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⁽¹⁾ Text with EEA relevance.

EN

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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2022/244

of 24 September 2021

supplementing Regulation (EU) 2019/2033 of the European Parliament and of the Council with regard to regulatory technical standards specifying the amount of total margin for the calculation of the K-factor ‘clear margin given’ (K-CMG)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/2033 of the European Parliament and of the Council of 27 November 2019 on the prudential requirements of investment firms and amending Regulations (EU) No 1093/2010, (EU) No 575/2013, (EU) No 600/2014 and (EU) No 806/2014 ⁽¹⁾, and in particular the third subparagraph of Article 23(3) thereof,

Whereas:

- (1) For the purposes of specifying the calculation of the amount of the ‘total margin required’, referred to in Article 23(2) of Regulation (EU) 2019/2033, and in order to increase clarity and consistency in relation to its components, it should be clarified that the amount of the total margin required includes any collateral required by the clearing member in accordance with its margin model.
- (2) In accordance with Article 23(2) of Regulation (EU) 2019/2033, the total margin required on a daily basis is used for the calculation of K-CMG. Where clearing members adapt their required margin within 1 day, this results in more than one margin call within the same day. In order to avoid uncertainty about which of those margin requirements to use and considering that the third highest amount during a period of 3 months is to be used for the calculation of K-CMG, it is necessary to specify that the daily amount of margin required should be the highest of those margin requirements of a given day.
- (3) Investment firms may use the clearing services of multiple clearing members. For positions for which K-CMG is applied, the determination of the amount of total margin required from the investment firm should be comprehensive and include the full margin required by all clearing members. Therefore, where an investment firm uses K-CMG for positions that are subject to clearing by multiple clearing members, CMG should be calculated as the sum of the margins required across all clearing members. An investment firm should, accordingly, first calculate the total daily amount of margin required as the sum of the total margin required by all clearing members, before determining the third highest amount of total margins required on a daily basis as required by Article 23(2) of Regulation (EU) 2019/2033.

⁽¹⁾ OJ L 314, 5.12.2019, p. 1.

- (4) For the application of K-CMG on a portfolio basis, where the whole portfolio is subject to clearing or margining, the conditions laid down in Article 23(1) of Regulation (EU) 2019/2033 have to be met. Therefore, a portfolio of cleared positions assigned to one trading desk can make use of K-CMG while, at the same time, a portfolio of cleared positions assigned to another trading desk can make use of the K-factor 'net position risk' (K-NPR). In order to prevent arbitrage, the use of K-CMG and K-NPR across trading desks should be consistent. Therefore, the same approach should be used for trading desks that are similar in terms of business strategy and trading book positions.
- (5) For the purposes of the assessment under Article 23(1), point (e), of Regulation (EU) 2019/2033, the competent authority should be required to assess whether the K-CMG approach is appropriate insofar it reflects the risk profile of the investment firm's trading book positions. An investment firm should be required to compare regularly its own risk assessment with the margins required by clearing members, for the purpose of assessing whether those margins are still a good indicator of the level of risk to market of the investment firm. At the point of assessment by the competent authority, the investment firm should make a comparison between the capital requirements under K-NPR and K-CMG and should be able to adequately justify the difference between those capital requirements to the competent authority. An assessment by the competent authority should be positive only when all these conditions are met. In particular, the competent authority should ensure that the investment firm is able to monitor and adequately justify difference between the outcome of the two methodologies, K-NPR and K-CMG, especially in cases of large variations of the required margins.
- (6) A high frequency of switching between the use of K-NPR and K-CMG is a strong indicator of potential disproportionate or unsound use of own funds requirements. It is possible to prevent regulatory arbitrage by constraining the frequency of switching positions between the use of K-NPR and K-CMG. A requirement to make continuous use of one of the two methods for a trading desk for at least 2 years would be proportionate to address the risk of regulatory arbitrage. However, in exceptional cases (e.g. a business restructuring) where a trading desk changes to such an extent that it can be considered as a different trading desk, the competent authority should allow an investment firm to change methods within that 2-year period.
- (7) This Regulation is based on the draft regulatory technical standards submitted to the Commission by the European Banking Authority (EBA).
- (8) The EBA has conducted open public consultations on the draft regulatory technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the advice of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Calculation of the amount of the total margin required

1. The amount of the total margin referred to in Article 23(2) of Regulation (EU) 2019/2033 shall be the required amount of collateral comprising the initial margin, variation margins and other collateral, as required by the clearing member based on its margin model of the investment firm for the trading desks subject to K-CMG. For the purposes of this Regulation, 'trading desk' shall mean a trading desk as defined in point (144) of Article 4(1) of Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽³⁾.
2. Where the clearing member does not differentiate between margins that are required for the trading desk that is subject to K-CMG and margins that are required for other trading desks, the investment firm shall consider the total of margins required for all trading desks as margins under paragraph 1.

⁽²⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

⁽³⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

3. Fees paid by the investment firm to the clearing member for making use of its clearing member services shall not be considered as margins under paragraph 1.
4. Where the clearing member updates the total margin required more than once during a day, the total margin required on that day shall be the highest of those amounts of total margins required by the clearing member during that day.
5. Where an investment firm makes use of the services of more than one clearing member for the trading desks subject to K-CMG, the amount of the total margin referred to in Article 23(2) of Regulation (EU) 2019/2033 shall be calculated on a daily basis adding the amounts of margins required by each clearing member as laid down in paragraph 1 of this Article.

Article 2

Prevention of arbitrage

1. The requirement laid down in Article 23(1), point (e), of Regulation (EU) 2019/2033 shall be fulfilled where all the following conditions are satisfied:
 - (a) where the investment firm calculates K-CMG capital requirements on a portfolio of cleared positions assigned to one trading desk, it applies the same methodology to all the positions of that trading desk for a continuous period of at least 24 months or the business strategy or operations of the group of dealers of that trading desk has changed to the extent that they can be considered a different trading desk;
 - (b) the investment firm uses K-CMG consistently across trading desks that are similar in terms of business strategy and trading book positions;
 - (c) the investment firm has policies and procedures in place showing that the choice of portfolio(s) subject to K-CMG would reflect the risks of an investment firm's trading book positions, including the expected holding periods, the trading strategies applied and the time it could take to hedge out or manage risks of its trading book positions;
 - (d) the investment firm has policies and procedures in place enabling it to compare the capital requirements calculated on the basis of K-CMG with the capital requirements calculated on the basis of K-NPR and to adequately reasoning any difference between them taking into account the factors set out in paragraph 2 in each of the following cases:
 - (i) where a change in the business strategy of a trading desk results in a change of 20 % or more in the capital requirements for that trading desk based on the K-CMG approach;
 - (ii) where a change in the clearing member's margin model results in a change in the margins required of 10 % or more for the same portfolio of underlying positions for a trading desk;
 - (e) the investment firm makes use of the outcome of the K-CMG calculation in its risk management framework and regularly compares the results of its own risk assessment with the margins required by clearing members;
 - (f) the investment firm has compared the capital requirements calculated by K-CMG with the capital requirements calculated by K-NPR for each trading desk at the point of the assessment by the competent authority, and has provided the competent authority with adequate justification of any difference between them taking into account the factors set out in paragraph 2.
2. For the purposes of paragraph 1, points (d) and (f), the competent authority shall take into account the following factors in order to assess whether the difference in capital requirements calculated in application of K-CMG and K-NPR is justified:
 - (a) the reference to the relevant trading strategies;
 - (b) the investment firm's own risk management framework;
 - (c) the level of the investment firm's overall own funds requirements calculated in accordance with Article 11 of Regulation (EU) 2019/2033;
 - (d) the results of the supervisory review and evaluation process, if available.

