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⁽¹⁾ Text with EEA relevance.

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2022/421**of 14 March 2022****amending Implementing Regulation (EU) 2015/1998 laying down detailed measures for the implementation of the common basic standards on aviation security***(Text with EEA relevance)*

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 272/2009 ⁽²⁾ supplements the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008.
- (2) Regulation (EC) No 272/2009 charges the Commission with the recognition of the equivalence of security standards of third countries, in accordance with the criteria set out in Part E of the Annex to that Regulation.
- (3) The Annex to Commission Implementing Regulation (EU) 2015/1998 ⁽³⁾ lists the third countries recognised as applying security standards equivalent to the common basic standards.
- (4) The Commission has verified that the Republic of Serbia, in regard to Belgrade Nikola Tesla Airport, satisfies the criteria set out in Part E of the Annex to Regulation (EC) No 272/2009, with regard to screening of passengers and cabin baggage, screening of hold baggage, cargo and mail and aircraft security.
- (5) The Commission has verified that the State of Israel, in regard to Ben Gurion International Airport, satisfies the criteria set out in Part E of the Annex to Regulation (EC) No 272/2009, with regard to aircraft security and screening of passengers and cabin baggage.

⁽¹⁾ OJ L 97, 9.4.2008, p. 72.

⁽²⁾ Commission Regulation (EC) No 272/2009 of 2 April 2009 supplementing the common basic standards on civil aviation security laid down in the Annex to Regulation (EC) No 300/2008 of the European Parliament and of the Council (OJ L 91, 3.4.2009, p. 7).

⁽³⁾ Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security (OJ L 299, 14.11.2015, p. 1).

- (6) Commission Implementing Regulation (EU) 2020/111 ⁽⁴⁾ amending Implementing Regulation (EU) 2015/1998 included both the Republic of Serbia, in regard to Belgrade Nikola Tesla Airport, and the State of Israel, in regard to Ben Gurion International Airport, in the relevant Attachments listing third countries recognised as applying security standards equivalent to the common basic standards.
- (7) Commission Implementing Regulation (EU) 2019/413 ⁽⁵⁾ amending Implementing Regulation (EU) 2015/1998 recognised the United Kingdom of Great Britain and Northern Ireland as applying security standards equivalent to the common basic standards. The annex to that Regulation consisted, inter alia, in the replacement of the entire content of Attachments 3-B, 4-B, 5-A and 6-F with new Attachments containing also the United Kingdom of Great Britain and Northern Ireland.
- (8) The application date of Implementing Regulation (EU) 2019/413 was established in Article 3, namely the date following that of which the Treaties would cease to apply to and in the United Kingdom of Great Britain and Northern Ireland pursuant to Article 50(3) of the Treaty on European Union. The delayed entry into application of Implementing Regulation (EU) 2019/413, on 1 January 2021, has resulted in the replacement from that day of Attachments 3-B, 4-B, 5-A and 6-F with attachments containing lists that do not reflect modifications occurred after the adoption of Implementing Regulation (EU) 2019/413, namely those introduced through Implementing Regulation (EU) 2020/111.
- (9) It is therefore necessary to re-establish the correct lists of third countries recognised as applying security standards equivalent to the common basic standards by adding those third countries that had been added through Implementing Regulation (EU) 2020/111.
- (10) Commission Implementing Regulation (EU) 2021/255 ⁽⁶⁾ amending Implementing Regulation (EU) 2015/1998 introduced a new road map for the progressive completion of the installation of standard 3 explosive detection systems (EDS) equipment for the screening of hold baggage at European airports, adding the necessary flexibility due to the COVID-19 pandemic. In elaborating such roadmap, a similar additional flexibility from 1 September 2021 was not granted, by mistake, to operators still using standard 2 EDS equipment for the screening of cargo and mail. The appropriate authorities should be given the possibility to allow a reasonable extension of the use of standard 2 EDS also to operators engaged in the screening of cargo and mail.
- (11) Experience gained with the implementation of Implementing Regulation (EU) 2015/1998 has shown the need for some amendments to the implementing modalities of certain common basic standards in the areas of EU aviation security validators and the progressive phase-out of single-view x-ray equipment respectively. The related provisions in the Annex need to be adjusted in order to improve legal clarity, standardize the common interpretation of the legislation and further ensure the best implementation of the common basic standards in aviation security.
- (12) Implementing Regulation (EU) 2015/1998 should therefore be amended accordingly.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 19 of Regulation (EC) No 300/2008,

⁽⁴⁾ Commission Implementing Regulation (EU) 2020/111 of 13 January 2020 amending Implementing Regulation (EU) 2015/1998 as regards the approval of civil aviation security equipment as well as third countries recognised as applying security standards equivalent to the common basic standards on civil aviation security (OJ L 21, 27.1.2020, p. 1).

