quality. They must be characteristic of the variety and/or commercial type.

⁽³⁵⁾ Some sweet pepper varieties may have hot taste. Examples of commercial varieties of sweet peppers having a slightly hot taste are Sivri, Padron, and Somborka.

They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) *Class I*

Sweet peppers in this class must be of good quality. They must be characteristic of the variety and/or commercial type.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- slight silvering or damage caused by thrips covering not more than 1/3 of the total surface area,
- slight skin defects, such as:
 - pitting, scratching, sunburn, pressure marks covering in total not more than 2 cm for defects of elongated shape, and 1 cm² for other defects; or
 - dry superficial cracks covering in total not more than 1/8 of the total surface area,
 - slightly damaged peduncle.

(iii) *Class II*

This class includes sweet peppers which do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified above.

The following defects may be allowed provided the sweet peppers retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- silvering or damage caused by thrips covering not more than 2/3 of the total surface area,
- skin defects, such as:
 - pitting, scratching, sunburn, bruising, and healed injuries covering in total not more than 4 cm in length for defects of elongated shape and 2,5 cm² of the total area for other defects; or
 - dry superficial cracks covering in total not more than 1/4 of the total surface area
- blossom end deterioration not more than 1 cm²,
- shrivelling not exceeding 1/3 of the surface,
- damaged peduncle and calyx, provided the surrounding flesh remains intact.

III. PROVISIONS CONCERNING SIZING

Size is determined by the maximum diameter of the equatorial section or by weight. To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

(a) For sweet peppers sized by diameter:

- 20 mm.

(b) For sweet peppers sized by weight:

- 30 g where the heaviest piece weighs 180 g or less,
- 80 g where the lightest piece weighs more than 180 g but less than 260,
- No limit where the lightest piece weighs 260 g or more.

Elongated sweet peppers should be sufficiently uniform in length.

Uniformity in size is not compulsory for Class II.

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) "Extra" Class

A total tolerance of 5 per cent, by number or weight, of sweet peppers not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) Class I

A total tolerance of 10 per cent, by number or weight, of sweet peppers not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements or of produce affected by decay.

(iii) Class II

A total tolerance of 10 per cent, by number or weight, of sweet peppers satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

B. Size tolerances

For all classes (if sized): a total tolerance of 10 per cent, by number or weight, of sweet peppers not satisfying the requirements as regards sizing is allowed.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only sweet peppers of the same origin, variety or commercial type, quality, size (if sized) and, in the case of the "Extra" Class and Class I, of appreciably the same degree of ripeness and colouring.

However, a mixture of sweet peppers of distinctly different commercial types and/or colours may be packed together in a package, provided they are uniform in quality, and for each commercial type and/or colour concerned, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The sweet peppers must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defect.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽³⁶⁾ must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- 'Sweet peppers' if the contents are not visible from the outside.
- "Mixture of sweet peppers", or equivalent denomination, in the case of a mixture of distinctly different commercial types and/or colours of sweet peppers. If the produce is not visible from the outside, the commercial types and/or colours and the quantity of each in the package must be indicated.

C. Origin of produce

Country of origin ⁽³⁷⁾ and, optionally, district where grown or national, regional or local place name.

In the case of a mixture of distinctly different commercial types and/or colours of sweet peppers of different origins, the indication of each country of origin shall appear next to the name of the commercial type and/or colour concerned.

D. Commercial specifications

- Class.
- Size (if sized) expressed as minimum and maximum diameters or minimum and maximum weights.
- Number of units (optional).
- "(Name of type or variety) may have a slightly hot taste" or equivalent denomination, where appropriate.

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 9: MARKETING STANDARD FOR TABLE GRAPES

I. DEFINITION OF PRODUCE

This standard applies to table grapes of varieties (cultivars) grown from *Vitis vinifera* L. to be supplied fresh to the consumer, table grapes for industrial processing being excluded.

⁽³⁶⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

⁽³⁷⁾ The full or the commonly used name shall be indicated.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for table grapes, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the “Extra” Class, a slight deterioration due to their development and their tendency to perish.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, bunches and berries must be:

- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

In addition, berries must be:

- intact,
- well formed,
- normally developed.

Pigmentation due to sun is not a defect.

The development and condition of the table grapes must be such as to enable them:

- to withstand transportation and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Maturity requirements

The juice of the fruit shall have a refractometric index ⁽³⁸⁾ of at least:

- 12 ° Brix for the Alphonse Lavallée, Cardinal and Victoria varieties,
- 13 ° Brix for all other seeded varieties,
- 14 ° Brix for all seedless varieties.

In addition, all varieties must have satisfactory sugar/acidity ratio levels.

C. Classification

The table grapes are classified into three classes defined below:

(i) “Extra” Class

Table grapes in this class must be of superior quality. They must be characteristic of the variety, allowing for the district in which they are grown.

Berries must be firm, firmly attached, evenly spaced along the stalk and have their bloom virtually intact.

They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

⁽³⁸⁾ Calculated as described in the OECD guidance on objective tests, available at: <http://www.oecd.org/agriculture/fruit-vegetables/publications>

(ii) *Class I*

Table grapes in this class must be of good quality. They must be characteristic of the variety, allowing for the district in which they are grown.

Berries must be firm, firmly attached and, as far as possible, have their bloom intact. They may, however, be less evenly spaced along the stalk than in the "Extra" Class.

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality, and presentation in the package:

- a slight defect in shape,
- slight defects in colouring,
- very slight sun scorch affecting the skin only,
- slight skin defects.

(iii) *Class II*

This class includes table grapes that do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

The bunches may show slight defects in shape, development and colouring, provided these do not impair the essential characteristics of the variety, allowing for the district in which they are grown.

The berries must be sufficiently firm and sufficiently firmly attached, and, where possible, still have their bloom. They may be less evenly spaced along the stalk than in Class I.

The following defects may be allowed provided the table grapes retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- defects in colouring,
- slight sun scorch affecting the skin only,
- slight bruising,
- skin defects.

III. PROVISIONS CONCERNING SIZING

Size is determined by the weight of the bunch.

The minimum bunch weight shall be 75 g for the "Extra" Class and Class I. This provision does not apply to packages intended for single servings in all classes.

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) *"Extra" Class*

A total tolerance of 5 per cent, by weight, of bunches not satisfying the requirements of the class, but meeting those for Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) *Class I*

A total tolerance of 10 per cent, by weight, of bunches not satisfying the requirements of the class, but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

In addition to those tolerances, a maximum of 10 per cent, by weight, of loose berries, i.e. berries detached from the bunch/cluster, are allowed provided that the berries are sound and intact.

(iii) *Class II*

A total tolerance of 10 per cent, by weight, of bunches satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

In addition to those tolerances, a maximum of 10 per cent, by weight, of loose berries, i.e. berries detached from the bunch/cluster, are allowed provided that the berries are sound and intact.

B. Size tolerances

For all classes (if sized): a total tolerance of 10 per cent, by weight, of bunches not satisfying the requirements as regards sizing is allowed. In each sales package (except for single servings), one bunch weighing less than 75 g is allowed to adjust the weight, provided the bunch meets all other requirements of the specified class.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only bunches of the same origin, variety, quality and degree of ripeness.

In the case of the “Extra” Class, the bunches must be approximately uniform in size and colouring.

However, a mixture of table grapes of distinctly different varieties may be packed together in a package, provided they are uniform in quality and, for each variety concerned, in origin.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

The table grapes must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps, bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed on the produce shall be such that, when removed, they neither leave visible traces of glue, nor lead to skin defects.

Packages must be free of all foreign matter, although a fragment of vine shoot no more than 5 cm in length may be left on the stem of the bunch as a form of special presentation.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽³⁹⁾ must bear the following particulars in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference ‘Packer and/or Dispatcher’ (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;

⁽³⁹⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- ‘Table Grapes’ if the contents are not visible from the outside.
- Name of the variety. In the case of a mixture of table grapes of distinctly different varieties, names of the different varieties.

The name of the variety can be replaced by a synonym. A trade name ⁽⁴⁰⁾ can only be given in addition to the variety or the synonym.

C. Origin of produce

- Country of origin ⁽⁴¹⁾ and, optionally, district where grown, or national, regional or local place name.
- In the case of a mixture of distinctly different varieties of table grapes of different origins, the indication of each country of origin shall appear next to the name of the variety concerned.

D. Commercial specifications

- Class.
- ‘Bunches below 75 g intended for single servings’ or equivalent denomination, where appropriate.

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.

PART 10: MARKETING STANDARD FOR TOMATOES

I. DEFINITION OF PRODUCE

This standard applies to tomatoes of varieties (cultivars) grown from *Solanum lycopersicum* L. to be supplied fresh to the consumer, tomatoes for industrial processing being excluded.

Tomatoes may be classified into four commercial types:

- “round”,
- “ribbed”,
- “oblong” or “elongated”,
- “cherry/cocktail” tomatoes (miniature varieties) of all shapes.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for tomatoes, after preparation and packaging.

However, at stages following dispatch products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity,
- for products graded in classes other than the “Extra” Class, a slight deterioration due to their development and their tendency to perish.

⁽⁴⁰⁾ A trade name can be a trademark for which protection has been sought or obtained or any other commercial denomination.

⁽⁴¹⁾ The full or the commonly used name shall be indicated.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the tomatoes must be:

- intact,
- sound, produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- fresh in appearance,
- practically free from pests,
- free from damage caused by pests affecting the flesh,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

In the case of trusses of tomatoes, the stalks must be fresh, healthy, clean and free from all leaves and any visible foreign matter.

The development and condition of the tomatoes must be such as to enable them:

- to withstand transportation and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Maturity requirements

The development and state of maturity of the tomatoes must be such as to enable them to continue their ripening process and to reach a satisfactory degree of ripeness.

C. Classification

Tomatoes are classified in three classes, as defined below:

(i) “Extra” Class

Tomatoes in this class must be of superior quality. They must be firm and characteristic of the variety and/or commercial type.

They must be free from greenbacks and other defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package.

(ii) Class I

Tomatoes in this class must be of good quality. They must be reasonably firm and characteristic of the variety and/or commercial type.

They must be free of cracks and visible greenbacks.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape and development,
- slight defects in colouring,
- slight skin defects,
- very slight bruises.