*Article 3***Entry into force**

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

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

Done at Brussels, 24 September 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION DELEGATED REGULATION (EU) 2022/245**of 13 December 2021****amending Delegated Regulation (EU) 2017/40 as regards the accompanying educational measures and the selection and approval of aid applicants**

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 24(1), points (b) and (c), thereof,

Whereas:

- (1) Article 3 of Commission Delegated Regulation (EU) 2017/40 ⁽²⁾ establishes conditions for the design and application of the accompanying educational measures that Member States are to provide for pursuant to Article 23(10) of Regulation (EU) No 1308/2013. In the interest of legal certainty, it is appropriate to lay down a non-exhaustive list of activities that may be carried out as part of the accompanying educational measures under the school scheme, including where no Union aid is requested. It is also appropriate to clarify that, in order to make the school scheme effective, Member States should ensure that the accompanying educational measures that are provided for to support the distribution of school fruit and vegetables and school milk reach all children participating in the school scheme. Such requirement is without prejudice to the autonomy granted to the educational establishments within the Member States, according to the repartition of the competences and the strategy for implementation of the school scheme in the Member States concerned.
- (2) Article 5(2) of Delegated Regulation (EU) 2017/40 establishes the general conditions for the selection of aid applicants. When selecting aid applicants, Member States, acting at national, regional or local level, may be subject to Union or national public procurement rules. In the interest of legal certainty, it is appropriate to clarify that Member States should ensure compliance with applicable rules on public procurement.
- (3) Article 6 of Delegated Regulation (EU) 2017/40 specifies the conditions for the approval of aid applicants, laying down the written commitments that the applicants have to make. Paragraph 2 of that Article lays down an additional written commitment to be made in the case of aid applications relating only to the supply and/or distribution of products. However, such commitment is also pertinent if the aid applications combine the supply and/or distribution of products and the provision of educational measures. Paragraph 3 of that Article refers to aid applications relating to accompanying educational measures only. It indicates that competent authorities may specify any additional written commitments to be undertaken by aid applicants. However, this should be possible for all aid applicants. Therefore, Article 6 of that Regulation should be amended accordingly. In order to allow Member States sufficient time to adapt the procedures for the approval of aid applicants, it is appropriate to provide that the amendment to the conditions for the approval of aid applicants only applies from the 2022/2023 school year.
- (4) Delegated Regulation (EU) 2017/40 should therefore be amended accordingly,

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Delegated Regulation (EU) 2017/40 of 3 November 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments and amending Commission Delegated Regulation (EU) No 907/2014 (OJ L 5, 10.1.2017, p. 11).

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) 2017/40 is amended as follows:

(1) in Article 3, paragraphs 1 and 2 are replaced by the following:

‘1. The accompanying educational measures referred to in Article 23(10) of Regulation (EU) No 1308/2013 shall be directly linked to the objectives of the school scheme of increasing the consumption of selected agricultural products and shaping healthier diets.

They shall be aimed at reconnecting children with agriculture and the variety of Union agricultural products, particularly those produced in their region, and educating children about related issues, such as healthy eating habits and their implications for public health, national dietary recommendations, local food chains, organic farming, sustainable food production and consumption and combating food waste, and they may include activities such as:

- (a) visits to farms, network of orchards, producers’ organisations, dairy processing units, farmers’ markets, warehouse sorting and packaging of fruit and vegetables, agricultural museums and other similar activities;
- (b) setting up and maintenance of school gardens and orchards;
- (c) food preparation, cooking and tasting classes, workshops, laboratories and other similar activities;
- (d) lessons, seminars, conferences, workshops and other similar activities;
- (e) teaching materials, competitions, games, educational quizzes, themed days or weeks and other similar activities.

In the event that the accompanying educational measures include agricultural products other than those referred to in Article 23(3), (4) and (5) of Regulation (EU) No 1308/2013, the measures shall provide for the tasting of those other products.

2. Member States shall ensure that all children participating in the school scheme can take part in accompanying educational measures.

Where educational measures directly linked to the objectives of the school scheme are provided for in educational establishments as part of the regular school curriculum or other policies or programmes, Member States may decide to take them into account for the purpose of subparagraph 1.

The accompanying educational measures may be designed and implemented at national, regional, local or educational establishment level, according to the Member States’ repartition of competences and strategy for the implementation of the school scheme. Member States shall ensure that the educational establishments participating in the scheme are duly informed about the system in place for the accompanying educational measures and the available materials and tools.’

(2) in Article 5(2), the following subparagraph is added:

‘When selecting aid applicants, Member States shall ensure compliance with applicable law, including rules on public procurement.’;

(3) Article 6 is replaced by the following:

Article 6

Conditions for approval of aid applicants

1. Aid applicants shall be approved by the competent authority of the Member State in which the educational establishment to which the products are supplied and/or distributed is located. Approval shall be subject to the following written commitments made by the applicants:

- (a) to ensure the products financed by the Union under the school scheme are made available for consumption by the children in educational establishment or establishments in respect of which they will apply for aid;

- (b) to use the aid allocated for accompanying educational measures, monitoring, evaluation, and publicity measures, in accordance with the objectives of the school scheme and, where accompanying educational measures concern health and nutrition topics, in accordance with national health advice and dietary recommendations for the age group concerned;
- (c) to reimburse any aid unduly paid for the quantities concerned, if it has been found that the products have not been distributed to the children or are not eligible for Union aid;
- (d) to reimburse any aid unduly paid for accompanying educational measures, monitoring, evaluation, and publicity measures, if it has been found that those measures or activities have not been properly carried out;
- (e) to make supporting documents available to the competent authority on request;
- (f) to permit the competent authority to conduct any necessary checks, in particular the scrutiny of records and physical inspection;
- (g) to keep a record of the names and addresses of the educational establishments or educational authorities in receipt of their products and a record of the quantities of the specific products sold or supplied, where the applicant is not an educational establishment.

Competent authorities may specify any additional written commitments to be undertaken by applicants.

Where applications for aid concern activities subject to public procurement procedures, Member States may consider approval as granted where the commitments set out in the first and second subparagraphs are included in the conditions for participating in the public procurement procedures.

2. In the case of applicants for aid relating to the supply and/or distribution of products only, paragraph 1, points (b) and (d) shall not apply.
3. In the case of applicants for aid relating to accompanying educational measures only, paragraph 1, points (a), (c) and (g) shall not apply.
4. In the case of applicants for aid relating to monitoring, evaluation and publicity measures only, paragraph 1, points (a), (c) and (g) shall not apply.
5. Member States may consider the approvals granted under the school fruit and vegetables scheme according to Delegated Regulation (EU) 2016/247 and/or under the school milk scheme according to Regulation (EC) No 657/2008 valid if the criteria and the conditions are not changed.'

Article 2

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

Article 1, point (3) shall apply to aid as from the 2022/2023 school year.