⁽⁵⁾ Commission Implementing Regulation (EU) 2019/413 of 14 March 2019 amending Implementing Regulation (EU) 2015/1998 as regards third countries recognised as applying security standards equivalent to the common basic standards on civil aviation security (OJ L 73, 15.3.2019, p. 98).

⁽⁶⁾ Commission Implementing Regulation (EU) 2021/255 of 18 February 2021 amending Implementing Regulation (EU) 2015/1998 laying down detailed measures for the implementation of the common basic standards on aviation security (OJ L 58, 19.2.2021, p. 23).

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) 2015/1998 is amended in accordance with the Annex to this 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*.

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

Done at Brussels, 14 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

The Annex is amended as follows:

- (1) the list in Attachment 3-B of Chapter 3 is amended as follows:
 - (a) the following entry is inserted after the entry concerning Montenegro:
'Republic of Serbia, in regard to Belgrade Nikola Tesla Airport';
 - (b) the following entry is inserted after the entry concerning Republic of Singapore, in regard to Singapore Changi Airport:
'State of Israel, in regard to Ben Gurion International Airport';
 - (2) the list in Attachment 4-B of Chapter 4 is amended as follows:
 - (a) the following entry is inserted after the entry concerning Montenegro:
'Republic of Serbia, in regard to Belgrade Nikola Tesla Airport';
 - (b) the following entry is inserted after the entry concerning Republic of Singapore, in regard to Singapore Changi Airport:
'State of Israel, in regard to Ben Gurion International Airport';
 - (3) in the list in Attachment 5-A of Chapter 5, the following entry is inserted after the entry Montenegro:
'Republic of Serbia, in regard to Belgrade Nikola Tesla Airport';
 - (4) in the list 6-Fi in Attachment 6-F of Chapter 6, the following entry is inserted after the entry Montenegro:
'Republic of Serbia';
 - (5) letter (c) in point 11.6.4.1 is replaced by the following:
'(c) may not perform EU aviation security validations if it holds the status of aviation security validator under an equivalent scheme in place in a third country or an international organisation, unless the third country or international organisation grants reciprocal opportunities to EU aviation security validators within its scheme.';
 - (6) point 12.3.1 is replaced by the following:
'12.3.1 All equipment installed from 1 January 2023 at the latest, to be used in the Union for the screening of cargo and mail, as well as air carrier mail and air carrier materials subject to security controls in accordance with Chapter 6, shall be multi-view.

The appropriate authority, for objective reasons, may allow the use of single-view X-ray equipment installed before 1 January 2023 until the following dates:
 - (a) single-view X-ray equipment installed before 1 January 2016, until 31 December 2025 at the latest;
 - (b) single-view X-ray equipment installed from 1 January 2016, for a maximum period of 10 years from the date of its installation or at the latest until 31 December 2027, whichever is the earlier.
The appropriate authority shall inform the Commission where it applies the provisions of the second paragraph.';
 - (7) in point 12.4.2.4, the following sentence is added after the table:
'Additionally, the appropriate authority may allow the use of standard 2 EDS for the screening of cargo and mail as well as air carrier mail and air carrier materials subject to security controls in accordance with Chapter 6, until 1 September 2022 at the latest.'.
-

COMMISSION IMPLEMENTING REGULATION (EU) 2022/422**of 14 March 2022****laying down the technical specifications, measures and other requirements for the implementation of the decentralised IT system referred to in Regulation (EU) 2020/1783 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence) ⁽¹⁾, and in particular Article 25(1) thereof,

Whereas:

- (1) In order to establish the decentralised IT system for communication and exchange of documents for the purposes of taking evidence, it is necessary to define and adopt technical specifications, measures and other requirements for the implementation of that system.
- (2) There are tools that have been developed for the digital exchange of case related data, without replacing or requiring costly modifications to the existing IT systems already established in the Member States. The e-Justice Communication via On-line Data Exchange (e-CODEX) system is the main tool of this type developed to date.
- (3) The decentralised IT system should be comprised of the back-end systems of Member States and interoperable access points, through which they are interconnected. The access points of the decentralised IT system should be based on e-CODEX.
- (4) Once the decentralised IT system has been developed the steering committee will ensure the operation and maintenance of it. The steering committee should be established by the Commission in a separate act.
- (5) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽²⁾ and delivered an opinion on 24 January 2022.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters,

HAS ADOPTED THIS REGULATION:

*Article 1***Technical specifications of the decentralised IT system**

The technical specifications, measures and other requirements for the implementation of the decentralised IT system referred to in Article 25 of Regulation (EU) 2020/1783 shall be as set out in the Annex.