Furthermore, “ribbed” tomatoes may show:

- healed cracks not more than 1 cm long,
- no excessive protuberances,
- small umbilicus, but no suberisation,
- suberisation of the stigma up to 1 cm²,
- fine blossom scar in elongated form (like a seam), but not longer than two-thirds of the greatest diameter of the fruit.

(iii) *Class II*

This class includes tomatoes which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified above.

They must be reasonably firm (but may be slightly less firm than in Class I) and must not show unhealed cracks.

The following defects may be allowed provided the tomatoes retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape and development,
- defects in colouring,
- skin defects or bruises, provided the fruit is not seriously affected,
- healed cracks not more than 3 cm in length for round, ribbed or oblong tomatoes.

Furthermore, “ribbed” tomatoes may show:

- more pronounced protuberances than allowed under Class I, but without being misshapen,
- an umbilicus,
- suberisation of the stigma up to 2 cm²,
- fine blossom scar in elongated form (like a seam).

III. PROVISIONS CONCERNING SIZING

Size is determined by the maximum diameter of the equatorial section, by weight or by count.

The following provisions shall not apply to trusses of tomatoes and are optional for:

- cherry and cocktail tomatoes below 40 mm in diameter;
- ribbed tomatoes of irregular shape; and
- Class II.

To ensure uniformity in size, the range in size between produce in the same package shall not exceed:

(a) For tomatoes sized by diameter:

- 10 mm, if the diameter of the smallest fruit (as indicated on the package) is under 50 mm,
- 15 mm, if the diameter of the smallest fruit (as indicated on the package) is 50 mm and over but under 70 mm,
- 20 mm, if the diameter of the smallest fruit (as indicated on the package) is 70 mm and over but under 100 mm,
- there is no limitation of difference in diameter for fruit equal or over 100 mm.

In case size codes are applied, the codes and ranges in the following table have to be respected:

Size code	Diameter (mm)
0	≤ 20
1	> 20 ≤ 25
2	> 25 ≤ 30
3	> 30 ≤ 35
4	> 35 ≤ 40
5	> 40 ≤ 47
6	> 47 ≤ 57

7	$> 57 \leq 67$
8	$> 67 \leq 82$
9	$> 82 \leq 102$
10	> 102

- (b) For tomatoes sized by weight or by count, the difference in size should be consistent with the difference indicated in point (a).

IV. PROVISIONS CONCERNING TOLERANCES

At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) "Extra" Class

A total tolerance of 5 per cent, by number or weight, of tomatoes not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0,5 per cent in total may consist of produce satisfying the requirements of Class II quality.

(ii) Class I

A total tolerance of 10 per cent, by number or weight, of tomatoes not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 1 per cent in total may consist of produce neither satisfying the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.

In the case of trusses of tomatoes, 5 percent, by number or weight, of tomatoes detached from the stalk is allowed.

(iii) Class II

A total tolerance of 10 per cent, by number or weight, of tomatoes satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2 per cent in total may consist of produce affected by decay.

In the case of trusses of tomatoes, 10 percent, by number or weight, of tomatoes detached from the stalk is allowed.

B. Size tolerances

For all classes: a total tolerance of 10 per cent, by number or weight, of tomatoes not satisfying the requirements as regards sizing is allowed.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only tomatoes of the same origin, variety or commercial type, quality and size (if sized).

The ripeness and colouring of tomatoes in the "Extra" Class and Class I must be practically uniform. In addition, the length of "oblong" tomatoes must be sufficiently uniform.

However, a mixture of tomatoes of distinctly different colours, varieties and/or commercial types may be packed together in a package, provided they are uniform in quality and, for each colour, variety and/or commercial type concerned, in origin. Uniformity in size is not required.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

Tomatoes must be packed in such a way as to protect the produce properly.

The materials used inside the package must be clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Stickers individually affixed to the produce shall be such that, when removed, they neither leave visible traces of glue nor lead to skin defects. Information lasered on single fruit should not lead to flesh or skin defects.

Packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package ⁽⁴²⁾ must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside:

A. Identification

Name and physical address of the packer and/or the dispatcher (for example street/city/region/postal code and, if different from the country of origin, the country).

This mention may be replaced:

- for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference 'Packer and/or Dispatcher' (or equivalent abbreviations). The code mark shall be preceded by the ISO 3166 (alpha) country/area code of the recognising country, if not the country of origin;
- for pre-packages only, by the name and the address of a seller established within the Union indicated in close connection with the mention 'Packed for:' or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

B. Nature of produce

- "Tomatoes" or "trusses of tomatoes" and the commercial type, or "cherry/cocktail tomatoes" or "trusses of cherry/cocktail tomatoes") or equivalent denomination for other miniature varieties if the contents are not visible from the outside.
- "Mixture of tomatoes", or equivalent denomination, in the case of a mixture of distinctly different varieties, commercial types and/or colours of tomatoes. If the produce is not visible from the outside, the colours, varieties or commercial types and the quantity of each in the package must be indicated.
- Name of the variety (optional).

C. Origin of produce

Country of origin ⁽⁴³⁾ and, optionally, district where grown, or national, regional or local place name.

In the case of a mixture of distinctly different colours, varieties and/or commercial types of tomatoes of different origins, the indication of each country of origin shall appear next to the name of the colour, variety and/or commercial type concerned.

D. Commercial specifications

- Class.
- Size (if sized) expressed as
 - minimum and maximum diameters; or
 - minimum and maximum weights; or

⁽⁴²⁾ These marking provisions do not apply to sales packages presented in packages. However, they do apply to sales packages presented separately.

⁽⁴³⁾ The full or the commonly used name shall be indicated.

- size code as specified in Section III; or
- count followed by the minimum and maximum sizes.

E. Official control mark (optional)

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.'

COMMISSION REGULATION (EU) 2021/1891**of 26 October 2021****amending Annexes XIV and XV to Regulation (EU) No 142/2011 as regards imports into and transit through the Union of animal by-products and derived products****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) ⁽¹⁾, and in particular Article 41(3), first and third subparagraphs, and Article 42(2), points (a), (b) and (d), thereof,

Whereas:

- (1) Commission Regulation (EU) No 142/2011 ⁽²⁾ lays down implementing measures for the public and animal health rules for animal by-products and derived products laid down in Regulation (EC) No 1069/2009, including models of health certificates and the list of third countries authorised for imports into and transit through the Union of consignments of animal by-products and derived products.
- (2) In particular, Chapter II of Annex XIV to Regulation (EU) No 142/2011 sets out the specific requirements for the importation into and the transit through the Union of consignments of animal by-products and derived products for uses outside the feed chain for farmed animals other than fur animals. Such consignments are required to comply with, inter alia, the rules set out in Table 2 of Section 1 of that Chapter.
- (3) More specifically, row 14 of Table 2 sets out, inter alia, the list of third countries authorised for imports into and transit through the Union of consignments of animal by-products and derived products for uses outside the feed chain, including consignments of fur for the manufacture of derived products, category 3 materials, referred to in Article 10, point (n), of Regulation (EC) No 1069/2009. Certain Member States have requested that row 14 of Table 2 be amended so as to include a list of third countries authorised for imports into the Union of fur for the manufacture of derived products. There is not a list of third countries authorised for imports into the Union of products of fur animals, but Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ sets out a list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of fresh meat of ungulates. Following an evaluation of the request by the Member States, it is appropriate to include a list of third countries from which fur for the manufacture of derived products may be imported into the Union in row 14 of Table 2. As the third countries from which the entry into the Union of fresh meat of ungulates is authorised offer a high level of official controls and protection of public and animal health, it is opportune to allow imports of fur for the manufacture of derived products from those third countries.

⁽¹⁾ OJ L 300, 14.11.2009, p. 1.

⁽²⁾ Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council (OJ L 114, 31.3.2021, p. 1).

- (4) Annex XIV to Regulation (EU) No 142/2011 should therefore be amended accordingly.
- (5) In addition, Chapter 3(F) and Chapter 8 of Annex XV to Regulation (EU) No 142/2011 set out models of health certificates for imports into, or transit through, the Union, of animal by-products for the manufacture of petfood and for those used for purposes outside the feed chain or for trade samples, respectively. Those model health certificates contain among others, the requirement that the animals from which animal by-products are derived must have stayed in a single holding for 40-days before slaughter. From an animal health point of view, such a 40-day pre-slaughter residency period ensures the safety of unprocessed animal by-products when they are imported into the Union. Freedom from foot-and-mouth-disease without practicing vaccination is the most favourable animal health status in accordance with standards of the World Organisation for Animal Health (OIE), and third countries with that animal health status are authorised for imports into the Union and transit through the Union of consignments of fresh meat without such a 40-day residency period, provided that they comply with all other animal health requirements. Certain third countries that are free of foot-and-mouth disease without practicing vaccination have asked the Commission to be authorised for imports into the Union of unprocessed animal by-products without the 40-day pre-slaughter residency period. Animal health conditions for imports of animal by-products should be aligned with animal health requirements for entry into the Union of fresh meat laid down in and Commission Implementing Regulation (EU) 2021/404.
- (6) The model health certificates for animal by-products for the manufacture of petfood, set out in Chapter 3(F) of Annex XV to Regulation (EU) No 142/2011, and for animal by-products to be used for purposes outside the feed chain or for trade samples, set out in Chapter 8 of Annex XV to that Regulation, should therefore be amended accordingly.
- (7) Furthermore, Chapter V of Annex VIII to Regulation (EU) No 142/2011 provides that derived products of Category 1 or Category 2 material should be permanently marked with a chemical marker to prevent their entry into the feed chain and to ensure official controls of feed. Marking with a chemical marker is not required for Category 3 rendered fats. It is therefore necessary to correct the erroneous wording in the model health certificate set out in Chapter 10(B) of Annex XV to that Regulation for imports of rendered fats not intended for human consumption to be used for certain purposes outside the feed chain, intended for dispatch to or for transit through the Union.
- (8) Annex XV to Regulation (EU) No 142/2011 should therefore be amended accordingly.
- (9) In order to avoid any disruption of trade, this Regulation should provide for a transitional period during which the commodities concerned by the amendments made to Regulation (EU) No 142/2011, by this Regulation, should continue to be accepted for importation into and transit through the Union, provided that those commodities comply with the requirements laid down in Regulation (EU) No 142/2011 before the amendments made by this Regulation.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes XIV and XV to Regulation (EU) No 142/2011 are amended in accordance with the Annex to this Regulation.