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

Done at Brussels, 13 December 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2022/246**of 13 December 2021****amending Implementing Regulation (EU) 2017/39 as regards the aid applications, payment of the aid and on-the-spot checks**

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 25, point (b), thereof,

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 ⁽²⁾, and in particular Article 62(2), point (a), thereof,

Whereas:

- (1) Article 4(6) of Commission Implementing Regulation (EU) 2017/39 ⁽³⁾ lays down that the amounts claimed in the aid applications are to be supported by documentary evidence showing the price of the products, material or services delivered together with a receipt or proof of payment or equivalent. The price of the product, material or service is not pertinent where a simplified cost option is used, and is not consistent with the objectives of simplification and reduction of the administrative burden of simplified cost options. Therefore, it is appropriate to lay down different requirements for cost-based systems and simplified cost options.
- (2) Article 5 of Implementing Regulation (EU) 2017/39 lays down the conditions for the payment of aid. The required documentary evidence includes, in case of simplified cost options, the proof of payment for the products supplied and/or distributed and for the material or services delivered under the accompanying educational measures, monitoring, and evaluation and publicity activities. However, such documentary evidence is not required in case of cost-based systems. Experience gained shows that such a requirement is not pertinent for the payment of the aid, regardless of whether a cost-based system or a simplified cost option is used, and is not consistent with the objectives of simplification and reduction of the administrative burden through simplified cost options. Therefore, this requirement should be removed.
- (3) In accordance with Article 9(4) of Implementing Regulation (EU) 2017/39, in case of aid applied for relating to the supply and distribution of products and accompanying educational measures, the administrative checks are to be supplemented by on-the-spot checks. Article 10(1) of that Regulation lays down a non-exhaustive list of verifications that the on-the-spot checks are to include in case of aid for the supply and distribution of products. In light of the experience gained, and in the interest of clarity, this non-exhaustive list of verifications to be carried out should be complemented, both for on-the-spot checks in case of aid applied for the supply and distribution of products as well as for accompanying educational measures.
- (4) Implementing Regulation (EU) 2017/39 should therefore be amended accordingly.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 347, 20.12.2013, p. 549.

⁽³⁾ Commission Implementing Regulation (EU) 2017/39 of 3 November 2016 on rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to Union aid for the supply of fruit and vegetables, bananas and milk in educational establishments (OJ L 5, 10.1.2017, p. 1).

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2017/39 is amended as follows:

- (1) in Article 4(6), the first subparagraph is replaced by the following:

‘Member States shall specify the documents that shall be submitted in support of aid applications. The amounts claimed in the aid applications shall be supported by documentary evidence showing:

- (a) the price of the products, material or service delivered together with a receipt or proof of payment or equivalent; or
- (b) if the Member State authorises the use of standard scales of unit costs, flat-rate financing and/or lump sums, that the quantities have been supplied and/or distributed for the purpose of the school scheme.’;

- (2) Article 5 is amended as follows:

- (a) in paragraph 1, point (b) is replaced by the following:

‘(b) if the Member State authorises the use of standard scales of unit costs, flat-rate financing and/or lump sums, on presentation of evidence that the quantities have been supplied and/or distributed for the purpose of the school scheme.’;

- (b) paragraph 2 is replaced by the following:

‘2. Aid relating to the accompanying educational measures, monitoring, evaluation and publicity shall only be paid upon delivery of the material or services concerned and upon submission of the related documentary evidence as required by the competent authority or, if the Member State authorises the use of standard scales of unit costs, flat-rate financing and/or lump sums, on presentation of evidence that the material or services have been delivered.’;

- (3) in Article 10, paragraph 1 is replaced by the following:

‘1. On-the spot checks shall in particular include verification of:

- (a) the records referred to in Article 6 of Delegated Regulation (EU) 2017/40, by corroborating and complementing the administrative checks with relevant documentation including financial documents such as purchase and sales invoices, delivery notes, bank extracts or other proof of payment and their recording in the accountancy;
- (b) the use of the products in accordance with Regulation (EU) No 1308/2013, Delegated Regulation (EU) 2017/40 and this Regulation;
- (c) the implementation of accompanying educational measures to support the distribution of products, where the on-the-spot check takes place at the premises of the educational establishment or where the on-the-spot check concerns aid applied for relating to accompanying educational measures;
- (d) the use of suitable publicity tools, where the on-the-spot check takes place at the premises of the educational establishment.’.

Article 2

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

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

Done at Brussels, 13 December 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION DELEGATED REGULATION (EU) 2022/247**of 14 December 2021****amending Regulation (EU) 2018/956 of the European Parliament and of the Council as regards the data on new heavy-duty vehicles to be monitored and reported by Member States and by manufacturers and the reporting procedure****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/956 of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles ⁽¹⁾, and in particular Article 11(1)(a) and (d) thereof,

Whereas:

- (1) Part A of Annex I to Regulation (EU) 2018/956 specifies the data to be monitored and reported by the Member States relating to new heavy-duty vehicles registered for the first time in the Union.
- (2) In order to provide for a thorough analysis in accordance with Article 10 of Regulation (EU) 2018/956, Member States should monitor and report data that allow determining the vehicle axle configuration of reported vehicles on the basis of the number of powered axles. Such data is recorded in entry 3 of the certificate of conformity of a newly registered heavy-duty vehicle.
- (3) That information would allow the Commission to identify vehicles falling within the scope of data reported by the manufacturers pursuant to Article 5 of Regulation (EU) 2018/956 based on information reported by the Member States without necessitating additional exchanges with manufacturers.
- (4) Based on the experience gained from preparing the report in accordance with Article 10 for the reporting period of the year 2019 and in order to provide a thorough analysis of reported data in the coming years, it is necessary that manufacturers report specific data on the behaviour of individual vehicle components during the run of the simulation tool as recorded in the 'sum exec data file'.
- (5) Annex II to Regulation (EU) 2018/956 sets out the monitoring and reporting procedure.
- (6) Based on the experience gained from the application of Regulation (EU) 2018/956, the European Environment Agency should have the flexibility to adapt the structure and character of the databases to technical progress and should not be bound by specific technical determinations. The descriptive names of the databases should thus be removed from Annex II.
- (7) Regulation (EU) 2018/956 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendments to Regulation (EU) 2018/956**

Annexes I and II to Regulation (EU) 2018/956 are amended in accordance with the Annex to this Regulation.

⁽¹⁾ OJ L 173, 9.7.2018, p. 1.

*Article 2***Entry into force**

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, 14 December 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes I and II to Regulation (EU) 2018/956 are amended as follows:

(1) Annex I is amended as follows:

(a) in Part A, the following point (p) is added:

‘(p) for vehicles registered from 1 July 2021, the number of powered axles, as specified in entry 3 of the certificate of conformity.’;

(b) in Part B, point 2, the table is amended as follows:

(i) the following entry is added to:

‘102	For vehicles with a date of simulation as of 1 July 2021, the comma separated values file of the same name as the job file and with an extension.vsum comprising aggregated results per simulated mission profile and payload condition ⁽¹⁰⁾	File generated by the simulation tool referred to in Article 5(1)(a) of Regulation (EU) 2017/2400 in its graphical user interface (GUI) version	‘sum exec data file’;
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(ii) Note 10 is replaced by the following:

‘(10) This entry shall not be made publicly available in the Central Register on heavy-duty vehicles.’;

(2) Annex II is amended as follows:

(a) in point 1.1, the first subparagraph is replaced by the following:

‘1.1. The data specified in Annex I, Part A, shall be transmitted in accordance with Article 4 by the contact point of the competent authority via electronic data transfer to the European Environment Agency (‘the Agency’).’;

(b) point 2.1(c) is replaced by the following:

‘(c) the contact point responsible for transmitting the data to the Agency.’;

(c) in point 2.3, the first subparagraph is replaced by the following:

‘2.3. The data specified in Part B, point 2, of Annex I shall be transmitted in accordance with Article 5(1) by the contact point of the manufacturer via electronic data transfer to the Agency.’;

(d) point 3.3 is replaced by the following:

‘3.3. Where a competent authority or manufacturer identify errors in the data submitted, they shall without delay notify those to the Commission and the Agency by submitting an error notification report to the Agency and by email sent to the addresses referred to in point 1.1.’.