⁽¹⁾ OJ L 405, 2.12.2020, p. 1.

⁽²⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

*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 the Member States in accordance with the Treaties.

Done at Brussels, 14 March 2022.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX

Technical specifications, measures and other requirements of the decentralised IT system referred to in Article 1**1. Introduction**

The Taking of Evidence (ToE) exchange system is an e-CODEX based decentralised IT system that can carry out exchanges of documents and messages related to the taking of evidence between the different Member States in accordance with Regulation (EU) 2020/1783. The decentralised nature of the IT system would enable data exchanges exclusively between one Member State and another, without any of the Union institutions being involved in those exchanges.

2. Definitions

- 2.1. 'HyperText Transport Protocol Secure' or 'HTTPS' means encrypted communication and secure connection channels;
- 2.2. 'Portal' means the Reference Implementation solution or the National Back-end solution connected to the decentralised IT system;
- 2.3. 'Non-repudiation of origin' means the measures providing the proof of the integrity and proof of origin of the data through methods such as digital certification, public key infrastructure and digital signatures;
- 2.4. 'Non-repudiation of receipt' means the measures providing the proof of the receipt of the data to the originator by the intended recipient of the data through methods such as digital certification, public key infrastructure and digital signatures;
- 2.5. 'SOAP' means, as per the standards of World Wide Web Consortium, a messaging protocol specification for exchanging structured information in the implementation of web services in computer networks;
- 2.6. 'Web service' means a software system designed to support interoperable machine-to-machine interaction over a network; it has an interface described in a machine-processable format;
- 2.7. 'data exchange' means the exchange of messages and documents through the decentralised IT system.

3. Methods of communication by electronic means

The ToE exchange system shall use service-based methods of communication, such as Web-services or other reusable Digital Service Infrastructures for the purpose of exchanging messages and documents.

Specifically, it will use the e-CODEX infrastructure, which is comprised of two major components, the Connector and the Gateway.

The Connector is responsible for handling communication with the Reference Implementation solution or national implementations. It can process message exchange with the Gateway in both directions, trace messages and acknowledge them using standards such as ETSI-REM evidences, validate signatures of business documents, create a token that holds the outcome of the validation in PDF and XML format and create a container using standards such as ASIC-S where the business content of a message is packed and signed.

The Gateway is responsible for the exchange of messages and it is agnostic of the message content. It can send and receive messages to and from the Connector, validate header information, identify correct processing mode, sign and encrypt messages and transfer messages to other Gateways.

4. **Communication protocols**

The ToE exchange system shall use secure internet protocols, such as HTTPS for portal and decentralised IT system components communication and the standard communication protocols, such as SOAP, for the transmission of structured data and metadata.

Specifically, e-CODEX provides a strong information security by taking advantage of state of the art authentication and multilayer cryptographic protocol.

5. **Security standards**

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

- (a) measures to ensure confidentiality of information, including by using secure channels (HTTPS);
- (b) measures to ensure the integrity of data while being exchanged;
- (c) measures to ensure the non-repudiation of origin of the sender of information within ToE exchange system and the non-repudiation of receipt of information;
- (d) measures to ensure logging of security events in line with recognised international recommendations for information technology security standards;
- (e) measures to ensure the authentication and authorisation of any registered users and measures to verify the identity of systems connected to the ToE exchange system;
- (f) the ToE exchange system will be developed in accordance with the principle of data protection by design and by default.