Article 2

For a transitional period until 31 May 2022, consignments of animal by-products and of derived products accompanied by a health certificate duly completed and signed in accordance with the appropriate model health certificate set out in Chapter 3(F), Chapter 8 and Chapter 10(B) of Annex XV to Regulation (EU) No 142/2011, in the version applicable before the amendments provided for by Article 1 of this Regulation, shall continue to be accepted for importation into or transit through the Union, provided that such health certificates were duly completed and signed no later than 31 March 2022.

Article 3

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

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

Done at Brussels, 26 October 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Regulation (EU) No 142/2011 is amended as follows:

1. in Annex XIV, Chapter II, Section 1, Table 2, row 14, column 'third countries' list', the following point (d) is added:

'(d) In the case of fur for the manufacture of derived products:

Third countries listed in Part 1 of Annex XIII to Commission Implementing Regulation (EU) 2021/404 (*) from which the entry into the Union of fresh meat of ungulates is authorised.

(*) Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council (OJ L 114, 31.3.2021, p. 1):.

2. Annex XV is amended as follows:

(a) Chapter 3(F) is replaced by the following:

CHAPTER 3(F)

Health certificate

For animal by-products⁽³⁾ for the manufacture of petfood, intended for dispatch to or for transit through⁽²⁾ the European Union

COUNTRY:

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.				I.2. Certificate reference No		I.2.a.	
					I.3. Central competent authority			
					I.4. Local competent authority			
	I.5. Consignee Name Address Postcode Tel.				I.6. Person responsible for the load in EU Name Address Postcode Tel.			
	I.7. Country of origin		ISO code		I.8. Region of origin		Code	
	I.9. Country of destination		ISO code		I.10. Region of destination		Code	
	I.11. Place of origin Name Address Name Address Name Address Approval number Approval number Approval number				I.12. Place of destination Name Address Postcode Custom warehouse ☐ Approval number			
	I.13. Place of loading				I.14. Date of departure			
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentation references				I.16. Entry BIP in EU				
				I.17.				
I.18. Description of commodity						I.19. Commodity code (HS code)		
						I.20. Quantity		
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐						I.22. Number of packages		
I.23. Seal/Container No						I.24. Type of packaging		
I.25. Commodities certified for: Manufacture of petfood ☐ Further process ☐ Technical use ☐								
I.26. For transit through EU to third country ☐ Third country ISO code				I.27. For import or admission into EU ☐				
I.28. Identification of the commodities Approval number of establishments Species (Scientific name) Nature of commodity Manufacturing plant Number of packages Net weight Batch number								

COUNTRY

Animal by-products for the manufacture of petfood

Part II: Certification

II.	Health information	II.a. Certificate reference No	II.b.
	I, the undersigned official veterinarian, declare that I have read and understood Regulation (EC) No 1069/2009 of the European Parliament and of the Council ^(1a) and Commission Regulation (EU) No 142/2011 ^(1b) , and in particular Chapter II of Annex XIV thereto, and certify that the animal by-products described above:		
	II.1.1.		consist of animal by-products that satisfy the animal health requirements below;
	II.1.2.		have been obtained in the territory of: ^(1c) from animals:
	⁽²⁾ either		[that have remained in this territory since birth or for a period of at least three months preceding the date of slaughter or production;]
	⁽²⁾ or		[that were killed in the wild in this territory ^(1d) ;]
	⁽²⁾ or		[that are animals of the zoological orders Rodentia or Lagomorpha, aquatic animals or terrestrial or aquatic invertebrates;]
⁽²⁾ either	[II.1.3.		have been obtained or produced from animals which were not slaughtered or killed to eradicate any epizootic disease, and which
	(a)		come from holdings where
	(i)		for the following diseases for which the animals are listed in accordance with Implementing Regulation (EU) 2018/1882, there has been no case/outbreak of rinderpest, Newcastle disease or highly pathogenic avian influenza during the period of the preceding 30 days, nor of classical or African swine fever during the period of the preceding 40 days; nor in the holdings situated in their vicinity within a 10 km radius, during the period of the preceding 30 days; and
	(ii)		where there has been no case/outbreak of foot-and-mouth disease during the period of the preceding 60 days, nor in the holdings situated in their vicinity within a 25 km radius, during the period of the preceding 30 days; and
⁽²⁾ either	[(b)		have remained in their holdings of origin for a period of at least 40 days before the date of departure and which have been transported directly to the slaughterhouse without any contact with other animals which did not comply with the same health conditions;]]
⁽²⁾ or	[(b)		have remained on holdings under veterinary supervision in the third country or part of the territory of the third country—of origin from which imports of fresh meat of ungulates are authorised without any restrictions in accordance with Implementing Regulation (EU) 2021/404, and at the slaughterhouse
	(i)		have passed the ante-mortem health inspection during the period of 24 hours preceding the time of slaughter and have shown no evidence of the diseases referred to above for which the animals are susceptible; and
	(ii)		have been handled before and at the time of slaughter or killing in accordance with the relevant provisions of Union legislation and have met requirements at least equivalent to those laid down in Chapters II and III of Council Regulation (EC) No 1099/2009 ⁽⁴⁾]]
⁽²⁾ or	[II.1.3.		have been obtained or produced from animals which were not killed to eradicate any epizootic disease, and which
	(a)		have been captured and killed in the wild in an area:
	(i)		in which within a 25 km radius there has been no case/outbreak of any of the following diseases for which the animals are listed in accordance with Implementing Regulation (EU) 2018/1882: foot-and-mouth disease, rinderpest, Newcastle disease or highly pathogenic avian influenza during the period of the preceding 30 days, nor of classical or African swine fever during the period of the preceding 40 days; and
	(ii)		situated at a distance of at least 20 km from any country or part of the territory of a country not authorised for export to the European Union of poultry material during the preceding 30 days or of porcine material during the preceding 40 days; and
	(b)		which after killing were transported within a period of 12 hours following the killing for chilling either to a collection centre and immediately afterwards to a game-handling establishment, or directly to a game-handling establishment;]

COUNTRY

Animal by-products for the manufacture of petfood

II.	Health information	II.a. Certificate reference No	II.b.
II.1.4.	have been obtained in an establishment around which, within a radius of 10 km, there has been no case/outbreak of the diseases referred to in point II.1.3 for which the animals are susceptible during the period of the preceding 30 days or, in the event of a case of disease, the preparation of raw material for exportation to the European Union has been authorised only after the removal of all meat, and the total cleaning and disinfection of the establishment under the control of an official veterinarian;		
II.1.5.	have been obtained and prepared without contact with any other material that does not comply with the conditions required above, and it has been handled so as to avoid contamination with pathogenic agents;		
II.1.6.	have been packed in new packaging preventing any leakage and in officially sealed containers bearing the label indicating 'RAW MATERIAL ONLY FOR THE MANUFACTURE OF PETFOOD' and the name and address of the establishment of destination in the European Union;		
II.1.7.	consist only of the following animal by-products:		
(²)either	[- carcasses and parts of animals slaughtered or, in the case of game, bodies or parts of animals killed which were deemed fit for human consumption in accordance with Union legislation until irreversibly declared as animal by-products for commercial reasons;]		
(²)and/or	[- carcasses and the following parts originating either from animals that have been slaughtered in a slaughterhouse and were considered fit for slaughter for human consumption following an ante-mortem inspection or bodies and the following parts of animals from game killed for human consumption in accordance with Union legislation:		
	(i) carcasses or bodies and parts of animals which are rejected as unfit for human consumption in accordance with Union legislation, but which did not show any signs of disease communicable to humans or animals;		
	(ii) heads of poultry;		
	(iii) hides and skins, including trimmings and splitting thereof, horns and feet, including the phalanges and the carpus and metacarpus bones, tarsus and metatarsus bones;		
	(iv) pig bristles;		
	(v) feathers;]		
(²)and/or	[- animal by-products arising from the production of products intended for human consumption, including degreased bone, greaves and centrifuge or separator sludge from milk processing;]		
(²)and/or	[- products of animal origin, or foodstuffs containing products of animal origin, which are no longer intended for human consumption for commercial reasons or due to problems of manufacturing or packaging defects or other defects from which no risk to public or animal health arise;]		
(²)and/or	[- aquatic animals, and parts of such animals, except sea mammals, which did not show any signs of diseases communicable to humans or animals;]		
(²)and/or	[- animal by-products from aquatic animals originating from plants or establishments manufacturing products for human consumption;]		
(²)and/or	[- the following material originating from animals which did not show any signs of disease communicable through that material to humans or animals:		
	(i) shells from shellfish with soft tissue or flesh;		
	(ii) the following originating from terrestrial animals:		
	— hatchery by-products,		
	— eggs,		
	— egg by-products, including egg shells;		
	(iii) day-old chicks killed for commercial reasons;]		
(²)and/or	[- animal by-products from aquatic or terrestrial invertebrates, other than species pathogenic to humans or animals;]		

