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⁽¹⁾ Text with EEA relevance.

EN

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

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II

(Non-legislative acts)

DECISIONS

COMMISSION DECISION (EU) 2021/2312**of 7 December 2021****on the long-term national aid scheme for agriculture in the northern regions of Finland***(notified under document C(2021) 8773)***(Only the Finnish and Swedish texts are authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to the Act of Accession to the European Union of Austria, Finland and Sweden, and in particular Article 142 thereof,

Whereas:

- (1) By Decision 95/196/EC ⁽¹⁾ the Commission had approved the long-term national aid scheme for agriculture in the northern regions of Finland ('Nordic aid scheme') as notified by Finland pursuant to Article 143 of the Act of Accession with a view to authorisation under Article 142 of the Act of Accession. Decision 95/196/EC was replaced by Commission Decision C(2009)3067 of 30 April 2009 ⁽²⁾. That Decision was replaced by Commission Decision (EU) 2018/672 ⁽³⁾.
- (2) As Finland's authorisation to implement the Nordic aid scheme as set out in Decision (EU) 2018/672 expires on 31 December 2021, a new Decision needs to be adopted.
- (3) The long-term national aid referred to in Article 142 of the Act of Accession is intended to ensure that agricultural activity is maintained in northern regions as determined by the Commission.
- (4) Taking account of the factors referred to in Article 142(1) and (2) of the Act of Accession, the national aid under that Article should be limited to areas situated north of the 62nd parallel or adjacent to that parallel and which are affected by comparable climatic conditions rendering agricultural activity particularly difficult. The municipality (*kunta*) should be chosen as the relevant administrative unit, including municipalities surrounded by others within such areas, even where they do not satisfy the same requirements.

⁽¹⁾ Commission Decision 95/196/EC of 4 May 1995 on the long-term national aid scheme for agriculture in the northern regions of Finland (OJ L 126, 9.6.1995, p. 35).

⁽²⁾ Commission Decision C(2009)3067 of 30 April 2009 on the long-term national aid scheme for agriculture in the northern regions of Finland.

⁽³⁾ Commission Decision (EU) 2018/672 of 15 December 2016 on the long-term national aid scheme for agriculture in the northern regions of Finland (OJ L 113, 3.5.2018, p. 10).

- (5) In order to facilitate the administration of the scheme and to coordinate it with support under Regulations (EU) No 1305/2013 ⁽⁴⁾ and (EU) No 1307/2013 ⁽⁵⁾ of the European Parliament and of the Council, as well as national aid schemes, it is appropriate to include in the areas receiving aid under this Decision the same municipalities as those belonging to the area delimited under Article 32(2), second paragraph, of Regulation (EU) No 1305/2013 in the Rural Development Programme Mainland Finland 2014-2020.
- (6) The reference period in relation to which the development of agricultural production and the level of overall support is to be considered, using the national statistics available as a basis, should remain the same as in Decision (EU) 2018/672 and cover 1991, 1992 and 1993 as regards agricultural production.
- (7) According to Article 142 of the Act of Accession, the total amount of the aid granted should be sufficient to maintain agricultural activity in the northern regions of Finland but may not lead to overall support exceeding the level of support during a pre-accession reference period. Therefore, it is necessary to take income aid under the common agricultural policy into account when determining the maximum allowable level of aid under that Article. On the basis of 2020 data, the maximum annual aid amount should be set at EUR 574,5 million, calculated as an average over a 6-year period from 1 January 2022 until 31 December 2027.
- (8) The maximum average of the annual aid amount should be divided between the aid categories of animal husbandry, plant production and other Nordic aid. For cow's milk production it is appropriate to set a separate maximum average annual aid amount, which is sufficient to maintain the production in the northern regions of Finland.
- (9) The aid should be granted annually on the basis of production factors (such as livestock units and hectares) within the total limits laid down by this Decision.
- (10) The aid to reindeers should be granted per animal and limited to the traditional number of reindeers in the northern regions of Finland. For the storage of wild berries and mushrooms it should be allowed to pay the aid per kg and for the aid to transport of milk and meat and services indispensable for animal husbandry according to the costs incurred, deducting any other public payments towards the same costs.
- (11) For cow's milk it should be allowed to pay the aid in kg/milk in order to maintain the incentive to efficient production.
- (12) With a view to allowing prompt reactions to the volatility and to maintaining agricultural activities in the northern regions of Finland, it is appropriate to allow Finland to establish, for each calendar year, the amount of aid per sector within an aid category and per unit of production.
- (13) In this regard, Finland should differentiate the aid in its northern regions and set the annual aid amounts according to the severity of the natural handicap and other objective and transparent and justified criteria relating to the objectives set out in Article 142(3), third subparagraph, of the Act of Accession, which are to maintain traditional primary production and processing particularly suited to the climatic conditions of the regions concerned, to improve the structures for the production, marketing and processing of agricultural products, to facilitate the disposal of the said products and to ensure that the environment is protected and countryside preserved.
- (14) In order to ensure regular payments over the calendar year, Finland should be allowed to pay the aid for a given year using advances based on initial estimates of the number of production factors and production units and pay aid for milk production in monthly instalments based on actual production.

⁽⁴⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487), as amended.

⁽⁵⁾ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

- (15) Overcompensation to the producers should be avoided by recovering undue payments before 1 June of the following year.
- (16) As provided in Article 142(3) of the Act of Accession, the aid granted under this Decision should not lead to an increase in overall production over the traditional production level in the area covered by the Nordic aid scheme.
- (17) Therefore, it is necessary to establish an annual maximum number of eligible production factors for each aid category, including a separate maximum for the number of dairy cows, at a level equal to or lower than that in the reference periods.
- (18) As regards the number of dairy cows, account should be taken of the development of production quantity per production factor since the reference periods. Therefore the maximum eligible number of dairy cows was established in Decision (EU) 2018/672.
- (19) The aid for the breeding, processing and marketing of reindeer should be granted avoiding overcompensation in conjunction with the aid granted in accordance with Article 213 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council ⁽⁶⁾.
- (20) As regards plant production, in order to allow flexibility in the use of agricultural land between different production sectors, the maximum allowed area should be 944 300 ha, which may include a maximum of 481 200 ha grassland.
- (21) For greenhouse production a separate maximum allowed area should be set at 203 ha, which corresponds to the traditional area of production in the northern regions of Finland.
- (22) Where the number of production factors in a category exceeds the maximum number in a given year, the number of eligible production factors should be reduced by a corresponding number of production factors in the calendar year following the year in which the maximum was exceeded.
- (23) In accordance with Article 143(2) of the Act of Accession, Finland is to provide to the Commission information on the implementation and effects of the aid. In order to better assess the long-term effects of the aid and with a view to setting the aid levels as 6-year averages, it is appropriate to report on the socio-economic effects of the aid and provide annual reports containing the financial and other implementation information necessary to ensure that the conditions laid down in this Decision are complied with.
- (24) Finland should ensure that appropriate control measures are taken vis-à-vis aid beneficiaries. In order to ensure the effectiveness of those measures and transparency in the implementation of the scheme, those control measures should be as far as possible aligned to those carried out under the common agricultural policy.
- (25) As the Nordic aid is closely linked to other support measures in agriculture, rural development and forestry under the proposal for a Regulation of the European Parliament and of the Council establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 ⁽⁷⁾, the period of application of this Decision should be aligned with that Regulation.