6. **Availability of services**

- 6.1. The service time frame shall be 24 hours, 7 days a week, with a technical availability rate of the system of at least 98 % excluding scheduled maintenance.
 - 6.2. Member States shall notify the Commission of maintenance activities as follows:
 - (a) 5 working days in advance for maintenance operations that may cause an unavailability period of up to 4 hours;
 - (b) 10 working days in advance for maintenance operations that may cause an unavailability period of up to 12 hours;
 - (c) 30 working days in advance for maintenance operations, which may cause up to 6 days unavailability period per year.
 - 6.3. To the extent possible, during working days, maintenance operations shall be planned between 20:00h-7:00h CET.
 - 6.4. Where Member States have fixed weekly service windows, they shall inform the Commission of the time and day of the week when such fixed weekly windows are planned. Without prejudice to the obligations set out in point 6.2, if Member States' systems become unavailable during such a fixed window, Member States may choose not to notify the Commission on each occasion.
 - 6.5. In case of unexpected technical failure of the Member States' systems, Member States shall inform the Commission without delay of their system unavailability, and, if known, of the projected resuming of the service.
 - 6.6. In case of unexpected failure of the database of Competent Authorities, the Commission shall inform the Member States without delay of the unavailability, and if known, of the projected resuming of the service.
-

COMMISSION IMPLEMENTING REGULATION (EU) 2022/423**of 14 March 2022****laying down the technical specifications, measures and other requirements for the implementation of the decentralised IT system referred to in Regulation (EU) 2020/1784 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2020/1784 of the European Parliament and of the Council of 25 November 2020 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) ⁽¹⁾, and in particular Article 25(1) thereof,

Whereas:

- (1) In order to establish the decentralised IT system, it is necessary to define and adopt technical specifications, measures and other requirements for the implementation of that system.
- (2) There are tools that have been developed for the digital exchange of case related data, without replacing or requiring costly modifications to the existing IT systems already established in the Member States. The e-Justice Communication via On-line Data Exchange (e-CODEX) system is the main tool of this type developed to date.
- (3) The decentralised IT system should be comprised of the back-end systems of Member States and interoperable access points, through which they are interconnected. The access points of the decentralised IT system should be based on e-CODEX.
- (4) Once the decentralised IT system has been developed the steering committee will ensure the operation and maintenance of it. The steering committee should be established by the Commission in a separate act.
- (5) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽²⁾ and delivered an opinion on 24 January 2022.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters,

HAS ADOPTED THIS REGULATION:

Article 1

Technical specifications of the decentralised IT system

The technical specifications, measures and other requirements for the implementation of the decentralised IT system referred to in Article 25 of Regulation (EU) 2020/1784 shall be as set out in the Annex.

⁽¹⁾ OJ L 405, 2.12.2020, p. 40.

⁽²⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

*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 the Member States in accordance with the Treaties.

Done at Brussels, 14 March 2022.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX

Technical specifications, measures and other requirements of the decentralised IT system referred to in article 1**1. Introduction**

The Service of Documents (SoD) exchange system is an e-CODEX based decentralised IT system that can carry out exchanges of documents and data related to the service of documents between the different Member States in accordance with Regulation (EU) 2020/1784. The decentralised nature of the IT system would enable data exchanges exclusively between one Member State and another, without any of the Union institutions being involved in those exchanges.

2. Definitions

- 2.1. 'HyperText Transport Protocol Secure' or 'HTTPS' means encrypted communication and secure connection channels;
- 2.2. 'Portal' means the Reference Implementation solution or the National Back-end solution connected to the decentralised IT system;
- 2.3. 'Non-repudiation of origin' means the measures providing the proof of the integrity and proof of origin of the data through methods such as digital certification, public key infrastructure and digital signatures;
- 2.4. 'Non-repudiation of receipt' means the measures providing the proof of the receipt of the data to the originator by the intended recipient of the data through methods such as digital certification, public key infrastructure and digital signatures;
- 2.5. 'SOAP' means, as per the standards of World Wide Web Consortium, a messaging protocol specification for exchanging structured information in the implementation of web services in computer networks;
- 2.6. 'Web service' means a software system designed to support interoperable machine-to-machine interaction over a network; it has an interface described in a machine-processable format;
- 2.7. 'data exchange' means the exchange of messages and documents through the decentralised IT system.

3. Methods of communication by electronic means

The SoD exchange system shall use service-based methods of communication, such as Web-services or other reusable Digital Service Infrastructures for the purpose of exchanging messages and documents.

Specifically, it will use the e-CODEX infrastructure, which is comprised of two major components, the Connector and the Gateway.

The Connector is responsible for handling communication with the Reference Implementation solution or national implementations. It can process message exchange with the Gateway in both directions, trace messages and acknowledge them using standards such as ETSI-REM evidences, validate signatures of business documents, create a token that holds the outcome of the validation in PDF and XML format and create a container using standards such as ASIC-S where the business content of a message is packed and signed.