COUNTRY

Animal by-products for the manufacture of petfood

II.	Health information	II.a. Certificate reference No	II.b.
	(²)and/or [-	animals and parts thereof of the zoological orders of Rodentia and Lagomorpha, except Category 1 material as referred to in Article 8, point (a)(iii), (iv) and (v), of Regulation (EC) No 1069/2009 and Category 2 material as referred to in Article 9, points (a) to (g), of that Regulation;]	
	(²)and/or [-	material from animals which have been treated with certain substances which are prohibited by Council Directive 96/22/EC(^{4a}), the import of the material being permitted in accordance with Article 35, point (a)(ii) of Regulation (EC) No 1069/2009;]	
II.1.8.	have been deep-frozen at the plant of origin or have been preserved in accordance with European Union legislation in such a way that they will not spoil between dispatch and delivery to the plant of destination in the European Union or during the transit through the European Union;		
II.1.9.	in the case of raw material derived from animals which have been treated with certain substances prohibited by Directive 96/22/EC for the manufacture of petfood, the import being permitted in accordance with Article 35, point (a)(ii) of Regulation (EC) No 1069/2009:		
	(a)	it has been marked in the third country before entry into the territory of the European Union by a cross of liquefied charcoal or activated carbon on each outer side of each frozen block, or, when the raw material is transported in pallets which are not divided into separate consignments during transport to the petfood plant of destination in the European Union or during the transit through the European Union, on each outer side of each pallet, in a way that the marking covers at least 70 % of the diagonal length of the frozen block and be of at least 10 cm width;	
	(b)	in the case of material which is not frozen, the raw material has been marked in the third country before entry into the territory of the European Union by spraying it with liquefied charcoal or by applying charcoal powder in such a way that the charcoal is clearly visible on the material; and	
	(c)	where the animal by-products are made up of raw material which has been treated as referred to above and other non-treated raw material, all the raw materials have been marked as referred to in point (a) and (b) above.	
(²)(⁵)[II.2.	Specific requirements		
(²)(⁶)[II.2.1.	The by-products in this consignment come from animals that have been kept in the territory referred to in point (II.1.2), where vaccination programmes against foot-and-mouth disease are being regularly carried out and officially controlled in domestic bovine animals.]		
(²)(⁷)[II.2.2.	The by-products in this consignment consist only of animal by-products derived from trimmed offal of domestic ruminants, which have matured at an ambient temperature of more than + 2 °C for a period of at least three hours, or in the case of masseter muscles of bovine animals and deboned meat of domestic animals, for a period of at least 24 hours.]]		
(²)[II.3.	the animal by-products for the manufacture of petfood contains or is obtained from animal-by products of ruminant origin and:		
(²)either	[originate from a country or region, which is classified as posing a negligible bovine spongiform encephalopathy (BSE) risk in accordance with Commission Decision 2007/453/EC(⁸), and in which there has been no indigenous BSE case;]]		
(²)or	[originate from a country or region classified as posing a negligible BSE risk in accordance with Decision 2007/453/EC in which there has been an indigenous BSE case, and the animal by-products or derived products were derived from animals born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants, as defined in the World Organisation for Animal Health (OIE) Terrestrial Animal Health Code, has been effectively enforced in that country or region, and		
	(²)either	[are derived from ruminants other than bovine, ovine or caprine animals.]]]	
	(²)or	[are derived from bovine, ovine or caprine animals born, continuously reared and slaughtered in a country or region classified as posing a negligible BSE risk in accordance with Decision 2007/453/EC.]]]	
	(²)or	[do not contain:	
	(a)	specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001 of the European Parliament and of the Council(⁹);	

COUNTRY**Animal by-products for the manufacture of petfood**

II. Health information	II.a. Certificate reference No	II.b.
(b) mechanically separated meat obtained from bones of bovine, ovine or caprine animals, except from those animals that were born, continuously reared and slaughtered in a country or region classified as posing a negligible BSE risk in accordance with Decision 2007/453/EC, in which there has been no indigenous BSE case, (c) animal by-product obtained from bovine, ovine or caprine animals which have been killed, after stunning, by laceration of the central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity, except for those animals that were born, continuously reared and slaughtered in a country or region classified as posing a negligible BSE risk in accordance with Decision 2007/453/EC.]]]		
Notes Part I: — Box reference I.6: Person responsible for the consignment in the European Union: this box is to be filled in only if it is a certificate for transit commodity; it may be filled in if the certificate is for a commodity to be imported into the European Union. — Box reference I.12: Place of destination: this box is to be filled in only if it is a certificate for a transit commodity. Products in transit may only be stored in free zones, free warehouses and custom warehouses. — Box reference I.15: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship); information is to be provided in the case of unloading and reloading in the European Union. — Box reference I.19: use the appropriate Harmonized System (HS) code: 05.04; 05.06; 05.07; 05.11.91 or 05.11.99; 23.01; 41.01. — Box reference I.23: for bulk containers, the container number and the seal number (if applicable) must be included. — Box reference I.25: technical use: any use other than feeding of farmed animals, other than fur animals, and the production or manufacturing of petfood. — Box reference I.26 and I.27: fill in according to whether it is a transit or an import certificate. — Box reference I.28: — species: select from the following: Aves, Ruminantia, Suidae, Mammalia other than Ruminantia or Suidae, PESCA, Mollusca, Crustacea, invertebrates other than Mollusca and Crustacea; — manufacturing plant: provide the veterinary control number of the approved establishment. Part II: (^{1a}) OJ L 300, 14.11.2009, p. 1. (^{1b}) OJ L 54, 26.2.2011, p. 1. (^{1c}) The name and ISO code number of the exporting country as laid down in: — Part 1 of Annex XIII to Commission Implementing Regulation (EU) 2021/404 (OJ L 114, 31.3.2021, p. 1); — Part 1 of Annex XIV to Implementing Regulation (EU) 2021/404, and — Part 1 of Annex I to Commission Regulation (EC) No 119/2009 (OJ L 39, 10.2.2009, p. 12). In addition the ISO code of regionalisation in the abovementioned Annexes (where applicable for the susceptible species concerned) must be included. (^{1d}) Only for countries from which game meat intended for human consumption of the same animal species is authorised for importation into the European Union. (²) Delete as appropriate. (³) Excluding raw blood, raw milk, hides and skins, hooves and horn, pig bristles and feathers (see relevant specific certificates in that Annex for the import of these products). (⁴) OJ L 303, 18.11.2009, p. 1. (^{4a}) OJ L 125, 23.5.1996, p. 3. (⁵) Supplementary guarantees to be provided when the material of domestic ruminants originated in the territory of a South American or South African country or part thereof from where only matured and deboned fresh meat of domestic ruminants for human consumption is permitted for exportation to the European Union. The whole masseter muscles of bovine animals, incised in accordance with Section IV, Chapter I, Part B.1, of Annex I to Regulation (EC) No 854/2004 of the European Parliament and of the Council (OJ L 139, 30.4.2004, p. 206), are also permitted.		

COUNTRY**Animal by-products for the manufacture of petfood**

II. Health information	II.a. Certificate reference No	II.b.						
(⁶) Only for certain South American countries. (⁷) Only for certain South American and South African countries. (⁸) OJ L 172, 30.6.2007, p. 84. (⁹) OJ L 147, 31.5.2001, p. 1. — The signature and the stamp must be in a different colour to that of the printing. — Note for the person responsible for the consignment in the European Union: this certificate is only for veterinary purposes and must accompany the consignment until it reaches the border inspection post of the European Union.								
Official veterinarian/Official inspector <table border="0"> <tr> <td>Name (in capital letters):</td> <td>Qualification and title:</td> </tr> <tr> <td>Date:</td> <td>Signature:</td> </tr> <tr> <td>Stamp:</td> <td></td> </tr> </table>			Name (in capital letters):	Qualification and title:	Date:	Signature:	Stamp:	
Name (in capital letters):	Qualification and title:							
Date:	Signature:							
Stamp:								

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”

(b) Chapter 8 is replaced by the following:

‘CHAPTER 8

Health certificate

For animal by-products to be used for purposes outside the feed chain or for trade samples⁽²⁾, intended for dispatch to or for transit through⁽²⁾ the European Union

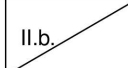
COUNTRY:

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.				I.2. Certificate reference No		I.2.a.									
					I.3. Central competent authority											
					I.4. Local competent authority											
	I.5. Consignee Name Address Postcode Tel.				I.6. Person responsible for the load in EU Name Address Postcode Tel.											
	I.7. Country of origin		ISO code		I.8. Region of origin		Code		I.9. Country of destination		ISO code		I.10. Region of destination		Code	
	I.11. Place of origin Name Address Name Address Name Address Name Address				Approval number Approval number Approval number				I.12. Place of destination Name Address Postcode Custom warehouse ☐ Approval number							
	I.13. Place of loading				I.14. Date of departure											
	I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentation references				I.16. Entry BIP in EU											
					I.17.											
	I.18. Description of commodity								I.19. Commodity code (HS code)							
									I.20. Quantity							
	I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐								I.22. Number of packages							
I.23. Seal/Container No								I.24. Type of packaging								
I.25. Commodities certified for: Technical use ☐																
I.26. For transit through EU to third country ☐				I.27. For import or admission into EU ☐												
Third country				ISO code												
I.28. Identification of the commodities Approval number of establishments Species (Scientific name) Nature of commodity Manufacturing plant Number of packages Net weight Batch number																

COUNTRY

Animal by-products to be used for purposes outside the feed chain or for trade samples⁽²⁾

Part II: Certification	II.	Health information	II.a. Certificate reference No	II.b. 
	I, the undersigned official veterinarian, declare that I have read and understood Regulation (EC) No 1069/2009 of the European Parliament and of the Council^(1a), and Commission Regulation (EU) No 142/2011^(1b), and in particular Chapter II of Annex XIV thereto, and certify that the animal by-products described above (²)either [are trade samples which consist of animal by-products intended for particular studies or analyses as referred to in the definition of trade samples in point 39 of Annex I to Regulation (EU) No 142/2011, that bear the label 'TRADE SAMPLE NOT FOR HUMAN CONSUMPTION'.] (²)or [satisfy the animal health requirements set out in point II.1.]; II.1. The animal by products described above II.1.1. have been (²)either [(a) obtained from materials imported from a third country, territory or part thereof:.....(³) authorised to export fresh meat to the European Union;] (²)and/or [(b) obtained in the exporting third country, territory or part thereof:.....(³) from animals that either: (i) have remained in that third country, territory or part thereof eligible to export fresh meat to the European Union since birth or for a period of at least the preceding three months before the date of slaughter; and/or (ii) were killed in the wild in that third country, territory or part thereof(⁴);] (²)and/or [(c) derived from eggs, milk, rodents, lagomorphs, or aquatic animals or terrestrial or aquatic invertebrates;] (²)II.1.2. in the case of materials other than materials derived from eggs, milk, rodents, lagomorphs, wool grease, aquatic animals, terrestrial or aquatic invertebrates and unprocessed furs, have been obtained from animals: (²)either [(a) coming from holdings: (i) where, for the following diseases for which the animals are susceptible, there has not been any case/outbreak of rinderpest, swine vesicular disease, Newcastle disease or highly pathogenic avian influenza during the period of the preceding 30 days, nor of classical or African swine fever during the period of the preceding 40 days; nor in the holdings situated in their vicinity within a 10 km radius, during the period of the preceding 30 days; and (ii) where there has not been any case/outbreak of foot-and-mouth disease during the period of the preceding 60 days, nor in the holdings situated in their vicinity within a 25 km radius, during the period of the preceding 30 days; and (b) which: (i) were not killed to eradicate any epizootic disease; [(²)either (ii) remained on their holdings of origin for a period of at least 40 days before the date of departure and which were transported directly to the slaughterhouse without contact with other animals which did not comply with the same health conditions; (²)or (ii) have remained on holdings under veterinary supervision in the third country or part of the territory of the third country-of origin from which imports of fresh meat of ungulates are authorised without any restrictions in accordance with Commission Implementing Regulation (EU) 2021/404] (iii) at the slaughterhouse, passed the ante-mortem health inspection during the period of 24 hours before the time of slaughter and showed no evidence of the diseases referred to above for which the animals are susceptible; and (iv) were handled in the slaughterhouse before and at the time of slaughter or killing in accordance with the relevant provisions of Union legislation and complied with requirements at least equivalent to those laid down in Chapters II and III of Council Regulation (EC) No 1099/2009⁽⁵⁾]			