COMMISSION IMPLEMENTING REGULATION (EU) 2022/248**of 15 February 2022****registering a geographical indication of a spirit drink under Article 30(2) of Regulation (EU) 2019/787 of the European Parliament and of the Council ‘Pregler’/‘Osttiroler Pregler’**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008 ⁽¹⁾, and in particular Article 30(2) thereof,

Whereas:

- (1) Pursuant to Article 17(5) of Regulation (EC) No 110/2008 of the European Parliament and of the Council ⁽²⁾, the Commission has examined Austria’s application of 7 June 2019 for the registration of the name ‘Pregler’/‘Osttiroler Pregler’ as a geographical indication.
- (2) Regulation (EU) 2019/787, which replaces Regulation (EC) No 110/2008, entered into force on 25 May 2019. Under Article 49(1) thereof, Chapter III of Regulation (EC) No 110/2008 on geographical indications is repealed with effect from 8 June 2019.
- (3) After concluding that the application complied with Regulation (EC) No 110/2008, the Commission published the main specifications of the technical file in the *Official Journal of the European Union* ⁽³⁾ as required by Article 17(6) of that Regulation, in accordance with the first subparagraph of Article 50(4) of Regulation (EU) 2019/787.
- (4) No notice of opposition has been received by the Commission under Article 27(1) of Regulation (EU) 2019/787.
- (5) The name ‘Pregler’/‘Osttiroler Pregler’ should therefore be registered as a geographical indication,

HAS ADOPTED THIS REGULATION:

Article 1

The geographical indication ‘Pregler’/‘Osttiroler Pregler’ is hereby registered. This Regulation grants the geographical indication ‘Pregler’/‘Osttiroler Pregler’ the protection referred to in Article 21 of Regulation (EU) 2019/787 in accordance with Article 30(4) of that Regulation.

Article 2

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

⁽¹⁾ OJ L 130, 17.5.2019, p. 1.

⁽²⁾ Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ L 39, 13.2.2008, p. 16).

⁽³⁾ OJ C 430, 25.10.2021, p. 14.

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

Done at Brussels, 15 February 2022.

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

COMMISSION IMPLEMENTING REGULATION (EU) 2022/249**of 18 February 2022****amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for the United Kingdom in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry and fresh meat of poultry and game birds****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to 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') ⁽¹⁾, and in particular Articles 230(1) and 232(1) thereof.

Whereas:

- (1) Regulation (EU) 2016/429 requires that consignments of animals, germinal products and products of animal origin must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation in order to enter the Union.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ lays down the animal health requirements with which consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones thereof, or compartments thereof, in the case of aquaculture animals, must comply with in order to enter the Union.
- (3) Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ establishes the lists of third countries, or territories, or zones or compartments thereof, from which the entry into the Union of the species and categories of animals, germinal products and products of animal origin falling within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (4) More particularly, Annexes V and XIV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, or territories, or zones thereof authorised for the entry into the Union, respectively, of consignments of poultry, germinal products of poultry, and of fresh meat from poultry and game birds.
- (5) The United Kingdom notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located near Bishop's Waltham, Winchester, Hampshire, England and was confirmed on 4 February 2022 by laboratory analysis (RT-PCR).
- (6) The veterinary authorities of the United Kingdom established a 10 km control zone around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ 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).

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

- (7) The United Kingdom has submitted information to the Commission on the epidemiological situation on its territory and the measures it has taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat from poultry and game birds from the areas under restrictions established by the veterinary authorities of the United Kingdom due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.
- (8) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended accordingly.
- (9) Taking into account the current epidemiological situation in the United Kingdom as regards highly pathogenic avian influenza and its serious risk of introduction into the Union, the amendments to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (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 V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

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, 18 February 2022.

For the Commission
The President
Ursula VON DER LEYEN

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) Annex V is amended as follows:

(a) in Part 1, in the entry for the United Kingdom, the row for zone GB-2.96 is inserted after the row for zone GB-2.95:

'GB' United Kingdom	GB-2.96	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		4.2.2022	
		Breeding ratites and productive ratites	BPR	N, P1		4.2.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		4.2.2022	
		Ratites intended for slaughter	SR	N, P1		4.2.2022	
		Day-old chicks other than ratites	DOC	N, P1		4.2.2022	
		Day-old chicks of ratites	DOR	N, P1		4.2.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		4.2.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		4.2.2022	
		Hatching eggs of ratites	HER	N, P1		4.2.2022	
		Less than 20 heads of poultry other than ratites	HE-LT20	N, P1		4.2.2022'	

(b) in Part 2, in the entry for the United Kingdom, the description of the zone GB-2.96 is inserted after the description of the zone GB-2.95:

'GB' United Kingdom	GB-2.96	Near Bishop's Waltham, Winchester, Hampshire, England. The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates N51.00 and W1.24'
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(2) in Annex XIV, in Part 1, in the entry for the United Kingdom, the row for zone GB-2.96 is inserted after the row for zone GB-2.95:

'GB' United Kingdom	GB-2.96	Fresh meat of poultry other than ratites	POU	N, P1		4.2.2022	
		Fresh meat of ratites	RAT	N, P1		4.2.2022	
		Fresh meat of game birds	GBM	N, P1		4.2.2022'	

COMMISSION IMPLEMENTING REGULATION (EU) 2022/250**of 21 February 2022****amending Implementing Regulation (EU) 2021/403 as regards the addition of a new model animal health/official certificate for the entry into Northern Ireland of ovine and caprine animals from Great Britain and amending Implementing Regulation (EU) 2021/404 as regards the list of third countries authorised for the entry into the Union of ovine and caprine animals****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to 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') ⁽¹⁾, and in particular Articles 230(1), 238(3) and 239(3) thereof,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽²⁾, and in particular Article 90, first paragraph, points (a) and (c), and Article 126(3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2021/403 ⁽³⁾ lays down rules regarding animal health certificates provided for in Regulation (EU) 2016/429 and animal health/official certificates based on Regulation (EU) 2016/429 and on Regulation (EU) 2017/625, required for the entry into the Union of terrestrial animals. More particularly, Article 14 of that Implementing Regulation provides that the animal health certificates and animal health/official certificates to be used for the entry into the Union of certain categories of ungulates are to correspond to certain models set out in Annex II thereto. That Article refers, inter alia, to model 'OV/CAP-X', set out in Chapter 4 of that Annex, which must be used for the entry into the Union of ovine and caprine animals.
- (2) Commission Implementing Regulation (EU) 2021/404 ⁽⁴⁾ establishes the lists of third countries, territories or zones thereof, from which the entry into the Union of species and categories of animals that fall within the scope of Commission Delegated Regulation (EU) 2020/692 ⁽⁵⁾ is permitted. In particular, Article 3 of that Implementing Regulation refers to Part 1 of Annex II thereto setting out the list of third countries, territories or zones thereof, from which the entry into the Union of ungulates is permitted.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ OJ L 95, 7.4.2017, p. 1.

⁽³⁾ Commission Implementing Regulation (EU) 2021/403 of 24 March 2021 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 and model animal health/official certificates, for the entry into the Union and movements between Member States of consignments of certain categories of terrestrial animals and germinal products thereof, official certification regarding such certificates and repealing Decision 2010/470/EU (OJ L 113, 31.3.2021, 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 the Council (OJ L 114, 31.3.2021, p. 1).