⁽⁶⁾ 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 (OJ L 347, 20.12.2013, p. 671), as amended.

⁽⁷⁾ COM/2018/392 final.

- (26) In the interest of clarity, Decision (EU) 2018/672 should be repealed with effect from 1 January 2022. However, the provisions on information and control measures should continue to apply until 1 June 2022,

HAS ADOPTED THIS DECISION:

Article 1

Authorised aid

1. From 1 January 2022 to 31 December 2027 Finland is authorised to implement the long-term aid scheme for agriculture in its northern regions comprising the municipal units (*kunta*) listed in Annex I.
2. The total amount of aid granted shall not exceed EUR 574,5 million per calendar year, of which a maximum of EUR 221,0 million shall be intended for the production of cow's milk. Those amounts shall be considered as annual averages of the aid granted in the period of 6 calendar years covered by this Decision.
3. Aid categories and the production sectors for each category, the maximum average annual amounts allowed per aid category, calculated as specified in paragraph 2, as well as the maximum annual number of eligible production factors per aid category, are set out in Annex II.
4. Aid shall be granted on the basis of eligible production factors as follows:
 - (a) per livestock unit for animal husbandry;
 - (b) per hectare for crop production;
 - (c) per m² for glasshouse production;
 - (d) per m³ for storage of horticultural products; and
 - (e) as a compensation for actual costs for the transport of milk and meat and indispensable services for livestock production, deducting any other public support for the same costs.

Aid for the production of cow's milk and storage aid for wild berries and wild mushrooms may be granted per kilogram of actual production.

Aid for reindeer husbandry shall not lead to overcompensation in conjunction with the aid granted under Article 213 of Regulation (EU) No 1308/2013.

The conversion rates into livestock units (LU) for the various types of livestock are set out in Annex III.

5. In accordance with paragraph 3 and within the limits set in Annex II, Finland shall differentiate the aid in its northern regions and set the aid amounts annually per production factor, cost or unit of production on the basis of objective criteria relating to the severity of the natural handicap and other factors contributing to attaining the objectives set out in Article 142(3), first subparagraph, second indent, of the Act of Accession.

Article 2

Reference periods and certain maximum numbers of production factors

1. The reference period referred to in Article 142(3), first subparagraph, second indent, of the Act of Accession shall be as follows:
 - (a) as regards production: 1992 for cow's milk and for cattle, 1993 for horticulture, the average for 1991, 1992 and 1993 for other products;
 - (b) as regards the level of overall support: 1993.

2. The maximum number of eligible dairy cows shall be 227 200.
3. The maximum number of eligible hectares of plant production shall be 944 300 ha, of which a maximum of 481 200 ha grassland, and 203 ha for glasshouse production.

Article 3

Conditions for granting aid

1. Finland shall lay down, within the limits provided for in this Decision, the conditions for granting aid to the various categories of beneficiaries. Such conditions shall include the eligibility and selection criteria applied and ensure the equal treatment of beneficiaries.
2. Finland shall pay the aid annually to the beneficiaries, based on actual production factors or units of production referred to in Article 1(3). Advances on the aid may be paid on the basis of the initial estimates for a given year.
3. For cow's milk the aid may be paid in monthly instalments based on actual production figures.
4. An overrun of the maximum annual number of production factors eligible for aid, as set out in Annex II, shall be taken into account as a corresponding reduction in the number of production factors eligible for aid in the year following the overrun.
5. An overpayment or undue payment to a beneficiary shall be recovered by deducting the corresponding amounts from the aid paid to the beneficiary the following year or be otherwise recovered in that year, where no aid amounts are due to the beneficiary.

Article 4

Information and control measures

1. Finland shall, as part of the information provided pursuant to Article 143(2) of the Act of Accession, forward to the Commission each year before 1 June information on implementation of the aid granted under this Decision during the preceding calendar year.

The information shall concern in particular:

- (a) identification of the municipalities in which the aid was paid by means of a detailed map and where necessary by other data;
- (b) the total production, covering the reporting year, for the regions eligible for aid under this Decision, expressed in quantities for each of the products specified in Annex II;
- (c) the total number of production factors, the number of production factors eligible for aid and the number of production factors supported per production sector specified in Annex II with a breakdown by product within each sector, including the indication of any overrun of the allowed maximum annual number of production factors;
- (d) the total aid paid, the total amount of aid per aid category and the type of production, amounts paid to beneficiaries per production factor/other unit, as well as the criteria for differentiating aid amounts by sub-regions and types of farm holdings or on the basis of other considerations;

- (e) the payment system applied with details concerning any advances based on estimates, final payments as well as observed overpayments and their recovery;
- (f) amounts of aid under Article 32 of Regulation (EU) No 1305/2013, under Regulation (EU) No 1307/2013 and under Article 213 of Regulation (EU) No 1308/2013 paid in the municipalities covered by this Decision; and
- (g) references to national legislation whereby the aid is implemented.

2. Before 1 June 2027 Finland shall, in addition to the annual report covering year 2026, submit to the Commission a report covering the 5-year period from 1 January 2022 until 31 December 2026.

That report shall indicate, in particular:

- (a) the total aid paid during the 5-year period, and its distribution among aid categories, types of production and sub-regions;
- (b) the total production, the number of production factors and the income levels of farmers in the regions eligible for the aid;
- (c) the evolution of agricultural production, processing and marketing in the social and economic context of the northern regions;
- (d) the effects of the aid on the protection of the environment and the preservation of the countryside; and
- (e) proposals for the development of the aid based on the data presented in the report, the national and Union context of agricultural production as well as other relevant factors

3. Finland shall provide data in a form compatible with the statistical standards used by the Union.

4. Finland shall take all steps necessary to apply this Decision and suitable control measures vis-à-vis beneficiaries of aid.