COUNTRY

Animal by-products to be used for purposes outside the feed chain or for trade samples⁽²⁾

II. Health information	II.a. Certificate reference No	II.b.
(²)or [(a) captured and killed in the wild in an area: (i) where within a 25 km radius there has been no case/outbreak of any of the following diseases for which the animals are susceptible: foot-and-mouth disease, rinderpest, Newcastle disease or highly pathogenic avian influenza during the period of the preceding 30 days nor of classical or African swine fever during the period of the preceding 40 days; and (ii) that is situated at a distance that exceeds 20 km from the borders separating another territory of a third country or part thereof, which is not authorised at these dates for the exportation of such material to the European Union; and (b) which after killing were transported within a period of 12 hours for chilling either to a collection centre and immediately afterwards to a game establishment, or directly to a game establishment;]] (²)[II.1.3. in the case of materials other than materials derived from fish or invertebrates caught in the wild, have been obtained in an establishment around which, within a radius of 10 km, there has been no case/outbreak of diseases referred to in point II.1.2 for which the animals are susceptible during a period of the preceding 30 days or, in the event of a case/outbreak of one of those diseases, the preparation of raw material for exportation to the European Union was authorised only after the removal of all meat, and the total cleaning and disinfection of the establishment under the control of an official veterinarian;] II.1.4. have been obtained and prepared without contact with other material which does not comply with the conditions required above, and it has been handled so as to avoid contamination with pathogenic agents; II.1.5. have been packed in new packaging which prevents any leakage or in packaging which has been cleaned and disinfected before use and, in the case of consignments shipped other than via parcel post, in containers sealed under the responsibility of the competent authority, bearing the label indicating 'ANIMAL BY-PRODUCTS ONLY FOR THE MANUFACTURE OF DERIVED PRODUCTS FOR USES OUTSIDE THE FEED CHAIN' and the name and address of the establishment of destination in the European Union; II.1.6. consist only of the following animal by-products: (²)either [- carcasses and parts of animals slaughtered or, in the case of game, bodies or parts of animals killed which were deemed fit for human consumption in accordance with Union legislation until irreversibly declared as animal by-products for commercial reasons;] (²)and/or [- carcasses and the following parts originating either from animals that were slaughtered in a slaughterhouse and were considered fit for slaughter for human consumption following an ante-mortem inspection or bodies and the following parts of animals from game killed for human consumption in accordance with Union legislation: (i) carcasses or bodies and parts of animals which were rejected as unfit for human consumption in accordance with Union legislation, but which did not show any signs of disease communicable to humans or animals; (ii) heads of poultry; (iii) hides and skins, including trimmings and splitting thereof, horns and feet, including the phalanges and the carpus and metacarpus bones, tarsus and metatarsus bones; (iv) pig bristles; (v) feathers;] (²)and/or [- animal by-products from poultry and lagomorphs slaughtered on the farm as referred to in Article 1(3), point (d), of Regulation (EC) No 853/2004 of the European Parliament and of the Council^(2a), which did not show any signs of disease communicable to humans or animals;] (²)and/or [- blood of animals which did not show any signs of disease communicable through blood to humans or animals, obtained from animals that have been slaughtered in a slaughterhouse after having been considered fit for slaughter for human consumption following an ante-mortem inspection in accordance with Union legislation;] (²)and/or [- animal by-products arising from the production of products intended for human consumption, including degreased bone, greaves and centrifuge or separator sludge from milk processing;]		

COUNTRY

Animal by-products to be used for purposes outside the feed chain or for trade samples⁽²⁾

II. Health information	II.a. Certificate reference No	II.b.
(²)and/or [- products of animal origin, or foodstuffs containing products of animal origin, which are no longer intended for human consumption for commercial reasons or due to problems of manufacturing or packaging defects or other defects from which no risk to public or animal health arises;] (²)and/or [- petfood and feedingstuffs of animal origin, or feedingstuffs containing animal by-products or derived products, which are no longer intended for feeding for commercial reasons or due to problems of manufacturing or packaging defects or other defects from which no risk to public or animal health arises;] (²)and/or [- blood, placenta, wool, feathers, hair, horns, hoof cuts and raw milk originating from live animals that did not show signs of any disease communicable through that product to humans or animals;] (²)and/or [- aquatic animals, and parts of such animals, except sea mammals, which did not show any signs of diseases communicable to humans or animals;] (²)and/or [- animal by-products from aquatic animals originating from establishments or plants manufacturing products for human consumption;] (²)and/or [- the following material originating from animals which did not show any signs of disease communicable through that material to humans or animals: (i) shells from shellfish with soft tissue or flesh; (ii) the following originating from terrestrial animals: — hatchery by-products; — eggs; — egg by-products, including egg shells; (iii) day-old chicks killed for commercial reasons;] (²)and/or [- animal by-products from aquatic or terrestrial invertebrates, other than species pathogenic to humans or animals;] (²)and/or [- animals and parts thereof of the zoological orders of Rodentia and Lagomorpha, except Category 1 material as referred to in Article 8, point (a)(iii), (iv) and (v), of Regulation (EC) No 1069/2009 and Category 2 material as referred to in Article 9, points (a) to (g), of that Regulation;] (²)and/or [- furs originating from dead animals that did not show clinical signs of any disease communicable through that product to humans or animals;]		
II.1.7.	have been deep-frozen at the plant of origin or have been preserved in accordance with European Union legislation in such a way that they will not spoil between the time of dispatch and the time of delivery to the plant of destination.	
(2)(6)[II.1.8.		
(2)(7)		
either[II.1.8.1.	The animal by-products in this consignment come from animals that have been obtained in the country, territory or part thereof referred to in point II.1.1, where vaccination programmes against foot-and-mouth disease are regularly carried out and officially controlled in domestic bovine animals.]]	
(2)(8)		
and/or[II.1.8.2.	The animal by-products in this consignment consist of animal by-products derived from offal or deboned meat.]]	
(2)[II.1.9.	the animal by-products described above	
(2)either	[are derived from other ruminants than bovine, ovine or caprine animals.]]	
(2)or	[are derived from bovine, ovine or caprine animals and does not contain and is not derived from:	
(2) either	[bovine, ovine and caprine materials other than those derived from animals	
	born, continuously reared and slaughtered in a country or region classified as	
	posing a negligible bovine spongiform encephalopathy (BSE) risk in	
	accordance with Commission Decision 2007/453/EC ⁽⁹⁾ .]]	
(2)or	[(a) specified risk material as defined in point 1 of Annex V to Regulation	
	(EC) No 999/2001 of the European Parliament and of the Council ⁽¹⁰⁾ ;	
	(b) mechanically separated meat obtained from bones of bovine, ovine	
	or caprine animals, except from those animals that were born,	
	continuously reared and slaughtered in a country or region classified	
	as posing a negligible BSE risk in accordance with Decision	
	2007/453/EC, in which there has been no indigenous BSE case,	
	(c) animal by-product or derived product obtained from bovine, ovine or	
	caprine animals which have been killed, after stunning, by laceration	
	of the central nervous tissue by means of an elongated rod-shaped	
	instrument introduced into the cranial cavity, or by means of gas	
	injected into the cranial cavity, except for those animals that were	
	born, continuously reared and slaughtered in a country or region	
	classified as posing a negligible BSE risk in accordance with	
	Decision 2007/453/EC.]]]	

COUNTRY

Animal by-products to be used for purposes outside the feed chain or for trade samples⁽²⁾

II. Health information	II.a. Certificate reference No	II.b.
II.1.10. the animal by-products described above: (²)either [do not contain milk or milk products of ovine or caprine animal origin or are not intended for feed for farmed animals, other than fur animals.] (²)or [contain milk or milk products of ovine or caprine animal origin and are intended for feed for farmed animals, other than fur animals, and the milk or milk products: (a) are derived from ovine and caprine animals which have been kept continuously since birth in a country where the following conditions are fulfilled: (i) classical scrapie is compulsorily notifiable; (ii) an awareness, surveillance and monitoring system is in place for classical scrapie; (iii) official restrictions apply to holdings of ovine or caprine animals in the case of a suspicion of transmissible spongiform encephalopathy (TSE) or the confirmation of classical scrapie; (iv) ovine and caprine animals affected with classical scrapie are killed and destroyed; (v) the feeding to ovine and caprine animals of meat-and-bone meal or greaves, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health (OIE), of ruminant origin has been banned and effectively enforced in the whole country for a period of at least the preceding seven years; (b) originate from holdings where no official restrictions are imposed due to a suspicion of TSE; (c) originate from holdings where no case of classical scrapie has been diagnosed during the period of the preceding seven years or, following the confirmation of a case of classical scrapie: (²)either [all ovine and caprine animals on the holding have been killed and destroyed or slaughtered, except for breeding rams of the ARR/ARR genotype, breeding ewes carrying at least one ARR allele and no VRQ allele and other ovine animals carrying at least one ARR allele;] (²)or [all animals in which classical scrapie was confirmed have been killed and destroyed, and the holding has been subjected for a period of at least two years since the date of confirmation of the last classical scrapie case to intensified TSE monitoring, including testing with negative results for the presence of TSE in accordance with the laboratory methods set out in Chapter C, point 3.2, of Annex X to Regulation (EC) No 999/2001, of all of the following animals which are over the age of 18 months, except ovine animals of the ARR/ARR genotype: - animals which have been slaughtered for human consumption; and - animals which have died or been killed on the holding but which were not killed in the framework of a disease eradication campaign.]]		
Notes Part I: — Box reference I.6: Person responsible for the consignment in the European Union: this box is required to be filled in only if it is a certificate for a commodity to be transited through the European Union; it may be filled in if the certificate is for a commodity to be imported into the European Union. — Box reference I.11: In the case of consignments for trade samples or analyses: indicate the name and address of the establishment only. — Box reference I.11 and I.12: Approval number: the registration number of the establishment or plant, which has been issued by the competent authority. — Box reference I.12: Place of destination: this box is to be filled in for the following products: — products for the manufacture of derived products for uses outside the feed chain: only if it is a certificate for a transit commodity. Products in transit may only be stored in free zones, free warehouses and custom warehouses. — products for trade samples or analyses: the plant in the European Union indicated in the authorisation of the competent authority where appropriate. — Box reference I.15: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship) is to be provided. In the case of unloading and reloading in the European Union, the consignor must inform the border inspection point of the point of entry into the European Union. — Box reference I.19: use the appropriate Harmonized System (HS) code under the following headings: 04.01; 04.02; 04.03; 04.04; 04.08; 05.05; 05.06; 05.07; 05.11.91; 05.11.99, 23.01 or 30.01.		