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

- (3) Regulation (EC) No 999/2001 of the European Parliament and of the Council ⁽⁶⁾ lays down rules for the prevention, control and eradication of transmissible spongiform encephalopathies (TSEs) in animals. More particularly, Chapter E of Annex IX to that Regulation lays down the requirements for the importation into the Union of ovine and caprine animals.
- (4) 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 (Withdrawal Agreement), and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, Regulations (EC) No 999/2001, (EU) 2016/429 and (EU) 2017/625, as well as the Commission acts based on them, apply to and in the United Kingdom in respect of Northern Ireland after the end of the transition period provided for in the Withdrawal Agreement. Accordingly, live animals shipped from Great Britain to Northern Ireland are now subject to the regime applicable to imports from any third country.
- (5) Regulation (EU) 2022/175 ⁽⁷⁾ amended the requirements laid down in Annex IX to Regulation (EC) No 999/2001 for the entry into the Union of ovine and caprine animals intended for breeding, allowing, until 31 December 2024, the entry from Great Britain into Northern Ireland of such animals when they originate from holdings in Great Britain which are engaged in the three-year process to be granted the status of a holding with a controlled risk of classical scrapie. That new import requirement should be reflected in a new specific model certificate for those animals provided for in Implementing Regulation (EU) 2021/403. Accordingly, it is necessary to amend Article 14 and Annex II to that Implementing Regulation.
- (6) In addition, as the new import requirement laid down in Annex IX to Regulation (EC) No 999/2001 only applies to ovine and caprine animals originating from holdings in Great Britain, it is necessary to limit to Great Britain, in Part 1 of Annex II to Implementing Regulation (EU) 2021/404, the use of the new model certificate laid down in Annex II to Implementing Regulation (EU) 2021/403. It is therefore necessary to amend the entries for the United Kingdom in Annex II to Implementing Regulation (EU) 2021/404 accordingly.
- (7) Implementing Regulations (EU) 2021/403 and (EU) 2021/404 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2021/403 is amended as follows:

- (1) in Article 14, the following point (m) is added:

‘(m) OV/CAP-X-NI drawn up in accordance with the model set out in Chapter 4a of Annex II, for the entry into Northern Ireland of ovine and caprine animals from Great Britain until 31 December 2024.’;
- (2) Annex II is amended in accordance with Annex I to this Regulation.

Article 2

Annex II to Implementing Regulation (EU) 2021/404 is amended in accordance with Annex II to this Regulation.

⁽⁶⁾ Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (OJ L 147, 31.5.2001, p. 1).

⁽⁷⁾ Commission Regulation (EU) 2022/175 of 9 February 2022 amending Annex IX to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards import conditions for movements of ovine and caprine animals intended for breeding from Great Britain into Northern Ireland (OJ L 29, 10.2.2022, p. 1).

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, 21 February 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex II to Implementing Regulation (EU) 2021/403 is amended as follows:

- (1) in the table listing the model animal health certificates and animal health/official certificates and declarations for entry into the Union and transit through the Union, in the section for ungulates, the following entry is inserted after the entry 'OV/CAP-X':

'OV/CAP-X-NI	Chapter 4a: Model animal health/official certificate for entry into Northern Ireland of ovine and caprine animals from Great Britain applicable until 31 December 2024'
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- (2) the following Chapter 4a is inserted between Chapters 4 and 5:

'CHAPTER 4A

MODEL ANIMAL HEALTH/OFFICIAL CERTIFICATE FOR THE ENTRY INTO NORTHERN IRELAND OF OVINE AND CAPRINE ANIMALS FROM GREAT BRITAIN APPLICABLE UNTIL 31 DECEMBER 2024 (MODEL 'OV/CAP-X-NI')

COUNTRY		Animal health/official certificate to the EU	
Part I: Description of consignment	I.1 Consignor/Exporter Name Address Country ISO country code	I.2 Certificate reference	I.2a IMSOC reference
		I.3 Central Competent Authority	QR CODE
		I.4 Local Competent Authority	
	I.5 Consignee/Importer Name Address Country ISO country code	I.6 Operator responsible for the consignment Name Address Country ISO country code	
	I.7 Country of origin ISO country code UNITED KINGDOM (GREAT BRITAIN) GB	I.9 Country of destination ISO country code UNITED KINGDOM (NORTHERN IRELAND) XI	
	I.8 Region of origin Code	I.10 Region of destination Code	
	I.11 Place of dispatch Name Registration/Approval No Address Country ISO country code UNITED KINGDOM (GREAT BRITAIN) GB	I.12 Place of destination Name Registration/Approval No Address Country ISO country code UNITED KINGDOM (NORTHERN IRELAND) XI	
	I.13 Place of loading	I.14 Date and time of departure	
	I.15 Means of transport ☐ Aircraft ☐ Vessel ☐ Railway ☐ Road vehicle Identification	I.16 Entry Border Control Post I.17 Accompanying documents Type Code Country: ISO country code Commercial document reference	
	I.18 Transport conditions ☐ Ambient ☐ Chilled ☐ Frozen		
	I.19 Container number/Seal number Container No Seal No		
	I.20 Certified as or for		
☐ Further keeping ☐ Travelling circus/animal acts ☐ Quarantine establishment ☐ Exhibition			
I.21 ☐ For transit Third country ISO country code	I.22 ☐ For internal market I.23		

I.24	Total number of packages		I.25	Total quantity		I.26	Total net weight/gross weight (kg)	
I.27	Description of consignment							
CN code	Species	Subspecies/Category	Sex	Identification system	Identification number	Age	Quantity	

COUNTRY

Certificate model OV/CAP-X-NI

	II. Health information	II.a Certificate reference	II.b IMSOC reference
Part II: Certification	II.1. Public health attestation		
	I, the undersigned official veterinarian, hereby certify, that the animals described in this certificate:		
	II.1.1. have not received:		
	— any stilbene or thyrostatic substances,		
	— oestrogenic, androgenic, gestagenic or beta-agonist substances for purposes other than therapeutic or zootechnical treatment (as defined in Council Directive 96/22/EC);		
	II.1.2. fulfil the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Article 29 of Council Directive 96/23/EC, and the concerned animals are listed in Commission Decision 2011/163/EU for the concerned country of origin.		
	II.2. Animal health attestation		
	I, the undersigned official veterinarian, hereby certify that the animals described in Part I:		
	II.2.1. come from the zone with code: ____ - ____ ⁽²⁾ which, at the date of issue of this certificate is authorised for the entry into the Union of ovine and caprine animals and listed in Part 1 of Annex I to Commission Implementing Regulation (EU) 2021/404.		
	II.2.2. have remained continuously:		
	(i) in the zone referred to in point II.2.1 since birth or for a period of at least 6 months prior to the date of their dispatch to the Union, and (ii) in the establishment of origin since birth or for a period of at least 40 days prior to the date of their dispatch to the Union, into which during this period no ovine and caprine animals and no animals of other species listed for the same diseases as ovine and caprine animals have been introduced.		
	II.2.3. had no contact with animals of a lower health status since birth or for a period of at least 30 days prior to the date of their dispatch to the Union.		
	II.2.4. are not to be killed under a national programme for the eradication of diseases, including the relevant listed diseases referred to in Annex I to Commission Delegated Regulation (EU) 2020/692 and emerging diseases.		
	⁽¹⁾ either [II.2.5. have been dispatched directly from the establishment of origin to the Union without passing through any other establishment].		
	⁽¹⁾ or [II.2.5. have undergone one single assembly operation in the zone of origin fulfilling the following requirements:		
	(a) the assembly operation took place in an establishment:		
	(i) approved for conducting assembly operations of ungulates by the competent authority in the third country or territory in accordance with Article 5 of Commission Delegated Regulation (EU) 2019/2035;		
	(ii) which has an unique approval number assigned by the competent authority of the third country or territory;		
	(iii) listed for that purpose by the competent authority of the third country or territory of dispatch, including the information set out in Article 21 of Delegated Regulation (EU) 2019/2035;		
	(iv) fulfilling the requirements provided for in Article 8 of Delegated Regulation (EU) 2020/692.		
	(b) the assembly operation in the assembly centre took no longer than 6 days.]		
	II.2.6. have not been unloaded in any place that does not comply with the requirements laid down in point II.2.11. since they were dispatched from their establishment of origin until they are loaded for dispatch to the Union and during that period have not been in contact with animals of a lower health status.		