5. Control measures shall to the extent possible be harmonised with the control systems applied under the Union support schemes.

Article 5

Application of any amendments

If the Commission decides to amend this Decision, in particular on the basis of any changes in the common market organisations or the direct support scheme or a change in the rate of any authorised national agricultural State aid, any amendment to the aid authorised by this Decision shall apply only from the year following that in which the amendment was adopted.

Article 6

Repeal

Decision (EU) 2018/672 is repealed with effect from 1 January 2022.

However, Article 4 of that Decision shall continue to apply until 1 June 2022.

*Article 7***Addressee**

This Decision is addressed to the Republic of Finland.

Done at Brussels, 7 December 2021

For the Commission
Janusz WOJCIECHOWSKI
Member of the Commission

ANNEX I

MUNICIPALITIES AS REFERRED TO IN ARTICLE 1(1)

Enonkoski, Hankasalmi, Heinävesi, Ilmajoki, Isokyrö, Joensuu, Joroinen, Juva, Jyväskylä, Jämsä ⁽¹⁾, Kaskinen, Kauhajoki, Kauhava, Kitee, Korsnäs, Kristiinankaupunki, Kuopio, Kuortane, Kurikka, Laihia, Lapua, Laukaa, Leppävirta, Liperi, Maalahti, Mikkeli, Mustasaari, Muurame, Mänttä-Vilppula, Närpiö, Outokumpu, Parikkala, Pieksämäki, Puumala, Rantasalmi, Rautjärvi, Ruokolahti, Ruovesi, Rääkkylä, Savitaipale, Savonlinna, Seinäjoki, Siilinjärvi, Sulkava, Suonenjoki, Taipalsaari, Teuva, Tuusniemi, Uusikaarlepyy, Vaasa, Varkaus, Vöyri, Alajärvi, Alavieska, Alavus, Evijärvi, Haapajärvi, Haapavesi, Halsua, Hirvensalmi, Honkajoki, Iisalmi, Isojoki, Joutsa, Juankoski, Kaavi, Kalajoki, Kangasniemi, Kannonkoski, Kannus, Karijoki, Karstula, Karvia, Kaustinen, Keitele, Kempele, Keuruu, Kihniö, Kinnula, Kiuruvesi, Kivijärvi, Kokkola, Konnevesi, Kontiolahti, Kruunupyy, Kyyjärvi, Kärsämäki, Lapinlahti, Lappajärvi, Lestijärvi, Liminka, Luhanka, Lumijoki, Luoto, Merijärvi, Merikarvia, Muhos, Multia, Nivala, Oulainen, Parkano, Pedersören kunta, Perho, Pertunmaa, Petäjävesi, Pielavesi, Pietarsaari, Pihtipudas, Polvijärvi, Pyhäjoki, Pyhäjärvi, Pyhäntä, Raahe, Rautalampi, Reisjärvi, Saarijärvi, Sievi, Siikainen, Siikajoki, Siikalatva, Soini, Sonkajärvi, Tervo, Tohmajärvi, Toholampi, Toivakka, Tyrnävä, Uurainen, Vesanto, Veteli, Vieremä, Viitasaari, Vimpeli, Virrat, Ylivieska, Ylöjärvi ⁽²⁾, Ähtäri, Äänekoski, Ilomantsi, Juuka, Kajaani, Lieksa, Nurmes, Paltamo, Rautavaara, Ristijärvi, Sotkamo, Vaala, Valtimo, Oulu, Utajärvi, Hailuoto, Hyrynsalmi, Ii, Kemi, Keminmaa, Kuhmo, Simo, Tervola, Tornio, Kemijärvi, Pello, Pudasjärvi, Puolanka, Ranua, Rovaniemi, Suomussalmi, Taivalkoski, Ylitornio, Kuusamo, Posio, Kittilä, Kolari, Pelkosenniemi, Salla, Savukoski, Sodankylä, Enontekiö, Inari, Muonio, Utsjoki.

⁽¹⁾ Only the area of former municipalities Jämsänkoski and Kuorevesi.

⁽²⁾ Only the area of the former municipality of Kuru.

ANNEX II

DETAILS OF THE AID AS REFERRED TO IN ARTICLE 1(3)

Aid category and production sectors	Maximum average annual aid in the period 1.1.2022-31.12.2027 (million euros)	Maximum annual number of eligible production factors
1. ANIMAL HUSBANDRY: dairy cows (milk production), other bovines, sheep and goats, horses, decoupled aid for pigs and poultry	441,9 of which cow's milk 221,0	227 200 dairy cows, 181 000 other livestock units, 139 200 livestock units for pigs and poultry
2. PLANT PRODUCTION: arable crops, greenhouse production, storage aid for horticultural products	112,6	944 300 ha of arable crops, of which 481 200 ha of grassland; 203 ha greenhouse production
3. OTHER NORDIC AID: reindeers, transport aid for milk and meat, animal husbandry services, storage aid for forest berries and mushrooms	20,0	171 100 reindeers
Total Nordic aid ceiling	574,5	

ANNEX III

COEFFICIENTS FOR CONVERSION INTO LU AS REFERRED TO IN ARTICLE 1(4)

The following table is to be used when determining the average number of livestock units (LU)

(maximum number of livestock units):

	LU
Bovine animals over two years and suckler cows	1,0
Suckler cow heifers from eight months to two years	0,6
Other bovine animals from six months to two years	0,6
Ewes	0,2
She-goats	0,2
Horses (over 6 months):	
— mares for breeding, including pony mares	1,0
— Finnish horses	1,0
— other horses and ponies from 1 to 3 years	0,6

COMMISSION DECISION (EU) 2021/2313**of 22 December 2021****on relief from import duties and VAT exemption on importation granted for goods needed to combat the effects of the COVID-19 outbreak during 2022***(notified under document C(2021) 9852)***(Only the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Maltese, Polish, Portuguese, Romanian, Slovenian, Spanish and Swedish texts are authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2009/132/EC of 19 October 2009 determining the scope of Article 143(b) and (c) of Directive 2006/112/EC as regards exemption from value added tax on the final importation of certain goods ⁽¹⁾, and in particular Article 53, first paragraph, thereof,

Having regard to Council Regulation (EC) No 1186/2009 of 16 November 2009 setting up a Community system of reliefs from customs duty ⁽²⁾, and in particular Article 76, first paragraph, thereof,

Whereas:

- (1) Commission Decision (EU) 2020/491 ⁽³⁾ grants relief from import duties and exemption of value added tax ('VAT') on importation of goods needed to combat the effects of the COVID-19 outbreak until 31 December 2021.
- (2) On 8 November 2021, the Commission consulted the Member States whether an extension was necessary, following which requests for further application of the measure providing for relief from import duties and exemption from VAT on imported goods were made by Austria, Belgium, Croatia, Greece, Hungary, Latvia, Poland, Portugal, Romania, Slovenia and Spain on 12 November 2021, Ireland on 16 November 2021, Bulgaria, Finland, Germany, Italy, Malta, the Netherlands and Sweden on 17 November 2021, Estonia on 18 November 2021, Denmark and Luxembourg on 19 November 2021 and Czechia on 23 November 2021 ('requesting Member States').
- (3) The imports made by the requesting Member States under Decision (EU) 2020/491 have been beneficial in providing State organisations or approved organisations by the competent authorities in the Member States access to needed medicines, medical equipment and personal protective equipment, for which a shortage exists. Trade statistics for such goods indicate that the related importations are on a downward trend, but remain significant and fluctuate following the demand of goods needed to combat the COVID-19 pandemic. Despite the ongoing vaccination in the Member States and a number of measures taken to prevent the spread of the virus, the number of COVID-19 infections in the Member States still poses public health risks. As shortages of goods needed to combat the COVID-19 pandemic are still reported in the requesting Member States, it is appropriate to grant a relief for import duties chargeable on goods imported for the purposes described in Article 74 of Regulation (EC) No 1186/2009 and an exemption for VAT chargeable on goods imported for the purposes described in Article 51 of Directive 2009/132/EC.
- (4) The requesting Member States should inform the Commission of the nature and quantities of the various goods admitted free of import duties and VAT with a view to combatting the effects of the COVID-19 outbreak, of the organisations they have approved for the distribution or making available of those goods and of the measures taken to prevent the goods from being used for purposes other than to combat the effects of this outbreak. The requesting Member States should ensure that such duty relief and VAT exemption are correctly applied in line with customs and VAT legislation and to prevent any fraud, evasion, avoidance or abuses.

⁽¹⁾ OJ L 292, 10.11.2009, p. 5.

⁽²⁾ OJ L 324, 10.12.2009, p. 23.

⁽³⁾ Commission Decision (EU) 2020/491 of 3 April 2020 on relief from import duties and VAT exemption on importation granted for goods needed to combat the effects of the COVID-19 outbreak during 2020 (OJ L 103, 3.4.2020, p. 1).

- (5) Taking into consideration the extreme challenges that the requesting Member States face, relief of import duties and exemption of VAT should be granted in respect of importations made from 1 January 2022. The relief should remain in place until 30 June 2022.
- (6) On 3 December 2021, the Member States were consulted in accordance with Article 76, first paragraph, of Regulation (EC) No 1186/2009 and Article 53, first paragraph, of Directive 2009/132/EC,

HAS ADOPTED THIS DECISION:

Article 1

1. Goods shall be admitted free of import duties within the meaning of Article 2(1), point (a), of Regulation (EC) No 1186/2009 and exempted of value added tax (VAT) on the imports within the meaning of Article 2(1), point (a), of Directive 2009/132/EC, where the following conditions are fulfilled:

- (a) the goods are intended for one of the following uses:
 - (i) distribution free of charge by the bodies and organisations referred to in point (c) to the persons affected by or at risk from COVID-19 or involved in combating the COVID-19 outbreak;
 - (ii) being made available free of charge to the persons affected by or at risk from COVID-19 or involved in combating the COVID-19 outbreak while remaining the property of the bodies and organisations referred to in point (c);
- (b) the goods satisfy the requirements laid down in Articles 75, 78, 79 and 80 of Regulation (EC) No 1186/2009 and Articles 52, 55, 56 and 57 of Directive 2009/132/EC;
- (c) the goods are imported for release for free circulation by or on behalf of State organisations including State bodies, public bodies and other bodies governed by public law or by or on behalf of organisations approved by the competent authorities in the Member States.

2. Goods shall also be admitted free of import duties within the meaning of Article 2(1), point (a), of Regulation (EC) No 1186/2009 and exempted of VAT on the imports within the meaning of Article 2(1), point (a), of Directive 2009/132/EC, where they are imported for release into free circulation by or on behalf of disaster relief agencies in order to meet their needs during the period they provide disaster relief to the persons affected by or at risk from COVID-19 or involved in combatting the COVID-19 outbreak.

Article 2

Member States shall communicate to the Commission information regarding the nature and quantities of the various goods admitted free of import duties and VAT pursuant to Article 1 monthly, on the fifteenth day of the month following the reporting month.

By 31 October 2022 at the latest, the Member States shall communicate to the Commission the following information:

- (a) a list of organisations approved by the competent authorities in the Member States as referred to in Article 1 (1), point (c);
- (b) the consolidated information regarding the nature and quantities of the various goods admitted free of import duties and VAT pursuant to Article 1;
- (c) measures taken to ensure compliance with Articles 78, 79 and 80 of Regulation (EC) No 1186/2009 and with Articles 55, 56 and 57 of Directive 2009/132/EC with regard to the goods falling under the scope of this Decision.

Article 3

Article 1 shall apply to importations made to Austria, Belgium, Bulgaria, Croatia, Czechia, Denmark, Estonia, Finland, Greece, Germany, Hungary, Ireland, Italy, Latvia, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Spain and Sweden from 1 January 2022 to 30 June 2022.

Article 4

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the Republic of Croatia, the Italian Republic, the Republic of Latvia, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Republic of Finland and the Kingdom of Sweden.

It shall apply from 1 January 2022.

Done at Brussels, 22 December 2021.