COUNTRY**Animal by-products to be used for purposes outside the feed chain or for trade samples⁽²⁾**

II. Health information	II.a. Certificate reference No	II.b.			
— Box reference I.23: for bulk containers, the container number and the seal number (if applicable) must be included. — Box reference I.25: — technical use: any use other than feeding of farmed animals, other than fur animals, and the production or manufacturing of petfood; — for the purposes of the certificate, 'technical use' includes use as a trade sample. — Box reference I.26 and I.27: except for trade samples, which are not sent in transit, fill in according to whether it is a transit or an import certificate. — Box reference I.28: — products for the manufacture of derived products for uses outside the feed chain: Manufacturing plant: provide the veterinary control number of the approved establishment; — products for the particular technological studies or analyses: the plant in the European Union indicated in the authorisation of the competent authority where appropriate; — species: select from the following: Aves, Ruminantia, Suidae, Mammalia other than Ruminantia or Suidae, PESCA, Mollusca, Crustacea, invertebrates other than Mollusca and Crustacea. Part II: ^(1a) OJ L 300, 14.11.2009, p. 1. ^(1b) OJ L 54, 26.2.2011, p. 1. ⁽²⁾ Delete as appropriate. ^(2a) OJ L 139, 30.4.2004, p. 55. ⁽³⁾ The name and ISO code number of the exporting country as laid down in: — Part 1 of Annex XIII to Commission Implementing Regulation (EU) 2021/404 (OJ L 114, 31.3.2021, p. 1); — Part 1 of Annex XIV to Implementing Regulation (EU) 2021/404, and — Annex I to Commission Regulation (EC) No 119/2009 (OJ L 39, 10.2.2009, p. 12). In addition the ISO code of territories and parts thereof referred to in the Annexes to Implementing Regulation (EU) 2021/404 and to Regulation (EC) No 119/2009 referred to in this note (where applicable for the susceptible species concerned) must be included where applicable. ⁽⁴⁾ Only for countries from where the game meat intended for human consumption of the same animal species is authorised for importation into the European Union. ⁽⁵⁾ OJ L 303, 18.11.2009, p. 1. ⁽⁶⁾ Supplementary guarantees to be provided where the material of domestic ruminants originated in the territory of a South American or South African country or part thereof from where only matured and deboned fresh meat of domestic ruminants for human consumption is authorised for exportation to the European Union. The whole masseter muscles of bovine animals, incised in accordance with the requirements of Section IV, Chapter I, Part B.1, of Annex I to Regulation (EC) No 854/2004 of the European Parliament and of the Council (OJ L 139, 30.4.2004, p. 206), are also permitted. ⁽⁷⁾ Only for certain South American countries. ⁽⁸⁾ Only for certain South American and South African countries. ⁽⁹⁾ OJ L 172, 30.6.2007, p. 84. ⁽¹⁰⁾ OJ L 147, 31.5.2001, p. 1. — The signature and the stamp must be in a different colour to that of the printing. — Note for the person responsible for the consignment in the European Union: this certificate is only for veterinary purposes and must accompany the consignment until it reaches the border inspection post of the point of entry into the European Union.					
<table border="0" style="width: 100%;"> <tr> <td colspan="2" style="vertical-align: top;"> Official veterinarian/Official inspector Name (in capital letters): Date: Stamp: </td> <td style="vertical-align: top; text-align: right;"> Qualification and title: Signature: </td> </tr> </table>			Official veterinarian/Official inspector Name (in capital letters): Date: Stamp:		Qualification and title: Signature:
Official veterinarian/Official inspector Name (in capital letters): Date: Stamp:		Qualification and title: Signature:			

(c) Chapter 10(B) is replaced by the following:

‘CHAPTER 10(B)

Health certificate

For rendered fats not intended for human consumption to be used for certain purposes outside the feed chain, intended for dispatch to or for transit through⁽²⁾ the European Union

COUNTRY:

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.				I.2. Certificate reference No		I.2.a.	
					I.3. Central competent authority			
					I.4. Local competent authority			
	I.5. Consignee Name Address Postal code Tel.				I.6. Person responsible for the load in EU Name Address Postal code Tel.			
	I.7. Country of origin		ISO code		I.8. Region of origin		Code	
	I.9. Country of destination		ISO code		I.10. Region of destination		Code	
	I.11. Place of origin Name Address Name Address Name Address Approval number Approval number Approval number				I.12. Place of destination Name Address Postal code Custom warehouse ☐ Approval number			
	I.13. Place of loading				I.14. Date of departure			
	I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentation references				I.16. Entry BIP in EU			
	I.17.							
	I.18. Description of commodity						I.19. Commodity code (HS code)	
							I.20. Quantity	
	I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐						I.22. Number of packages	
	I.23. Seal/Container No						I.24. Type of packaging	
	I.25. Commodities certified for: Technical use ☐							
I.26. For transit through EU to third country ☐ Third country ISO code				I.27. For import or admission into EU ☐				
I.28. Identification of the commodities Species (scientific name) Approval number of establishments Manufacturing plant Number of packages Net weight Batch number								

COUNTRY

Rendered fats not intended for human consumption for certain purposes outside the feed chain

Part II: Certification	II. Health information	II.a. Certificate reference No	II.b.
	I, the undersigned official veterinarian, declare that I have read and understood Regulation (EC) No 1069/2009 of the European Parliament and of the Council ^(1a), and in particular Articles 8, 9 and 10 thereof, and Commission Regulation (EU) No 142/2011^(1b), and in particular Chapter II of Annex XIV thereto, and certify that the rendered fats described above: II.1. consist of rendered fats not intended for human consumption that satisfy the health requirements below; II.2. have been prepared exclusively with the following animal by-products: (²)II.2.1. in the case of materials destined for the production of renewable fuels referred to in Chapter IV, Section 2, point L, of Annex IV to Regulation (EU) No 142/2011, biodiesel or oleochemical products, animal by-products referred to in Articles 8, 9 and 10 of Regulation (EC) No 1069/2009;] (²)II.2.2. in the case of materials destined for the production of renewable fuels referred to in Chapter IV, Section 2, point J, of Annex IV to Regulation (EU) No 142/2011, the materials have been prepared exclusively from animal by-products referred to in Articles 9 and 10 of Regulation (EC) No 1069/2009;] (²)II.2.3. in the case of materials destined for purposes other than cosmetics, pharmaceuticals or medical devices, the materials have been prepared exclusively from: (²)either [- animal by-products containing residues of authorised substances or contaminants exceeding the permitted levels referred to in Article 15(3) of Council Directive 96/23/EC^(2a).] (²)and/or [- products of animal origin which have been declared unfit for human consumption due to the presence of foreign bodies in those products;] (²)and/or [- animals and parts of animals, other than those referred to in Articles 8 and 10 of Regulation (EC) No 1069/2009, that died other than being slaughtered or killed for human consumption, including animals killed for disease control purposes;] (²)and/or [- carcasses and parts of animals slaughtered or, in the case of game, bodies or parts of animals killed, and which are fit for human consumption in accordance with Union legislation, but are not intended for human consumption for commercial reasons;] (²)and/or [- carcasses and the following parts originating either from animals that have been slaughtered in a slaughterhouse and were considered fit for slaughter for human consumption following an ante-mortem inspection or bodies and the following parts of animals from game killed for human consumption in accordance with Union legislation: (i) carcasses or bodies and parts of animals which are rejected as unfit for human consumption in accordance with Union legislation, but which did not show any signs of disease communicable to humans or animals; (ii) heads of poultry; (iii) hides and skins, including trimmings and splitting thereof, horns and feet, including the phalanges and the carpus and metacarpus bones, tarsus and metatarsus bones; (iv) pig bristles; (v) feathers;] (²)and/or [- blood of animals which did not show any signs of disease communicable through blood to humans or animals obtained from animals that have been slaughtered in a slaughterhouse after having been considered fit for slaughter for human consumption following an ante-mortem inspection in accordance with Union legislation;] (²)and/or [- animal by-products arising from the production of products intended for human consumption, including degreased bone, greaves and centrifuge or separator sludge from milk processing;] (²)and/or [- products of animal origin, or foodstuffs containing products of animal origin, which are no longer intended for human consumption for commercial reasons or due to problems of manufacturing or packaging defects or other defects from which no risk to public or animal health arises;] (²)and/or [- pet food and feeding stuffs of animal origin, or feeding stuffs containing animal by-products or derived products, which are no longer intended for feeding for commercial reasons or due to problems of manufacturing or packaging defects or other defects from which no risk to public or animal health arises;]		

COUNTRY

Rendered fats not intended for human consumption for certain purposes outside the feed chain