II.2.7.	are loaded for dispatch to the Union on ____/____/____ (dd/mm/yyyy) ⁽³⁾ in a means of transport which was cleaned and disinfected prior to loading with a disinfectant authorised by the competent authority in the third country or territory and constructed in such a way that:
	(i) animals cannot escape or fall out;
	(ii) visual inspection of the space where animals are kept is possible;
	(iii) the escape of animal excrements, litter or feed is prevented or minimised.
II.2.8.	been subjected to a clinical inspection within the 24 hour period prior to loading for dispatch to the Union, carried out by an official veterinarian in the third country or territory of origin, who did not detect signs indicative of the occurrence of diseases, including the relevant listed diseases referred to in Annex 1 to Delegated Regulation (EU) 2020/692 and emerging diseases.
II.2.9.	have not been vaccinated against:
	(i) foot and mouth disease, infection with Rift Valley fever virus, infection with peste des petits ruminants virus, sheep pox and goat pox, contagious caprine pleuropneumonia, <i>Mycobacterium tuberculosis complex</i> (<i>M.bovis</i> , <i>M.caprae</i> and <i>M.tuberculosis</i>) and infection with <i>Brucella abortus</i> , <i>B. melitensis</i> and <i>B. suis</i> , and
	(ii) infection with bluetongue virus (serotypes 1-24) with a live vaccine during the 60 days prior to their dispatch to the Union.
II.2.10.	come from a zone:
II.2.10.1.	in which:
	(i) foot and mouth disease has not been reported for: either [at least 24 months prior to the date of dispatch to the Union] ⁽¹⁾ or [since ____/____/____ (dd/mm/yyyy)] ⁽¹⁾⁽⁴⁾
	(ii) vaccination against foot and mouth disease has not been carried out for at least 12 months prior to the date of dispatch of the animals to the Union, and no animals vaccinated against foot and mouth disease have been introduced during that period.
II.2.10.2.	in which infection with rinderpest virus, infection with Rift Valley fever virus, infection with peste des petits ruminants virus, sheep pox and goat pox and contagious caprine pleuropneumonia has not been reported for at least 12 months prior to the date of dispatch of the animals to the Union and during that period:
	(i) vaccination against these diseases has not been carried out, and
	(ii) animals vaccinated against these diseases have not been introduced.
either [II.2.10.3.	is free from infection with bluetongue virus (serotypes 1-24)] ⁽¹⁾⁽⁵⁾
or [II.2.10.3.	is seasonally free from infection with bluetongue virus (serotypes 1-24):
either [II.2.10.3.1.	for at least 60 days prior to the date of dispatch of the animals to the Union.] ⁽¹⁾⁽⁶⁾
or [II.2.10.3.1.	for at least 28 days prior to the date of dispatch of the animals to the Union and the animals have been subjected to a serological test in accordance with Article 9, point (b), of Delegated Regulation (EU) 2020/692, with negative results, carried out on samples collected at least 28 days following the date of entry of the animal into the seasonally free zone.] ⁽¹⁾⁽⁶⁾
or [II.2.10.3.1.	for at least 14 days prior to the date of dispatch of the animals to the Union and have been subjected to a PCR test, with negative results, carried out on samples collected at least 14 days following the date of entry of the animal in the seasonally free zone.] ⁽¹⁾⁽⁶⁾

	or [II.2.10.3. is not free from infection with bluetongue virus (serotypes 1-24) and the animals have been vaccinated against all the serotypes (1 to 24) of bluetongue virus reported during the past 2 years in that zone and are still within the immunity period of time guaranteed in the specifications of the vaccine, and <i>either</i> [II.2.10.3.1. have been vaccinated more than 60 days prior to the date of dispatch of the animals to the Union.]]⁽¹⁾ or [II.2.10.3.1. have been vaccinated with an inactivated vaccine and were subjected to a PCR test, with negative results on samples collected at least 14 days after the onset of the immunity protection set in the specifications of the vaccine.]]⁽¹⁾ or [II.2.10.3. is not free from infection with bluetongue virus (serotypes 1-24) and the animals have been subjected with positive results to a serological test able to detect specific antibodies against all serotypes (1 to 24) of bluetongue virus reported during the past 2 years in that zone, and: <i>either</i> [II.2.10.3.1. the serological test has been carried out on samples collected at least 60 days prior to the date of dispatch of the animals to the Union.]]⁽¹⁾ or [II.2.10.3.1. the serological test has been carried out on samples collected at least 30 days prior to the date of dispatch of the animals to the Union and the animals were subjected to a PCR test, with negative results, carried out on samples collected not earlier than 14 days prior to the date of dispatch of the animals to the Union.]]⁽¹⁾ II.2.11. come from an establishment: II.2.11.1. which is registered by and under the control of the competent authority of the third country or territory of origin and has a system in place to maintain for at least 3 years up-to-date records containing information regarding: (i) the species, categories, number and identification of animals on the establishment; (ii) movements of animals into and out of the establishment; (iii) mortality in the establishment. II.2.11.2. which receives regular animal health visits from a veterinarian for the purpose of the detection of, and information on, signs indicative of the occurrence of diseases, including the relevant listed diseases referred to in Annex I to Delegated Regulation (EU) 2020/692 and emerging diseases, at a frequency that is proportional to the risk posed by the establishment. II.2.11.3. which was not subject to national restriction measures for animal health reasons, including the relevant listed diseases referred to in Annex I to Delegated Regulation (EU) 2020/692 and emerging diseases, at the time of dispatch to the Union. II.2.11.4. in and around which, in an area with a 10 km radius, including where appropriate the territory of a neighbouring country, none of the following listed diseases has been reported for at least 30 days prior to the date of dispatch of the animals to the Union: foot and mouth disease, infection with rinderpest virus, infection with Rift valley fever virus, infection with peste des petits ruminants virus, sheep pox and goat pox and contagious caprine pleuropneumonia. <i>either</i> [II.2.11.5. in and around which, in an area with a 150 km radius, including where appropriate the territory of a neighbouring country, epizootic haemorrhagic disease has not been reported for at least 2 years prior to the date of dispatch of the animals to the Union] ⁽¹⁾ or [II.2.11.5. which is located in a zone seasonally free of epizootic haemorrhagic disease.]]⁽¹⁾⁽⁷⁾
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	either [II.2.11.6. in which infection with <i>Mycobacterium tuberculosis complex</i> (<i>M.bovis</i>, <i>M.caprae</i> and <i>M. tuberculosis</i>) has not been reported at least during 42 days prior to the date of dispatch of the animals to the Union]⁽¹⁾⁽⁸⁾ or [II.2.11.6. subjected to surveillance to detect infection with <i>Mycobacterium tuberculosis complex</i> (<i>M. bovis</i>, <i>M.caprae</i> and <i>M.tuberculosis</i>) in accordance with the procedures in points (1) and (2) of Part 1 of Annex II to Commission Delegated Regulation (EU) 2020/688 during the period of at least 12 months prior to the date of dispatch of the animals to the Union and during this period: (i) only caprine animals from establishments applying such surveillance have been introduced in the establishment; (ii) in the case where infection with <i>Mycobacterium tuberculosis complex</i> (<i>M.bovis</i>, <i>M. caprae</i> and <i>M.tuberculosis</i>) has been reported in caprine animals kept on the establishment, measures were taken in accordance with point (3) of Part 1 of Annex II to Delegated Regulation (EU) 2020/688].⁽¹⁾⁽⁹⁾ II.2.11.7. free from infection with <i>Brucella abortus</i>, <i>B. melitensis</i> and <i>B. suis</i> as regards ovine and caprine animals⁽¹⁰⁾; and either [II.2.11.7.1. in a zone free from the disease as regards ovine and caprine animals where vaccination against that disease is not practiced] ⁽¹⁾⁽¹¹⁾: or [II.2.11.7.1. the animals have been tested with one of the diagnostic methods provided for in Article 9, point (b)(i), of Delegated Regulation (EU) 2020/692 for infection with <i>Brucella abortus</i>, <i>B. melitensis</i> and <i>B. suis</i>, with negative results, on a sample taken during the period of 30 days prior to the date of dispatch to the Union, and in the case of post-parturient females, the test has been carried out on a sample taken at least 30 days after parturition]⁽¹⁾ or [II.2.11.7.1. the animals are less than 6 months old;]⁽¹⁾ or [II.2.11.7.1. the animals are castrated]⁽¹⁾. II.2.11.8. in which rabies has not been reported for at least 30 days prior to dispatch of the animals to the Union; II.2.11.9. in which anthrax has not been reported for at least 15 days prior to the date of dispatch of the animals to the Union; either [II.2.11.10. in which surra (<i>Trypanosoma evansi</i>) has not been reported for at least 2 years prior to the date of dispatch of the animals to the Union.] ⁽¹⁾ or [II.2.11.10. in which surra (<i>Trypanosoma evansi</i>) has not been reported for at least 30 days prior to the date of dispatch of the animals to the Union, and when the disease was reported in the establishment of origin during the 2 years prior to the date of dispatch of the animals to the Union, the establishment remained under restriction until the infected animals were removed from the establishment and the remaining animals on the establishment were subjected with negative results to a test for surra (<i>Trypanosoma evansi</i>) as described in Article 9, point (b)(i), of Delegated Regulation (EU) 2020/692 carried out on samples taken at least 6 months after the infected animals were removed from the establishment.] ⁽¹⁾ [II.2.11.11. in which <i>Burkholderia mallei</i> (glanders) has not been reported for at least 6 months prior to the date of dispatch of the animals to the Union.]⁽⁹⁾ [II.2.12. include uncastrated males of ovine animals, which have remained for a continuous period of at least 60 days prior to their dispatch to the Union in an establishment where infection with <i>Brucella ovis</i> (contagious epididymitis) has not been reported during the period of 12 months prior to the date of their dispatch to the Union and have been subjected to a serological test for the detection of <i>Brucella ovis</i>, with negative results, during the 30 days prior to the date of their dispatch to the Union.] ⁽¹⁾ II.2.13. comply with the following conditions as regards classical scrapie:
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- II.2.13.1. they have been kept continuously since birth in Great Britain where the following conditions are fulfilled:
- (a) classical scrapie is compulsorily notifiable;
 - (b) an awareness, surveillance and monitoring system is in place;
 - (c) ovine and caprine animals affected with classical scrapie are killed and completely destroyed;
 - (d) the feeding to ovine and caprine animals of meat-and-bone meal or greaves of ruminant origin, as defined in the Terrestrial Animal Health Code of the World Organisation for Animal Health, has been banned and effectively enforced in the whole country for a period of at least the last seven years, and
- II.2.13.2. they are ovine and caprine animals intended for breeding imported into Northern Ireland from Great Britain until 31 December 2024, and they come from a holding or holdings:
- (a) where no official movement restriction has been imposed due to BSE or classical scrapie during the last three years; and
 - (b) which have applied, before 1 January 2022, to the official scheme for the recognition of holdings having a controlled risk of classical scrapie in accordance with the conditions laid down in Annex VIII, Chapter A, Section A, point 1.3 to Regulation (EC) No 999/2001, and which comply with the conditions laid down in points (a) to (i) thereof at the time of import into Northern Ireland.]