For the Commission

Paolo GENTILONI

Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2021/2314**of 14 December 2021****on the request for registration of the European citizens' initiative entitled 'EVE INITIATIVE FOR THE ESTABLISHMENT OF THE RIGHT TO DECIDE', pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council****(Only the Spanish text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative ⁽¹⁾, and in particular Article 6(4) thereof,

Whereas:

- (1) A request for registration of a European citizens' initiative entitled 'EVE INITIATIVE FOR THE ESTABLISHMENT OF THE RIGHT TO DECIDE' was submitted to the Commission on 9 September 2021.
- (2) By decision of 5 October 2021, in the form of a letter (C(2021)7294 final), in accordance with Article 6(4) of Regulation (EU) 2019/788, the Commission informed the group of organisers that the requirements for registration set out in Article 6(3), first subparagraph, points (a), (d) and (e), of that Regulation were fulfilled and that Article 6(3), first subparagraph, point (b), was not applicable. However, the Commission also explained that the initiative did not fulfil the requirement in Article 6(3), first subparagraph, point (c), of Regulation (EU) 2019/788. The Commission therefore invited the group of organisers, in accordance with Article 6(4), first subparagraph, of Regulation (EU) 2019/788, to amend their initiative. The Commission drew the attention of the group of organisers to the fact that Regulation (EU) 2019/788 did not allow citizens' initiatives to make proposals to revise the Treaties. Furthermore, it invited the group of organisers to indicate which legal act of the Union they invited the Commission to propose and to clarify the content of such legal act(s).
- (3) On 19 October 2021, the group of organisers sent a letter to the Commission services in which they enquired about (i) the requirement to present a 'proposal', arguing that it is the Commission's task to draft legislative proposals; and (ii) the examination of the initiative and the possibility of a meeting with the Commission's representatives to jointly assess the suggested EVE project (which would aim to contribute to the creation of the new 'right to decide') and design the content of the initiative (referring, erroneously, to Article 15 of Regulation (EU) 2019/788, which applies to valid initiatives only). In their reply of 5 November 2021, the Commission services reiterated that the objectives of the initiative have to fulfil the conditions laid down in Article 6(3) of Regulation (EU) 2019/788.
- (4) On 17 November 2021, the group of organisers resubmitted the initiative. While the initiative was redrafted, its substance remained unchanged, despite the Commission's invitation to take into account its assessment in its decision of 5 October 2021.
- (5) The objectives of the initiative are expressed as follows: 'In view of the documentation annexed in the document entitled 'EVE Initiative PROPOSAL', we ask the European Commission to prepare any act or legislation that may be necessary for the European Commission to establish the (human) right to decide and transfer this to public institutions. This would create a system of direct democracy where citizens could make decisions, in a cohesive manner, on matters of common or public interest and thereby exercise the sovereignty of the people both with and without representatives. Given the magnitude of this request, the Initiative has put forward a draft proposal that could be used to establish the right to decide. It is therefore also asking for the following three possibilities to be considered: (1) The EU and its institutions could establish the right requested by the Initiative on their own account; (2) The EU could create a special way of conducting a prior examination of the proposal's feasibility and, subsequently, of ensuring that the proposal is developed with all possible competent parties within the EU; (3) The

⁽¹⁾ OJ L 130, 17.5.2019, p. 55.

EU could give its authorisation to develop and test out the proposal publicly; this would be done by and for the particular party or the proposal only.' The initiative further states that it seeks to achieve the overall objective 'to create any act or action needed to create the subject matter of the ECI', which probably refers to developing the content of and/or implementing the (project leading to the instauration of the novel) 'right of decision'.

- (6) By this initiative, the group of organisers seeks to invite the Commission to submit a proposal for the introduction of a new fundamental right which should establish a 'system of direct democracy' at the level of the Union institutions, where the citizens can decide, 'in a cohesive way', 'on common or public matters', thus jointly exercising the 'sovereignty of the people'. According to the group of organisers, this should be achieved either (1) 'by the EU on its own account', (2) 'by "authorising" the development of the objective for and by the private representative of the EVE initiative and project' or (3) 'in conjunction with the EVE project'. The group of organisers clarifies that such a proposal may imply changes in the Treaties but that, in their view, Regulation (EU) 2019/788 allows citizens' initiatives to ask the Commission to make such a proposal. Under options (2) or (3), the group of organisers suggests that the Commission "authorises" a private project ('EVE Project'), which would aim to contribute to the establishment of the new fundamental right. The other objectives set out in the accompanying document all serve the overall objective of introducing this new right.
- (7) According to Article 11(4), first subparagraph TUE and Article 1 of Regulation (EU) 2019/788, a European Citizens' Initiative is an initiative inviting the Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties, which has received the support of at least one million eligible signatories coming from at least one quarter of all Member States. Pursuant to Article 6(3), first subparagraph, point (c) of Regulation (EU) 2019/788, the Commission is not to register a citizens' initiative if it "manifestly falls outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties".
- (8) In its judgement in Case T-611/19, the General Court ruled that the notion of legal act, within the meaning of Article 11 TUE and Article 2, point 1 and Article 4(2), point (b), of Regulation (EU) No 211/2011 of the European Parliament and of the Council ^(*), refers, in conformity with Article 288 TFEU, to regulations, directives, decisions, recommendations and opinions adopted by the Institutions. Regulation (EU) No 211/2011 has been repealed as of 1 January 2020 and replaced by Regulation (EU) 2019/788. However, the scope of the citizens' initiative and the legal conditions for registration have not changed. Regulation (EU) 2019/788 does not allow citizens' initiatives to ask the Commission to propose changes to the Treaties, as it only allows initiatives to ask the Commission to propose, within the framework of its powers, acts of secondary law to implement the Treaties.
- (9) As the group of organisers admits itself, the initiative's objective would have to be achieved through modifications of the Treaties and could not be achieved by legal acts such as those referred to in Article 288 TFEU. Moreover, insofar as the initiative offers to launch a private project ('EVE Project'), which would aim to contribute to the creation of the new 'right to decide', the Commission notes that this would also not involve any proposal for such an act.
- (10) For these reasons, the initiative entitled 'EVE INITIATIVE FOR THE ESTABLISHMENT OF THE RIGHT TO DECIDE' manifestly falls outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties within the meaning of Article 6(4), third subparagraph, point (c), of Regulation (EU) 2019/788.
- (11) The request for registration should therefore be refused,

^(*) Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative (OJ L 65, 11.3.2011, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The European initiative entitled 'EVE INITIATIVE FOR THE ESTABLISHMENT OF THE RIGHT TO DECIDE' shall not be registered.

Article 2

This Decision is addressed to the group of organisers of the citizens' initiative entitled 'EVE INITIATIVE FOR THE ESTABLISHMENT OF THE RIGHT TO DECIDE', represented by Mr Eberardo SÁNCHEZ LÓPEZ and Mr Juan Carlos ESCUDERO GONZÁLEZ acting as contact persons.

Done at Strasbourg, 14 December 2021.