The Gateway is responsible for the exchange of messages and it is agnostic of the message content. It can send and receive messages to and from the Connector, validate header information, identify correct processing mode, sign and encrypt messages and transfer messages to other Gateways.

4. **Communication protocols**

The SoD exchange system shall use secure internet protocols, such as HTTPS for portal and decentralised IT system components communication and the standard communication protocols, such as SOAP, for the transmission of structured data and metadata.

Specifically, e-CODEX provides a strong information security by taking advantage of state of the art authentication and multilayer cryptographic protocol.

5. **Security standards**

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

- (a) measures to ensure confidentiality of information, including by using secure channels (HTTPS);
- (b) measures to ensure the integrity of data while being exchanged;
- (c) measures to ensure the non-repudiation of origin of the sender of information within SoD exchange system and the non-repudiation of receipt of information;
- (d) measures to ensure logging of security events in line with recognised international recommendations for information technology security standards;
- (e) measures to ensure the authentication and authorisation of any registered users and measures to verify the identity of systems connected to the SoD exchange system;
- (f) the SoD exchange system will be developed in accordance with the principle of data protection by design and by default.

6. **Availability of services**

6.1. The service time frame shall be 24 hours, 7 days a week, with a technical availability rate of the system of at least 98 % excluding scheduled maintenance.

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

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

6.3. To the extent possible, during working days, maintenance operations shall be planned between 20:00h-7:00h CET.

6.4. Where Member States have fixed weekly service windows, they shall inform the Commission of the time and day of the week when such fixed weekly windows are planned. Without prejudice to the obligations set out in point 6.2, if Member States' systems become unavailable during such a fixed window, Member States may choose not to notify the Commission on each occasion.

- 6.5. In case of unexpected technical failure of the Member States' systems, Member States shall inform the Commission without delay of their system unavailability, and, if known, of the projected resuming of the service.
- 6.6. In case of unexpected failure of the database of Competent Authorities, the Commission shall inform the Member States without delay of the unavailability, and if known, of the projected resuming of the service.
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COMMISSION IMPLEMENTING REGULATION (EU) 2022/424
of 14 March 2022

amending and correcting Annexes I, IV, XV, XVI, XVII and XXI to Implementing Regulation (EU) 2021/404 as regards the lists of third countries, territories or zones or compartments thereof authorised for the entry into the Union of equine animals, meat products, milk, colostrum, colostrum-based products and dairy products, casings and aquatic animals

(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 Article 230(1) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down, inter alia, the animal health requirements for the entry into the Union of consignments of animals, germinal products and products of animal origin, and it applies from 21 April 2021. One of those animal health requirements is that those consignments must come from a third country, territory or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ supplements Regulation (EU) 2016/429 as regards the animal health requirements for the entry into the Union of consignments of certain species and categories of animals, germinal products and products of animal origin from third countries, territories or zones or compartments thereof. Delegated Regulation (EU) 2020/692 provides that consignments of animals, germinal products and products of animal origin falling within its scope may only be permitted to enter into the Union if they come from a third country, territory or zone or compartment thereof, listed for the particular species and categories of animals, germinal products and products of animal origin, in accordance with the animal health requirements laid down in that Delegated Regulation.
- (3) Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ establishes the lists of third countries, territories or zones or compartments thereof, from which the entry into the Union of those species and categories of animals, germinal products and products of animal origin, that fall within the scope of Delegated Regulation (EU) 2020/692, is permitted. The lists and certain general rules concerning the lists are set out in Annexes I to XXII to that Implementing Regulation.
- (4) Annex IV to Implementing Regulation (EU) 2021/404 sets out the list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of equine animals. The erroneous reference in the title of column 2 of that list should be corrected. Annex IV to Implementing Regulation (EU) 2021/404 should therefore be corrected accordingly.