II. Health information	II.a. Certificate reference No	II.b.
(²)and/or [- blood, placenta, wool, feathers, hair, horns, hoof cuts and raw milk originating from live animals that did not show signs of any disease communicable through that product to humans or animals;] (²)and/or [- aquatic animals, and parts of such animals, except sea mammals, which did not show any signs of diseases communicable to humans or animals;] (²)and/or [- animal by-products from aquatic animals originating from plants or establishments manufacturing products for human consumption;] (²)and/or [- the following material originating from animals which did not show any signs of disease communicable through that material to humans or animals: (i) shells from shellfish with soft tissue or flesh; (ii) the following originating from terrestrial animals: — hatchery by-products, — eggs, — egg by-products, including egg shells, (iii) day-old chicks killed for commercial reasons;] (²)and/or [- aquatic and terrestrial invertebrates other than species pathogenic to humans or animals;] (²)and/or [- animals and parts thereof of the zoological orders of Rodentia and Lagomorpha, except Category 1 material as referred to in Article 8, point (a)(iii), (iv) and (v), of Regulation (EC) No 1069/2009 and Category 2 material as referred to in Article 9, points (a) to (g), of that Regulation;] (²)and/or [- hides and skins, hooves, feathers, wool, horns, hair and fur originating from dead animals that did not show any signs of disease communicable through that product to humans or animals;] (²)and/or [- adipose tissue from animals which did not show any signs of disease communicable through that material to humans or animals, which were slaughtered in a slaughterhouse and which were considered fit for slaughter for human consumption following an ante-mortem inspection in accordance with Union legislation;]]		
(²)[II.2.4. in the case of materials destined for purposes other than the production of organic fertilisers or soil improvers, cosmetics, pharmaceutical or medical devices: (²)either [- specified risk material as defined in Article 3(1), point (g), of Regulation (EC) No 999/2001 of the European Parliament and of the Council^(2b);] (²)and/or [- entire bodies or parts of dead animals containing specified risk material as defined in Article 3(1), point (g), of Regulation (EC) No 999/2001 at the time of disposal;] (²)and/or [- animal by-products which have been derived from animals which have been submitted to illegal treatment as defined in Article 1(2), point (d), of Council Directive 96/22/EC^(2c) or Article 2, point (b), of Directive 96/23/EC;] (²)and/or [- animal by-products containing residues of other substances and environmental contaminants listed in Group B(3) of Annex I to Directive 96/23/EC, if such residues exceed the permitted levels laid down by Union legislation or, in the absence thereof, by legislation of the Member State of importation;]] II.3. the rendered fats: (a) have been subjected to processing in accordance with method (indicate the processing method) as set out in Chapter III of Annex IV to Regulation (EU) No 142/2011, in order to kill pathogenic agents, [(²)(b) of Category 1 and 2 materials have been marked before dispatch to the European Union with glyceroltriheptanoate (GTH), so that a homogenous minimum concentration of at least 250 mg GTH per kilogramme fat is achieved,] (c) in the case of rendered fats of ruminant origin, insoluble impurities in excess of 0,15 % in weight have been removed, (d) have been transported under conditions which prevent their contamination, and (e) bear labels on the packaging or container indicating "NOT FOR HUMAN OR ANIMAL CONSUMPTION";		

COUNTRY

Rendered fats not intended for human consumption for certain purposes outside the feed chain

II. Health information	II.a. Certificate reference No	II.b.
(²)[II.4. in the case of materials destined for organic fertilisers, cosmetics, pharmaceuticals, medical devices or soil improvers the rendered fats described above (²)either [are derived from other ruminants than bovine, ovine or caprine animals.] (²)or [are derived from bovine, ovine or caprine animals and does not contain and is not derived from: (²) either [bovine, ovine and caprine materials other than those derived from animals born, continuously reared and slaughtered in a country or region classified as posing a negligible bovine spongiform encephalopathy (BSE) risk in accordance with Commission Decision 2007/453/EC(³).] (²)or [(a) specified risk material as defined in point 1 of Annex V to Regulation (EC) No 999/2001; (b) mechanically separated meat obtained from bones of bovine, ovine or caprine animals, except from those animals that were born, continuously reared and slaughtered in a country or region classified as posing a negligible BSE risk in accordance with Decision 2007/453/EC, in which there has been no indigenous BSE case, (c) animal by-product or derived product obtained from bovine, ovine or caprine animals which have been killed, after stunning, by laceration of the central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity, or by means of gas injected into the cranial cavity, except for those animals that were born, continuously reared and slaughtered in a country or region classified as posing a negligible BSE risk in accordance with Decision 2007/453/EC.]]]		
Notes Part I: — Box reference I.6: Person responsible for the consignment in the European Union: this box is required to be filled in only if it is a certificate for a commodity to be transited through the European Union; it may be filled in if the certificate is for a commodity to be imported into the European Union. — Box reference I.11: Approval number: the registration number of the establishment or plant, which has been issued by the competent authority. — Box reference I.12: - approval number: the registration number of the establishment or plant, which has been issued by the competent authority; - place of destination: this box is to be filled in only if it is a certificate for a transit commodity. Products in transit may only be stored in free zones, free warehouses and custom warehouses. — Box reference I.15: Registration number (railway wagons or container and lorries), flight number (aircraft) or name (ship) is to be provided. In the case of unloading and reloading in the European Union, the consignor must inform the border inspection post of the point of entry into the European Union. — Box I.19: use the appropriate Harmonized System (HS) code under the following headings: 04.05; 15.01, 15.02; 15.03; 15.04; 15.05; 15.06; 15.16 or 15.18. — Box reference I.23: for bulk containers, the container number and the seal number (if applicable) must be included. — Box reference I.25: technical use: any use other than feeding of farmed animals, other than fur animals or pet animals, and the production or manufacturing of pet food. — Box reference I.26 and I.27: fill in according to whether it is a transit or an import certificate. — Box reference I.28: - species: select from the following: Ruminantia, other than Ruminantia; - manufacturing plant: provide the registration number of the treatment/processing establishment. Part II: (1a) OJ L 300, 14.11.2009, p. 1. (1b) OJ L 54, 26.2.2011, p. 1. (2) Delete as appropriate. (2a) OJ L 125, 23.5.1996, p. 10. (2b) OJ L 147, 31.5.2001, p. 1. (2c) OJ L 125, 23.5.1996, p. 3. (3) OJ L 172, 30.6.2007, p. 84.		

COUNTRY**Rendered fats not intended for human consumption for
certain purposes outside the feed chain**

II. Health information	II.a. Certificate reference No	II.b.		
— The signature and the stamp must be in a different colour to that of the printing. — Note for the person responsible for the consignment in the European Union: this certificate is only for veterinary purposes and must accompany the consignment until it reaches the border inspection post of the point of entry into the European Union.				
<table><tr><td data-bbox="263 566 1037 846">Official veterinarian/Official inspector Name (in capital letters): Date: Stamp:</td><td data-bbox="1037 566 1406 846">Qualification and title: Signature:</td></tr></table>			Official veterinarian/Official inspector Name (in capital letters): Date: Stamp:	Qualification and title: Signature:
Official veterinarian/Official inspector Name (in capital letters): Date: Stamp:	Qualification and title: Signature:			

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COMMISSION IMPLEMENTING REGULATION (EU) 2021/1892**of 27 October 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 hereby 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, 27 October 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	188,8	36	BR

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

DECISIONS

COUNCIL DECISION (CFSP) 2021/1893

of 28 October 2021

amending Decision 2010/573/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 27 September 2010, the Council adopted Decision 2010/573/CFSP ⁽¹⁾, concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova.
- (2) On the basis of a review of Decision 2010/573/CFSP, the restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova should be extended until 31 October 2022. The Council will carry out a review of the situation with regard to the restrictive measures after six months.
- (3) Decision 2010/573/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 4(2) of Decision 2010/573/CFSP is hereby replaced by the following:

‘2. This Decision shall apply until 31 October 2022. It shall be kept under constant review. It shall be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.’.

Article 2

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

Done at Brussels, 28 October 2021.

For the Council
The President
G. DOVŽAN

⁽¹⁾ Council Decision 2010/573/CFSP of 27 September 2010 concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova (OJ L 253, 28.9.2010, p. 54).

COMMISSION IMPLEMENTING DECISION (EU) 2021/1894**of 28 October 2021****establishing the equivalence, for the purpose of facilitating the right of free movement within the Union, of COVID-19 certificates issued by the Republic of Armenia to the certificates issued in accordance with Regulation (EU) 2021/953 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) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic ⁽¹⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) Regulation (EU) 2021/953 lays down a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates ('EU Digital COVID Certificate') for the purpose of facilitating the holders' exercise of their right to free movement during the COVID-19 pandemic. It is also to contribute to facilitating the gradual lifting of restrictions to free movement put in place by Member States, in accordance with Union law, to limit the spread of SARS-CoV-2, in a coordinated manner.
- (2) Regulation (EU) 2021/953 allows for the acceptance of COVID-19 certificates issued by third countries to Union citizens and their family members where the Commission finds that those COVID-19 certificates are issued in accordance with standards that are to be considered as equivalent to those established pursuant to that Regulation. Furthermore, in accordance with Regulation (EU) 2021/954 of the European Parliament and of the Council ⁽²⁾, Member States are to apply the rules laid down in Regulation (EU) 2021/953 to third-country nationals who do not fall within the scope of that Regulation, but who are legally staying or residing in their territory and who are entitled to travel to other Member States in accordance with Union law. Therefore, any equivalence findings laid down in this Decision should apply to COVID-19 vaccination, test and recovery certificates issued by the Republic of Armenia to Union citizens and their family members. Similarly, on the basis of Regulation (EU) 2021/954, such equivalence findings should also apply to COVID-19 vaccination, test and recovery certificates issued by the Republic of Armenia to third-country nationals legally staying or residing in the territory of the Member States under the conditions laid down in that Regulation.
- (3) On 30 July 2021, the Republic of Armenia provided the Commission with detailed information on the issuance of interoperable COVID-19 vaccination, test and recovery certificates under the system entitled 'ArMed, national e-health system'. The Republic of Armenia informed the Commission that it considered that its COVID-19 certificates are being issued in accordance with a standard and a technological system that are interoperable with the trust framework established by Regulation (EU) 2021/953 and that allow for the verification of the authenticity, validity and integrity of the certificates. In this regard, the Republic of Armenia informed the Commission that COVID-19 vaccination, test and recovery certificates issued by the Republic of Armenia in accordance with the 'ArMed, national e-health system' contain the data set out in the Annex to Regulation (EU) 2021/953.

⁽¹⁾ OJ L 211, 15.6.2021, p. 1.