Notes:

This certificate is intended for the entry into the Union of ovine and caprine animals.

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, references to European Union in this certificate include the United Kingdom in respect of Northern Ireland.

This animal health/official certificate shall be completed in accordance with the notes for the completion of certificates provided for in Chapter 4 of Annex I to Commission Implementing Regulation (EU) 2020/2235.

Part I:

Box reference I.27: *"Identification system and identification number"*: Specify the identification system (such as ear tag, tattoo, transponder etc., from the list in Annex III to Delegated Regulation (EU) 2019/2035) and the individual identification codes of the animals in accordance with Article 21(1) of Delegated Regulation (EU) 2020/692.

Part II:

- (1) Keep as appropriate.
- (2) Code of the zone as it appears in column 2 of the table in Part 1 of Annex II to Implementing Regulation (EU) 2021/404.
- (3) Date of loading: it must not be a date prior to the date of authorisation of the zone for entry into the Union, or a date during a period when restriction measures have been adopted by the Union against the entry into the Union of these animals from this zone.
- (4) For zones with an opening date in accordance with column 8 of the table in Part 1 of Annex II to Implementing Regulation (EU) 2021/404.
- (5) For zones with entry BTV in column 7 of the table in Part 1 of Annex II to Implementing Regulation (EU) 2021/404.
- (6) For zones with entry SF-BTV in column 7 of the table in Part 1 of Annex II to Implementing Regulation (EU) 2021/404.
- (7) For zones with entry SF-EHD in column 7 of the table in Part 1 of Annex II to Implementing Regulation (EU) 2021/404.

	⁽⁸⁾ Only for ovine animals. ⁽⁹⁾ Only for caprine animals. ⁽¹⁰⁾ In accordance with Article 10 of Delegated Regulation (EU) 2020/692. ⁽¹¹⁾ Zones with entry BRU for ovine and caprine animals in column 7 of the table in Part 1 of Annex II to Implementing Regulation (EU) 2021/404.
	Official veterinarian Name (in capital letters) Date Stamp Qualification and title Signature'

ANNEX II

In Part 1 of Annex II to Implementing Regulation (EU) 2021/404, the entry for the United Kingdom is replaced by the following:

‘GB United Kingdom	GB-1	Bovine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	BOV-X, BOV-Y		BRU, BTV, EBL, EVENTS		
		Ovine and caprine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	OV/CAP-X, OV/CAP-X-NI ⁽¹⁾ OV/CAP-Y		BRU, BTV, EVENTS		
		Porcine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	SUI-X, SUI-Y		ADV		
		Camelid animals	Animals for further keeping ⁽¹⁾	CAM-CER		BTV		
		Cervid animals	Animals for further keeping ⁽¹⁾	CAM-CER		BTV		
		Other ungulates	Animals for further keeping ⁽¹⁾	RUM, RHINO, HIPPO		BTV ⁽²⁾		
	GB-2	Bovine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	BOV-X, BOV-Y		BRU, TB, BTV, EBL, EVENTS		
		Ovine and caprine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	OV/CAP-X, OV/CAP-X-NI ⁽¹⁾ OV/CAP-Y		BRU, BTV, EVENTS		
		Porcine animals	Animals for further keeping ⁽¹⁾ and intended for slaughter	SUI-X, SUI-Y		ADV		
		Camelid animals	Animals for further keeping ⁽¹⁾	CAM-CER		BTV		
		Cervid animals	Animals for further keeping ⁽¹⁾	CAM-CER		BTV		
		Other ungulates	Animals for further keeping ⁽¹⁾	RUM, RHINO, HIPPO		BTV ⁽²⁾		

⁽¹⁾ OV/CAP-X-NI only applies for the entry into Northern Ireland of ovine and caprine animals from Great Britain until 31 December 2024 in accordance with Article 14, point (m), of Commission Implementing Regulation (EU) 2021/403.’