For the Commission
Věra JOUROVÁ
Vice-President

COMMISSION IMPLEMENTING DECISION (EU) 2021/2315**of 17 December 2021****amending Decision 2011/163/EU on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC***(notified under document C(2021) 9751)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC ⁽¹⁾, and in particular the fourth subparagraph of Article 29(1) and Article 29(2) thereof,

Whereas:

- (1) Article 29(1) of Directive 96/23/EC requires that third countries from which Member States are authorised to import animals and animal products covered by that Directive submit residue monitoring plans providing required guarantees ('the plans'). The plans should cover at least the groups of residues and substances listed in Annex I to Directive 96/23/EC.
- (2) Commission Decision 2011/163/EU ⁽²⁾ approves the plans submitted by certain third countries concerning animals and animal products, which are listed in the Annex to that Decision.
- (3) Third countries authorised for the entry into the Union of certain meat products and treated stomachs, bladders and intestines for human consumption in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council ⁽³⁾ are listed in Commission Implementing Regulation (EU) 2021/404 ⁽⁴⁾. Third countries authorised for the entry into the Union of certain meat products in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council ⁽⁵⁾ are listed in Commission Implementing Regulation (EU) 2021/405 ⁽⁶⁾.

⁽¹⁾ OJ L 125, 23.5.1996, p. 10.

⁽²⁾ Commission Decision 2011/163/EU of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (OJ L 70, 17.3.2011, p. 40).

⁽³⁾ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.3.2016, p. 1).

⁽⁴⁾ 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 of the Council (OJ L 114, 31.3.2021, p. 1).

⁽⁵⁾ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (OJ L 95, 7.4.2017, p. 1).

⁽⁶⁾ Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 118).

- (4) Albania, Argentina, Australia, Belarus, Brazil, Chile, China, Colombia, Egypt, India, Iran, Japan, Lebanon, Mongolia, Morocco, New Zealand, Pakistan, Paraguay, Russia, Serbia, Switzerland, Syria, Tunisia, Turkey, Ukraine, United Kingdom ⁽⁷⁾, Uruguay, and Uzbekistan have submitted a specific residue-monitoring plan for casings and have been evaluated satisfactorily by the Commission. All the plans submitted provide sufficient guarantees and should be approved. An entry for these third countries for casings should therefore be included in the list of the Annex to Decision 2011/163/EU accordingly.
- (5) The column 'Aquaculture' in the Annex to Decision 2011/163/EU should be divided into four sub-columns, namely 'Finfish', 'Products of finfish', 'Crustaceans' and 'Molluscs', to be better aligned with the categories used for the certificates laid down in Commission Implementing Regulation (EU) 2020/2235 ⁽⁸⁾, and with the lists of countries authorised for the entry into the Union of certain products laid down in Annexes VIII and IX to Implementing Regulation (EU) 2021/405.
- (6) To reflect the different aquaculture products exported by third countries, the Commission has evaluated their residue-monitoring plan and completed the four sub-columns, namely 'Finfish', 'Products of finfish', 'Crustaceans' and 'Molluscs', based on the information laid down in their aquaculture residue-monitoring plan submitted, accordingly.
- (7) Albania, Argentina, Armenia, Belarus, Bosnia Herzegovina, Falkland Islands, Faroe Islands, Isle of Man, Israel, Japan, Kenya, Mauritius, Moldova, Montenegro, Morocco, New Zealand, North Macedonia, Serbia, Singapore, Turkey, Uganda, Ukraine, United Kingdom and Uruguay have submitted a specific residue-monitoring plan restricted to only one subcategory of aquaculture, 'finfish', and have been evaluated satisfactorily by the Commission. All these plans provide sufficient guarantees and should be approved. An entry for these third countries should therefore be included in the sub-column for finfish in the list of the Annex to Decision 2011/163/EU accordingly.
- (8) Australia, Iran and Madagascar have submitted a specific residue-monitoring plan related to the subcategory of aquaculture 'products of finfish' and have been evaluated satisfactorily by the Commission. All these plans provide sufficient guarantees and should be approved. An entry for these third countries should therefore be included in the sub-column for products of finfish in the list of the Annex to Decision 2011/163/EU accordingly.
- (9) Belize, Brunei, Cuba, Guatemala, Mozambique, New Caledonia, Nicaragua, Nigeria, Tanzania and Venezuela have submitted a specific residue-monitoring plan, restricted to only one subcategory of aquaculture, 'crustaceans' and have been evaluated satisfactorily by the Commission. All these plans provide sufficient guarantees and should be approved. An entry for these third countries should therefore be included in the sub-column for crustaceans in the list of the Annex to Decision 2011/163/EU accordingly.
- (10) Mexico has not submitted to the Commission a plan for pork products. However, Mexico has provided guarantees, in respect of pork products originating either from Member States or from third countries which are approved to export such products to the Union. An entry for Mexico in the porcine column with the appropriate footnote should therefore be added in the list of the Annex to Decision 2011/163/EU accordingly.

⁽⁷⁾ In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex references to the United Kingdom do not include Northern Ireland.

⁽⁸⁾ Commission Implementing Regulation (EU) 2020/2235 of 16 December 2020 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates, model official certificates and model animal health/official certificates, for the entry into the Union and movements within the Union of consignments of certain categories of animals and goods, official certification regarding such certificates and repealing Regulation (EC) No 599/2004, Implementing Regulations (EU) No 636/2014 and (EU) 2019/628, Directive 98/68/EC and Decisions 2000/572/EC, 2003/779/EC and 2007/240/EC (OJ L 442, 30.12.2020, p. 1).

- (11) United Arab Emirates have not submitted to the Commission a plan for finfish. However, United Arab Emirates have provided guarantees, in respect of finfish originating either from Member States or from third countries which are approved to export such products to the Union. An entry for United Arab Emirates in the sub-column for finfish with the appropriate footnote should therefore be added in the list of the Annex to Decision 2011/163/EU accordingly.
- (12) Third countries can source processed products of animal origin contained in composite products either from Member States or from other third countries approved for imports of such processed products to the Union, with the purpose to be used only for the preparation of composite products to be exported to the Union. An entry for third countries requiring the use of such processed product of animal origin contained in the composite products with the appropriate footnote should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (13) Albania is unable to provide a residue-monitoring plan for milk, equivalent to that required by Article 7 of Directive 96/23/EC. However, Albania has provided guarantees, through a statement in accordance with Article 2 of Decision 2011/163/EU, to use only milk originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the Union. An entry for Albania regarding milk should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (14) Egypt is unable to provide a residue-monitoring plan for milk, equivalent to that required by Article 7 of Directive 96/23/EC. However, Egypt has provided guarantees, through a statement in accordance with Article 2 of Decision 2011/163/EU, to use only milk originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the Union. An entry for Egypt regarding milk should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (15) Indonesia is unable to provide a residue-monitoring plan for milk and eggs, equivalent to that required by Article 7 of Directive 96/23/EC. However, Indonesia has provided guarantees, through a statement in accordance with Article 2 of Decision 2011/163/EU, to use only milk and eggs originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the Union. An entry for Indonesia regarding milk and eggs should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (16) Japan is unable to provide a residue-monitoring plan for honey, equivalent to that required by Article 7 of Directive 96/23/EC. However, Japan has provided guarantees, through a statement in accordance with Article 2 of the Decision 2011/163/EU, to use only honey originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the Union. An entry for Japan regarding honey should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (17) Mexico is unable to provide a residue-monitoring plan for milk, equivalent to that required by Article 7 of Directive 96/23/EC. However, Mexico has provided guarantees, through a statement in accordance with Article 2 of Decision 2011/163/EU, to use only milk originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the Union. An entry for Mexico regarding milk should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (18) Morocco is unable to provide a residue-monitoring plan for milk, crustaceans, and eggs, equivalent to that required by Article 7 of Directive 96/23/EC. However, Morocco has provided guarantees, through a statement in accordance with Article 2 of Decision 2011/163/EU, to use only milk, crustaceans, and eggs originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the Union. An entry for Morocco regarding milk, crustaceans, and eggs should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.