⁽²⁾ Regulation (EU) 2021/954 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) with regard to third country nationals legally staying or residing in the territories of Member States during the COVID-19 pandemic (OJ L 211, 15.6.2021, p. 24).

- (4) The Republic of Armenia also informed the Commission that it accepts vaccination, test and recovery certificates issued by the Member States and EEA countries in accordance with Regulation (EU) 2021/953.
- (5) On 30 September 2021, following a request by the Republic of Armenia, the Commission carried out technical tests that demonstrated that the COVID-19 vaccination test and recovery certificates are issued by the Republic of Armenia in accordance with a system, the 'ArMed, national e-health system', that is interoperable with the trust framework established by Regulation (EU) 2021/953, and allows for the verification of the authenticity, validity and integrity of the certificates. The Commission also confirmed that the COVID-19 vaccination, test and recovery certificates issued by the Republic of Armenia in accordance with the 'ArMed, national e-health system' contain the necessary data.
- (6) In addition, the Republic of Armenia informed the Commission that it will issue interoperable vaccination certificates for COVID-19 vaccines. Those vaccines currently include CoronaVac, Sputnik V, Covishield, Vaxzevria.
- (7) The Republic of Armenia also informed the Commission that it issues interoperable test certificates for nucleic acid amplification tests, but not for rapid antigen tests.
- (8) Furthermore, the Republic of Armenia informed the Commission that it issues interoperable certificates of recovery. Those certificates are valid for not more than 180 days after the date of the first positive test.
- (9) In addition, the Republic of Armenia informed the Commission that when verifiers in Armenia verify certificates, the personal data included in them will be processed only to verify and confirm the holder's vaccination, test result or recovery status and will not be retained afterwards.
- (10) The necessary elements for establishing that COVID-19 vaccination, test and recovery certificates issued by the Republic of Armenia in accordance with the 'ArMed, national e-health system' are to be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953 are thus fulfilled.
- (11) Therefore, COVID-19 vaccination, test and recovery certificates issued by the Republic of Armenia in accordance with the 'ArMed, national e-health system' should be accepted under the conditions referred to in Article 5(5), Article 6(5) and Article 7(8) of Regulation (EU) 2021/953.
- (12) In order for this Decision to be operational, the Republic of Armenia should be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.
- (13) In order to protect the Union's interests, in particular in the area of public health, the Commission may use its powers to suspend or terminate this Decision if the conditions of Article 8(2) of Regulation (EU) 2021/953 are no longer met.
- (14) In order to connect the Republic of Armenia to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953 as rapidly as possible, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (15) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 14 of Regulation (EU) 2021/953,

HAS ADOPTED THIS DECISION:

Article 1

COVID-19 vaccination, test and recovery certificates issued by the Republic of Armenia in accordance with the 'ArMed, national e-health system' shall, for the purpose of facilitating the right of free movement within the Union, be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953.

Article 2

The Republic of Armenia shall be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.

Article 3

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

Done at Brussels, 28 October 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2021/1895**of 28 October 2021****establishing the equivalence, for the purpose of facilitating the right of free movement within the Union, of COVID-19 certificates issued by the United Kingdom of Great Britain and Northern Ireland to the certificates issued in accordance with Regulation (EU) 2021/953 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) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic ⁽¹⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) Regulation (EU) 2021/953 lays down a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates ('EU Digital COVID Certificate') for the purpose of facilitating the holders' exercise of their right to free movement during the COVID-19 pandemic. It is also to contribute to facilitating the gradual lifting of restrictions to free movement put in place by Member States, in accordance with Union law, to limit the spread of SARS-CoV-2, in a coordinated manner.
- (2) Regulation (EU) 2021/953 allows for the acceptance of COVID-19 certificates issued by third countries to Union citizens and their family members where the Commission finds that those COVID-19 certificates are issued in accordance with standards that are to be considered as equivalent to those established pursuant to that Regulation. Furthermore, in accordance with Regulation (EU) 2021/954 of the European Parliament and of the Council ⁽²⁾, Member States are to apply the rules laid down in Regulation (EU) 2021/953 to third-country nationals who do not fall within the scope of that Regulation, but who are legally staying or residing in their territory and who are entitled to travel to other Member States in accordance with Union law. Therefore, any equivalence findings of this Decision should apply to COVID-19 vaccination, test and recovery certificates issued by the United Kingdom of Great Britain and Northern Ireland to Union citizens and their family members. Similarly, on the basis of Regulation (EU) 2021/954, such equivalence findings should also apply to COVID-19 vaccination, test and recovery certificates issued by the United Kingdom of Great Britain and Northern Ireland to third-country nationals legally staying or residing in the territory of the Member States under the conditions laid down in that Regulation.
- (3) On 28 July 2021, the United Kingdom of Great Britain and Northern Ireland provided the Commission with detailed information on the issuance of interoperable COVID-19 vaccination, test and recovery certificates under a single system entitled 'UK COVID Certificates'. This system comprises four components for England, Wales and the Isle of Man; Jersey and Guernsey; Scotland; and Northern Ireland, respectively entitled 'Covid Pass', '2D Barcode API', 'NHS Scotland Covid Status' and 'COVIDCert'. The United Kingdom of Great Britain and Northern Ireland informed the Commission that it considered that its COVID-19 certificates are being issued in accordance with a standard and a technological system that are interoperable with the trust framework established by Regulation (EU) 2021/953 and

⁽¹⁾ OJ L 211, 15.6.2021, p. 1.

⁽²⁾ Regulation (EU) 2021/954 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) with regard to third country nationals legally staying or residing in the territories of Member States during the COVID-19 pandemic (OJ L 211, 15.6.2021, p. 24).

that allow for the verification of the authenticity, validity and integrity of the certificates. In this regard, the United Kingdom of Great Britain and Northern Ireland informed the Commission that COVID-19 certificates issued by the United Kingdom of Great Britain and Northern Ireland in accordance with the system entitled 'UK COVID Certificates' contain the data set out in the Annex to Regulation (EU) 2021/953.

- (4) The United Kingdom of Great Britain and Northern Ireland also informed the Commission that it accepts vaccination certificates issued by the Member States and EEA countries in accordance with Regulation (EU) 2021/953. In addition, the United Kingdom of Great Britain and Northern Ireland informed the Commission that it will treat holders of EU DCC vaccination, recovery and test certificates equally to holders of certificates issued by the United Kingdom of Great Britain and Northern Ireland. The United Kingdom of Great Britain and Northern Ireland pointed out that all travellers fully vaccinated with a vaccine recognised by the United Kingdom or with a vaccine having received an EU-wide authorisation are exempt from quarantine and from completing the day 8 test, if they arrive from countries classified using code "amber" according to their epidemiological situation. The United Kingdom of Great Britain and Northern Ireland also specified that negative tests and natural immunity following a positive test are not part of its policy to exempt people from quarantine.
- (5) On 4 October 2021, following a request by the United Kingdom of Great Britain and Northern Ireland, the Commission carried out technical tests that demonstrated that the COVID-19 vaccination, test and recovery certificates are issued by the United Kingdom of Great Britain and Northern Ireland in accordance with the system entitled 'UK COVID Certificates', that each of these components is interoperable with the trust framework established by Regulation (EU) 2021/953, and allows for the verification of the authenticity, validity and integrity of the certificates. The Commission also confirmed that the COVID-19 vaccination, test and recovery certificates issued by the United Kingdom of Great Britain and Northern Ireland in accordance with each component of the system entitled 'UK COVID Certificates' contain the necessary data. The Commission's assessment is confirmed following the additional notification submitted by the United Kingdom of Great Britain and Northern Ireland on 14 October 2021.
- (6) In addition, the United Kingdom of Great Britain and Northern Ireland informed the Commission that it issues interoperable vaccination certificates for COVID-19 vaccines. Those vaccines currently include Comirnaty, Covid-19 Vaccine Janssen, Spikevax and Vaxzevria. The United Kingdom of Great Britain and Northern Ireland further indicated that it issues vaccination certificates for vaccine candidates undergoing clinical trials to the participants of the trials who have received the vaccine candidates. That currently applies to a vaccine candidate developed by Novavax CZ AS.
- (7) The United Kingdom of Great Britain and Northern Ireland also informed the Commission that it will issue interoperable test certificates only for nucleic acid amplification tests, but not for rapid antigen tests.
- (8) Furthermore, the United Kingdom of Great Britain and Northern Ireland informed the Commission that it issues interoperable certificates of recovery. Those certificates are valid for not more than 180 days after the date of the first positive test.
- (9) In addition, the United Kingdom of Great Britain and Northern Ireland informed the Commission that when verifiers in United Kingdom of Great Britain and Northern Ireland verify certificates, the personal data included in them will be processed only to verify and confirm the holder's vaccination, test result or recovery status and will not be retained afterwards.
- (10) The necessary elements for establishing that COVID-19 certificates issued by the United Kingdom of Great Britain and Northern Ireland in accordance with the system entitled 'UK COVID Certificates' are to be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953 are thus fulfilled.
- (11) Therefore, COVID-19 certificates issued by the United Kingdom of Great Britain and Northern Ireland in accordance with the system entitled 'UK COVID Certificates' should be accepted under the conditions referred to in Article 5(5), Article 6(5), and Article 7(8) of Regulation (EU) 2021/953.

- (12) In order for this Decision to be operational, the United Kingdom of Great Britain and Northern Ireland should be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.
- (13) In order to protect the Union's interests, in particular in the area of public health, the Commission may use its powers to suspend or terminate this Decision if the conditions of Article 8(2) of Regulation (EU) 2021/953 are no longer met.
- (14) In order to connect the United Kingdom of Great Britain and Northern Ireland to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953 as rapidly as possible, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (15) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 14 of Regulation (EU) 2021/953,

HAS ADOPTED THIS DECISION:

Article 1

COVID-19 vaccination, test and recovery certificates issued by the United Kingdom of Great Britain and Northern Ireland in accordance with the system entitled "UK COVID Certificates" shall, for the purpose of facilitating the right of free movement within the Union, be considered as equivalent to those issued in accordance with Regulation (EU) 2021/953.

Article 2

The United Kingdom of Great Britain and Northern Ireland shall be connected to the EU Digital COVID Certificate trust framework established by Regulation (EU) 2021/953.

Article 3

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

Done at Brussels, 28 October 2021.

For the Commission
The President
Ursula VON DER LEYEN

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