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

- (5) Section A of Part 1 of Annex XV to Implementing Regulation (EU) 2021/404 sets out the list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of meat products from ungulates, poultry and game birds. In the fifth column of that list, the entry for Serbia as regards porcine animals, should reflect the risk-mitigating treatments B or C referred to in Article 1, point (a), of Commission Implementing Decision (EU) 2019/1351 ⁽⁴⁾, which applied until 31 December 2021, and which are now set out in Annex XXVI to Delegated Regulation (EU) 2020/692. That entry for Serbia should be corrected, and Annex XV to Implementing Regulation (EU) 2021/404 should therefore be corrected accordingly.
- (6) Annex XVI to Implementing Regulation (EU) 2021/404 sets out the list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of casings. Mongolia submitted to the Commission its response to a questionnaire concerning the entry into the Union of consignments of casings from that third country in terms of animal and public health. Mongolia has also provided sufficient evidence and guarantees to the Commission to be included in that list which should therefore be amended to include that third country. Annex XVI to Implementing Regulation (EU) 2021/404 should therefore be amended accordingly.
- (7) Annex XVII to Implementing Regulation (EU) 2021/404 sets out a list of third countries, territories or zones thereof authorised for the entry into the Union of milk, colostrum, colostrum-based products, dairy products derived from raw milk and dairy products not subject to a specific risk-mitigating treatment against foot-and-mouth disease. That list should take account of the list of third countries or parts thereof authorised for the introduction into the European Union of consignments of raw milk, dairy products, colostrum and colostrum-based products and indicating the type of heat treatment required for such commodities set out in Annex I to Commission Regulation (EU) No 605/2010 ⁽⁵⁾, as Regulation (EU) No 605/2010 was repealed and replaced by Implementing Regulation (EU) 2021/404. Annex XVII to Implementing Regulation (EU) 2021/404 should therefore be corrected to include an entry for the Isle of Man, which was listed in Annex I to Regulation (EU) No 605/2010.
- (8) Annex XXI to Implementing Regulation (EU) 2021/404 sets out the list of third countries or territories or zones or compartments thereof from which the entry into the Union of consignments of live aquatic animals of listed species is authorised. That Annex should be corrected by reinserting Parts 2, 3 and 4 as applicable before the amendments made to Annex XXI to Implementing Regulation (EU) 2021/404, by Commission Implementing Regulation (EU) 2021/1937 ⁽⁶⁾, and unintentionally deleted by that Implementing Regulation. Annex XXI to Implementing Regulation (EU) 2021/404 should therefore be corrected accordingly.
- (9) Implementing Regulation (EU) 2021/404 should therefore be amended and corrected accordingly.
- (10) As Implementing Regulation (EU) 2021/404 applies from 21 April 2021, in the interest of legal certainty, the amendments and corrections to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.

⁽⁴⁾ Commission Implementing Decision (EU) 2019/1351 of 19 August 2019 setting up special conditions in respect of imports into and transit through the Union of meat products and treated stomachs, bladders and intestines derived from porcine animals originating in the Republic of Serbia following the occurrence of African swine fever in that country and amending Implementing Decision 2013/426/EU (OJ L 216, 20.8.2019, p. 1).

⁽⁵⁾ Commission Regulation (EU) No 605/2010 of 2 July 2010 laying down animal and public health and veterinary certification conditions for the introduction into the European Union of raw milk, dairy products, colostrum and colostrum-based products intended for human consumption (OJ L 175, 10.7.2010, p. 1).

⁽⁶⁾ Commission Implementing Regulation (EU) 2021/1937 of 9 November 2021 amending Implementing Regulation (EU) 2021/404 as regards the entry into the Union of consignments of molluscs and crustaceans intended to be kept for ornamental purposes in closed facilities and laying down the list of third countries or territories, or the zones or compartments thereof from which the entry into the Union of such consignments is authorised (OJ L 396, 10.11.2021, p. 36).

- (11) 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 I, IV, XV, XVI, XVII and XXI to Implementing Regulation (EU) 2021/404 are amended and corrected 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, 14 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

Annexes I, IV, XV, XVI, XVII and XXI to Implementing Regulation (EU) 2021/404 are amended and corrected as follows:

(1) in Annex I, point 10 is replaced by the following:

‘(10) When reference to Serbia is made, the territory of Kosovo (*) is not included.

(*) This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.’;

(2) in Annex IV, in Part 1, the titles of the table are replaced by the following:

ISO code and name of the third country or territory	Zone as set out in Part 2	Sanitary group	Categories permitted to enter the Union	Animal health certificates	Specific conditions as set out in Part 3	Animal health guarantees as set out in Part 4	Closing date	Opening date
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(3) in Annex XV, in Part 1, in Section A, the entry for Serbia is replaced by the following:

RS Serbia	RS-0	A	A	B or C	A	D	D	D	D	D	Not authorised	MPNT⁽¹⁾ MPST	
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(4) in Annex XVI, in Part 1, the following entry for Mongolia is inserted between the entry for Morocco and the entry for New Zealand:

MN Mongolia	MN-0	Ungulates and poultry	CAS		
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(5) in Annex XVII, in Part 1, the following entry for the Isle of Man is inserted between the entry for Greenland and the entry for Jersey:

IM Isle of Man	IM-0	Ungulates	MILK-RM, MILK-RMP/NT, COLOSTRUM, COLOSTRUM-BP, DAIRY-PRODUCTS-PT				
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(6) in Annex XXI, the following Parts 2, 3 and 4 are added after Part 1:

PART 2

Descriptions of zones or compartments of third countries or territories referred to in column 2 of the table set out in Part 1

Name of the third country or territory	Code of the zone/compartiment	Description of the zone
Canada	CA-1	British Columbia
	CA-2	Alberta
	CA-3	Saskatchewan
	CA-4	Manitoba
	CA-5	New Brunswick
	CA-6	Nova Scotia
	CA-7	Prince Edward Island
	CA-8	Newfoundland and Labrador
	CA-9	Yukon
	CA-10	Northwest territories
	CA-11	Nunavut
	CA-12	Quebec
Malaysia	MY-1	Peninsular, Western Malaysia
United States	US-1	Whole country except the following States: New York, Ohio, Illinois, Michigan, Indiana, Wisconsin, Minnesota and Pennsylvania
	US-2	Humboldt Bay (California)
	US-3	Netarts Bay (Oregon)
	US-4	Wilapa Bay, Totten Inlet, Oakland Bay, Quilcence Bay and Dabob Bay (Washington)
	US-5	NELHA (Hawai)

PART 3

Specific conditions referred to in column 7 of the table set out in Part 1

A	Aquatic animals and products of animal origin from aquatic animals other than live aquatic animals to which Part II.2.4. of model official certificate FISH-CRUST-HC applies, must originate from a third country or territory, or zone or compartment thereof listed in this Annex, Part 1, column 2. In all cases, this shall apply without prejudice to Commission Implementing Regulation (EU) 2021/405 (*)
B	Aquatic animals and products of animal origin from aquatic animals other than live aquatic animals, to which Part II.2.4 of model official certificate MOL-HC applies, must originate from a third country or territory, or zone or compartment thereof listed in this Annex, Part 1, column 2. In all cases, this shall apply without prejudice to Implementing Regulation (EU) 2021/405 This official certificate may only be used for the entry into the Union of consignments of live aquatic animals intended for human consumption that comply with the health standards for live bivalve molluscs laid down in Annex III, Section VII, Chapter V, to Regulation (EC) No 853/2004 of the European Parliament and of the Council (**), and the food safety criteria laid down in Annex I, Chapter 1, points 1.17 and 1.25, to Commission Regulation (EC) No 2073/2005 (***)
(*) 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). (**) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55). (***) Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1).	

PART 4

Animal health guarantees referred to in column 8 of the table set out in Part 1

None'.

COMMISSION IMPLEMENTING REGULATION (EU) 2022/425**of 14 March 2022****amending Implementing Regulation (EU) 2019/947 as regards postponing the transition dates for the use of certain unmanned aircraft systems in the ‘open’ category and the date of application for standard scenarios for operations executed in or beyond the visual line of sight****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 ⁽¹⁾, and in particular Article 57 thereof,

Whereas:

- (1) Pursuant to Article 20 of Commission Implementing Regulation (EU) 2019/947 ⁽²⁾, unmanned aircraft systems (‘UAS’) that do not comply with Commission Delegated Regulation (EU) 2019/945 ⁽³⁾ and which are not privately-built are allowed to continue to be used in the ‘open’ category under certain limited operational conditions, when they have been placed on the market before 1 January 2023. Pursuant to Article 22 of Implementing Regulation (EU) 2019/947, UAS that do not comply with the requirements of Parts 1 to 5 of the Annex to Delegated Regulation (EU) 2019/945 are allowed to be used in the ‘open’ category only under certain limited operational conditions for a transitional period ending on 1 January 2023.
- (2) Pursuant to Article 23(2) of Implementing Regulation (EU) 2019/947, as from 3 December 2023, Member States may only accept declarations made by UAS operators in accordance with Article 5(5) of that Implementing Regulation for an operation complying with one of the two standard scenarios, either in visual line of sight over a controlled ground area in a populated environment or beyond visual line of sight with Airspace Observers over a controlled ground area in a sparsely populated environment, set out in Appendix 1 to the Annex to that Implementing Regulation.
- (3) Some of the harmonised standards addressing the requirements applicable to UAS of classes C0 to C6 necessary to operate in the ‘open’ category or under the standard scenarios, as well as the direct remote identification practice not be available until mid-2023. Without those harmonised standards, UAS manufacturers would in practice be hindered from placing compliant UAS on the market before the end of the transitional period provided for by Article 22 of Implementing Regulation (EU) 2019/947.
- (4) It is therefore necessary to extend the dates provided for in Articles 20 and 22 of Implementing Regulation (EU) 2019/947 in order to ensure that the harmonised standards addressing the requirements applicable to UAS of classes C0 to C6 are available to UAS producers and operators before those periods expire. It is also necessary to postpone the date of application of the two standard scenarios set out in Appendix 1 to the Annex to that Implementing Regulation in order to ensure that those harmonised standards are available before Member States may accept declarations for operations compliant with those standard scenarios. Until then Member States should be able to accept declarations made by UAS operators in accordance with Article 5(5) of that Implementing Regulation, based on national standard scenarios or equivalent.