- (19) Oman is unable to provide a residue-monitoring plan for milk, eggs and honey equivalent to that required by Article 7 of Directive 96/23/EC. However, Oman has provided guarantees, through a statement in accordance with Article 2 of that Decision 2011/163/EU, to use only milk, eggs and honey originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the EU. An entry for Oman regarding milk, eggs and honey should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (20) Taiwan is unable to provide a residue-monitoring plan for milk, equivalent to that required by Article 7 of Directive 96/23/EC. However, Taiwan has provided guarantees, through a statement in accordance with Article 2 of Decision 2011/163/EU, to use only milk originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the Union. An entry for Taiwan regarding milk should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (21) Vietnam is unable to provide a residue-monitoring plan for milk and eggs, equivalent to that required by Article 7 of Directive 96/23/EC. However, Vietnam has provided guarantees, through a statement in accordance with Article 2 of Decision 2011/163/EU, to use only milk and eggs originating, either from Member States or from third countries approved to export such products to the Union, in the composite product to be exported to the Union. An entry for Vietnam regarding milk, and eggs should therefore be added to the list of the Annex to Decision 2011/163/EU accordingly.
- (22) Australia has submitted to the Commission a plan for eggs. That plan provides sufficient guarantees and should be approved. An entry for Australia for eggs should therefore be included in the list of the Annex to Decision 2011/163/EU accordingly.
- (23) Ghana is currently included in the approval list, laid down in the Annex to Decision 2011/163/EU, for honey. Ghana has submitted to the Commission a plan for honey that does not provide sufficient guarantees. Therefore, the entry for Ghana concerning honey should be deleted from the list of the Annex to Decision 2011/163/EU.
- (24) Iran is currently included in the approval list, laid down in the Annex to Decision 2011/163/EU, for aquaculture products, excluding finfish. Iran has submitted to the Commission a plan for products of finfish and for crustaceans. This plan provides sufficient guarantees. An entry for Iran for products of finfish and for crustaceans only should therefore be included in the list of the Annex to Decision 2011/163/EU accordingly.
- (25) Oman is currently included in the approval list, laid down in the Annex to Decision 2011/163/EU, for aquaculture products, excluding crustaceans. Oman has submitted to the Commission a plan for finfish that does not provide sufficient guarantees. Therefore, the entry for Oman concerning finfish should be deleted from the list of the Annex to Decision 2011/163/EU accordingly.
- (26) Tunisia is currently included in the approval list, laid down in the Annex to Decision 2011/163/EU, for wild game. Tunisia has not submitted to the Commission a plan for wild game and has indicated that there is no production of wild game since many years. Therefore, the entry for Tunisia concerning wild game should be deleted from the list of the Annex to Decision 2011/163/EU accordingly.
- (27) Wallis-et-Futuna has submitted to the Commission a plan for honey. That plan provides sufficient guarantees and should be approved. An entry for Wallis-et-Futuna for honey should therefore be included in the list of the Annex to Decision 2011/163/EU accordingly.

- (28) Decision 2011/163/EU should therefore be amended accordingly.
- (29) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of this Decision, the definitions laid down in Article 2 of Commission Delegated Regulation (EU) 2020/692 ⁽⁹⁾ apply.

Article 2

The Annex to Decision 2011/163/EU is replaced by the text in the Annex to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 December 2021.

For the Commission
Stella KYRIAKIDES
Member of the Commission

⁽⁹⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

ANNEX

'ANNEX

Code ISO2	Country ⁽¹⁾	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture products				Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
							Fishery products			Molluscs (bivalve molluscs, echino- derms, tunicates and marine gastropods)							
							Finfish	Products of finfish (e.g. caviar)	Crustaceans								
AD	Andorra	X	X	X ⁽²⁾	X											X	
AE	United Arab Emirates						X ⁽²⁾				X ⁽³⁾						
AL	Albania		X				X				X ^(2a)	X					X
AM	Armenia						X									X	
AR	Argentina	X	X		X	X	X				X	X	X	X	X	X	X
AU	Australia	X	X		X		X	X	X	X	X	X		X	X	X	X
BA	Bosnia and Herzegovina	X	X	X		X	X				X	X				X	
BD	Bangladesh						X		X								
BF	Burkina Faso															X	
BJ	Benin															X	
BN	Brunei								X								
BR	Brazil	X			X	X	X		X							X	X
BW	Botswana	X															
BY	Belarus				X ⁽⁷⁾		X				X	X				X	X

Code ISO2	Country ⁽¹⁾	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture products				Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
							Fishery products			Molluscs (bivalve molluscs, echino- derms, tunicates and marine gastropods)							
							Finfish	Products of finfish (e.g. caviar)	Crustaceans								
BZ	Belize								X								
CA	Canada	X	X	X	X	X	X		X	X	X	X	X	X	X	X	
CH	Switzerland	X	X	X	X	X	X			X	X	X	X	X	X	X	X
CL	Chile	X	X	X		X	X			X	X			X		X	X
CM	Cameroon															X	
CN	China					X	X		X			X	X			X	X
CO	Colombia						X		X		X	X ⁽²⁾					X
CR	Costa Rica						X		X								
CU	Cuba								X							X	
DO	Dominican Republic															X	
EC	Ecuador						X		X								
EG	Egypt										X ^(2a)						X
ET	Ethiopia															X	
FK	Falkland Islands	X	X ⁽⁵⁾				X										
FO	Faroes Islands						X										