DECISIONS

COUNCIL DECISION (CFSP) 2022/251

of 21 February 2022

amending Decision (CFSP) 2018/907 extending the mandate of the European Union Special Representative for the South Caucasus and the crisis in Georgia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 33 and Article 31(2) thereof,

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

Whereas:

- (1) On 7 July 2003, the Council agreed to appoint a European Union Special Representative (EUSR) for the South Caucasus.
- (2) On 13 November 2017, the Council adopted Decision (CFSP) 2017/2071 ⁽¹⁾ appointing Mr Toivo KLAAR as the EUSR for the South Caucasus and the crisis in Georgia. The EUSR's mandate has been successively extended, most recently by Council Decision (CFSP) 2021/285 ⁽²⁾, and is due to expire on 28 February 2022.
- (3) The EUSR's mandate should be extended for a further period of six months, and a new financial reference amount for the period from 1 March 2022 to 31 August 2022 should be established.
- (4) The EUSR will implement the mandate in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2018/907 is amended as follows:

- (1) Article 1 is replaced by the following:

'Article 1

European Union Special Representative

The mandate of Toivo KLAAR as the European Union Special Representative (EUSR) for the South Caucasus and the crisis in Georgia (South Caucasus) is extended until 31 August 2022. The Council may decide that the mandate of the EUSR be terminated earlier, based on an assessment by the Political and Security Committee (PSC) and a proposal from the High Representative of the Union for Foreign Affairs and Security Policy (HR).';

⁽¹⁾ Council Decision (CFSP) 2017/2071 of 13 November 2017 appointing the European Union Special Representative for the South Caucasus and the crisis in Georgia (OJ L 295, 14.11.2017, p. 55).

⁽²⁾ Council Decision (CFSP) 2021/285 of 22 February 2021 amending Decision (CFSP) 2018/907 extending the mandate of the European Union Special Representative for the South Caucasus and the crisis in Georgia (OJ L 62, 23.2.2021, p. 51).

(2) in Article 5(1), the following subparagraph is added:

‘The financial reference amount intended to cover the expenditure related to the EUSR’s mandate for the period from 1 March 2022 to 31 August 2022 shall be EUR 1 462 000.’;

(3) in Article 14, first paragraph, the second sentence is replaced by the following:

‘The EUSR shall present the Council, the HR and the Commission with regular progress reports and a final comprehensive mandate implementation report by 31 May 2022.’.

Article 2

Entry into force

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

Done at Brussels, 21 February 2022.

For the Council

The President

J. BORRELL FONTELLES

COMMISSION IMPLEMENTING DECISION (EU) 2022/252**of 21 February 2022****amending Implementing Decision (EU) 2020/1167 in order to specify the testing requirements to be applied to a 48 Volt efficient motor generator integrated in the transmission housing and combined with a 48 Volt/12 Volt DC/DC converter****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO₂ emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 ⁽¹⁾, and, in particular, Article 11(4) thereof,

Whereas:

- (1) On 24 May 2021, the supplier ZF Friedrichshafen AG ('the Applicant') submitted an application for the approval, as an innovative technology, of a technology used in a 48 Volt efficient motor-generator with a 48 Volt/12 Volt DC/DC converter for use in certain not-off vehicle charging hybrid electric passenger cars and light commercial vehicles (NOVC-HEVs).
- (2) The technology used in 48 Volt efficient motor-generators with a 48 Volt/12 Volt DC/DC converter for use in the same type of NOVC-HEVs as referred to by the Applicant, has been approved as an innovative technology pursuant to Regulation (EU) 2019/631 by Commission Implementing Decision (EU) 2020/1167 ⁽²⁾.
- (3) The technology specified by the Applicant in its application is a motor-generator that is directly connected to the transmission input shaft, i.e. an 'integrated starter generator', which allows reducing the mechanical losses occurring between the drive source and the generator. It operates only in the engine speed range of the internal combustion engine.
- (4) The technology specified by the Applicant has been found to deliver a high level of efficiency, and should be considered providing the same functionality as that approved by Implementing Decision (EU) 2020/1167. It should therefore be considered as an innovative technology to which the eco-innovation code 32 can be applied.
- (5) The testing methodology set out in Implementing Decision (EU) 2020/1167 is applicable, except for the rotational frequencies and frequencies of the operating points to be used for the measurement of the motor-generator efficiency, which need to be adapted in view of the specific technical characteristics of the technology specified by the Applicant.
- (6) The testing methodology set out in the Annex to Implementing Decision (EU) 2020/1167 should therefore be modified accordingly,

⁽¹⁾ OJ L 111, 25.4.2019, p. 13.

⁽²⁾ Commission Implementing Decision (EU) 2020/1167 of 6 August 2020 on the approval of the technology used in a 48 Volt efficient motor-generator combined with a 48 Volt/12 Volt DC/DC converter for use in conventional combustion engine and certain hybrid electric passenger cars and light commercial vehicles as an innovative technology pursuant to Regulation (EU) 2019/631 of the European Parliament and of the Council (OJ L 258, 7.8.2020, p. 15).

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2020/1167 is amended in accordance with the Annex to this Decision.

Article 2

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

Done at Brussels, 21 February 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

The Annex to Implementing Decision (EU) 2020/1167 is amended as follows:

(1) point 2.1 is amended as follows:

(a) the second and third paragraphs are replaced by the following:

‘The manufacturer shall provide evidence to the type-approval authority that the frequency ranges of the 48V motor-generator are the same as or equivalent to those set out in Table 1 or Table 1a.

The efficiency of the 48V motor-generator shall be determined on the basis of measurements at each of the operating points listed in Table 1 or Table 1a.’

(b) the following is inserted as a fifth subparagraph:

‘Where the motor-generator is fitted in passenger cars or light commercial vehicles that meet the requirements set out in Article 1(a)(ii), and it is connected directly to the transmission input shaft, i.e. as an integrated starter generator, the rotational frequencies and frequencies of the operating points shall be set in accordance with Table 1a.’

(c) the following Table 1a is added after Table 1:

Table 1a

Operating points

Operating point i	Holding time [s]	Rotational frequency n_i [min ⁻¹]	Frequency of operating points h_i
1	1 200	950	0,30
2	1 200	1 250	0,50
3	600	1 550	0,16
4	300	1 850	0,04

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

RECOMMENDATION No 1/2022 OF THE EU-PLO JOINT COMMITTEE of 31 January 2022 approving the extension of the EU-PA Action Plan [2022/253]

THE EU-PLO JOINT COMMITTEE,

Having regard to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part ⁽¹⁾,

Whereas:

- (1) The Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part (the 'Interim Association Agreement') was signed on 24 February 1997 and entered into force on 1 July 1997.
- (2) Pursuant to Article 63 of the Interim Association Agreement, the Joint Committee has the power to take decisions and make appropriate recommendations.
- (3) Article 10 of the Rules of Procedure of the Joint Committee provides for the possibility of taking decisions by written procedure between sessions if both Parties so agree.
- (4) The extension of the EU-PA Action Plan for three years will give the Parties the opportunity to take forward their cooperation for the coming years, including through the possible negotiation of partnership priorities,

HAS ADOPTED THE FOLLOWING RECOMENDATION:

Article 1

The Joint Committee, acting by written procedure, recommends that the EU-PA Action Plan be extended for three years as of the date of the adoption of this Recommendation.

Article 2

This Recommendation shall take effect on the date of its adoption.

Done at Brussels, 31 January 2022.

For the EU-PLO Joint Committee
The Chairperson
Estephan SALAMEH

⁽¹⁾ OJ L 187, 16.7.1997, p. 3.

CORRIGENDA**Corrigendum to Directive (EU) 2018/2001 of the European Parliament and of the Council
of 11 December 2018 on the promotion of the use of energy from renewable sources**

(Official Journal of the European Union L 328 of 21 December 2018)

On page 139, Article 35(3):

for: ‘3. The power to adopt delegated acts referred to in the fifth subparagraph of Article 7(3) shall be conferred on the Commission for a period of two years from 24 December 2018.’,

read: ‘3. The power to adopt delegated acts referred to in the fifth subparagraph of Article 7(3) shall be conferred on the Commission until 31 December 2021.’.

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