⁽¹⁾ OJ L 212, 22.8.2018, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (OJ L 152, 11.6.2019, p. 45).

⁽³⁾ Commission Delegated Regulation (EU) 2019/945 of 12 March 2019 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems (OJ L 152, 11.6.2019, p. 1).

- (5) The measures provided for in this Regulation are in accordance with the opinion of the committee established by Article 127 of Regulation (EU) 2018/1139,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2019/947 is amended as follows:

- (1) in Article 20, '1 January 2023' is replaced by '1 January 2024';
(2) in Article 22, the introductory wording is replaced by the following:

'Without prejudice to Article 20, the use of UAS in the 'open' category which do not comply with the requirements of Parts 1 to 5 of the Annex to Commission Delegated Regulation (EU) 2019/945 (*) shall be allowed for a transitional period ending on 31 December 2023, subject to the following conditions:

(*) Commission Delegated Regulation (EU) 2019/945 of 12 March 2019 on unmanned aircraft systems and on third-country operators of unmanned aircraft systems (OJ L 152, 11.6.2019, p. 1).';

- (3) in Article 23, paragraphs 2, 3 and 4 are replaced by the following:

2. Article 5(5) shall apply from 1 January 2024.

3. Points UAS.OPEN.060(2)(g) UAS.SPEC.050(1)(l)(i) of the Annex shall apply from 1 July 2022 and point UAS.SPEC.050(1)(l)(ii) of the Annex shall apply from 1 January 2024.

4. Without prejudice to Article 21(1), until 31 December 2023 Member States may accept declarations made by UAS operators in accordance with Article 5(5), based on national standard scenarios or equivalent, if those national scenarios meet the requirements of point UAS.SPEC.020 of the Annex.

Such declarations shall cease to be valid from 1 January 2026.'

Article 2

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

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

Done at Brussels, 14 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COUNCIL DECISION (EU) 2022/426

of 14 March 2022

authorising the opening of negotiations on a status agreement between the European Union and the Republic of Moldova on operational activities carried out by the European Border and Coast Guard Agency in the Republic of Moldova

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular points (b) and (d) of Article 77(2), point (c) of Article 79(2), and Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) There is a need to ensure complementarity with relevant European Union-funded programmes, in particular the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM) and “EU4Border Security”.
- (2) In circumstances requiring the deployment of border management teams from the standing corps of the European Border and Coast Guard to a third country where the members of the teams will exercise executive powers, Article 73(3) of Regulation (EU) 2019/1896 ⁽¹⁾ of the European Parliament and of the Council on the European Border and Coast Guard calls for a status agreement to be concluded by the Union with the third country concerned on the basis of Article 218 of the Treaty on the Functioning of the European Union.
- (3) Negotiations should be opened with a view to concluding an international agreement with the Republic of Moldova on actions carried out by the European Border and Coast Guard Agency in the territory of the Republic of Moldova.
- (4) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽²⁾. Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (5) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application,

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to negotiate, on behalf of the Union, an international agreement on actions carried out by the European Border and Coast Guard Agency in the territory of the Republic of Moldova.

⁽¹⁾ Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1).

⁽²⁾ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

Article 2

The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision, and in consultation with the relevant Working Party of the Council.

Article 3

This Decision is addressed to the Commission.

Done at Brussels, 14 March 2022.

For the Council
The President
É. BORNE

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