Code ISO2	Country ⁽¹⁾	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture products				Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
							Fishery products			Molluscs (bivalve molluscs, echino- derms, tunicates and marine gastropods)							
							Finfish	Products of finfish (e.g. caviar)	Crustaceans								
GB	United Kingdom	X	X	X	X	X	X			X	X	X	X	X	X	X	X
GE	Georgia															X	
GG	Guernsey	X									X						
GL	Greenland		X												X		
GT	Guatemala								X							X	
HN	Honduras						X		X								
ID	Indonesia						X		X		X ^(2a)	X ^(2a)					
IL	Israel ⁽⁴⁾					X	X				X	X				X	
IM	Isle of Man	X	X	X			X			X	X					X	
IN	India					X ^(2a)	X		X		X ^(2a)	X				X	X
IR	Iran							X	X								X
JE	Jersey	X									X						
JM	Jamaica															X	
JP	Japan	X		X		X	X			X	X	X				X ^(2a)	X
KE	Kenya						X										
KR	South Korea					X	X		X	X	X ^(2a)	X ^(2a)				X ^(2a)	
LB	Lebanon																X

Code ISO2	Country ⁽¹⁾	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture products				Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
							Fishery products			Molluscs (bivalve molluscs, echino- derms, tunicates and marine gastropods)							
							Finfish	Products of finfish (e.g. caviar)	Crustaceans								
LK	Sri Lanka						X		X								
MA	Morocco					X	X		X ^(2a)	X	X ^(2a)	X ^(2a)					X
MD	Moldova					X	X				X	X				X	
ME	Montenegro	X	X ⁽²⁾	X		X	X				X	X				X	
MG	Madagascar						X	X	X							X	
MK	North Macedonia	X	X	X		X	X				X	X		X		X	
MM	Myanmar						X		X							X	
MN	Mongolia																X
MU	Mauritius						X									X ⁽²⁾	
MX	Mexico			X ⁽²⁾			X		X		X ^(2a)	X				X	
MY	Malaysia					X ⁽²⁾	X		X								
MZ	Mozambique								X								
NA	Namibia	X	X ⁽²⁾											X			
NC	New Caledonia								X						X	X	
NG	Nigeria								X								
NI	Nicaragua								X							X	

Code ISO2	Country ⁽¹⁾	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture products				Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
							Fishery products			Molluscs (bivalve molluscs, echino- derms, tunicates and marine gastropods)							
							Finfish	Products of finfish (e.g. caviar)	Crustaceans								
NZ	New Zealand	X	X	X ^(2a)	X	X ^(2a)	X			X	X	X ^(2a)	X ^(2a)	X	X	X	X
OM	Oman										X ^(2a)	X ^(2a)				X ^(2a)	
PA	Panama						X		X								
PE	Peru						X		X	X							
PH	Philippines						X		X		X ^(2a)	X ^(2a)					
PK	Pakistan																X
PM	Saint Pierre and Miquelon					X											
PN	Pitcairn Islands															X	
PY	Paraguay	X															X
RS	Serbia ⁽⁶⁾	X	X	X	X ⁽⁷⁾	X	X				X	X		X		X	X
RU	Russia	X	X	X		X					X	X			X ⁽⁸⁾	X	X
RW	Rwanda															X	
SA	Saudi Arabia						X		X								
SG	Singapore	X ⁽²⁾	X ⁽²⁾	X ⁽²⁾	X ⁽⁹⁾	X ⁽²⁾	X				X ⁽²⁾	X ^(2a)		X ⁽⁹⁾	X ⁽⁹⁾		
SL	Sierra Leone															X	

Code ISO2	Country ⁽¹⁾	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture products				Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
							Fishery products			Molluscs (bivalve molluscs, echino- derms, tunicates and marine gastropods)							
							Finfish	Products of finfish (e.g. caviar)	Crustaceans								
SM	San Marino	X		X ⁽²⁾							X					X	
SV	El Salvador															X	
SY	Syria																X
SZ	Eswatini	X															
TG	Togo															X	
TH	Thailand	X ^(2a)		X ^(2a)		X	X		X	X	X ^(2a)	X ^(2a)				X	
TN	Tunisia						X			X							X
TR	Turkey					X	X			X	X	X				X	X
TW	Taiwan						X		X		X ^(2a)	X				X	
TZ	Tanzania								X							X	
UA	Ukraine	X		X		X	X			X	X	X	X			X	X
UG	Uganda						X									X	
US	United States	X	X ⁽¹⁰⁾	X		X	X		X	X	X	X	X	X	X	X	
UY	Uruguay	X	X		X		X			X	X			X		X	X
UZ	Uzbekistan																X
VE	Venezuela								X								
VN	Vietnam						X		X	X	X ^(2a)	X ^(2a)				X	

Code ISO2	Country ⁽¹⁾	Bovine	Ovine/ caprine	Porcine	Equine	Poultry	Aquaculture products				Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
							Fishery products			Molluscs (bivalve molluscs, echino- derms, tunicates and marine gastropods)							
							Finfish	Products of finfish (e.g. caviar)	Crustaceans								
WF	Wallis et Futuna															X	
XK	Kosovo *					X ⁽²⁾											
ZA	South Africa												X	X ⁽¹¹⁾			
ZM	Zambia															X	

⁽¹⁾ The table contains a list of countries and territories. It is not limited to countries recognised by the Union.

⁽²⁾ Third countries using only raw material either from Member States or from other third countries approved for imports of such raw material to the Union, in accordance with Article 2.

^(2a) Third countries using product of animal origin either from Member States or from other third countries approved for imports of such processed products to the Union, in accordance with Article 2, with the purpose to be used only for the preparation of composite products to be exported to the Union.

⁽³⁾ Camel milk only.

⁽⁴⁾ Hereafter understood as the State of Israel, excluding the territories under Israeli administration since June 1967, namely the Golan Heights, the Gaza Strip, East Jerusalem and the rest of the West Bank.

⁽⁵⁾ Ovine species only.

⁽⁶⁾ Not including Kosovo.

⁽⁷⁾ Export to the Union of live equidae for slaughter (food producing animals only).

⁽⁸⁾ Reindeer only.

⁽⁹⁾ Only for commodities of fresh meat originating from New Zealand, destined to the Union and being unloaded, reloaded and transited with or without storage through Singapore.

⁽¹⁰⁾ Caprine species only.

⁽¹¹⁾ Ratites only.

* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.'

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