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Contents

I *Legislative acts*

REGULATIONS

- ★ **Regulation (EU) 2022/590 of the European Parliament and of the Council of 6 April 2022 amending Regulation (EC) No 138/2004 as regards regional economic accounts for agriculture ⁽¹⁾** 1

DECISIONS

- ★ **Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030** 22

II *Non-legislative acts*

REGULATIONS

- ★ **Council Implementing Regulation (EU) 2022/592 of 11 April 2022 implementing Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran** 37
- ★ **Commission Implementing Regulation (EU) 2022/593 of 1 March 2022 concerning the authorisation of litsea berry essential oil as a feed additive for certain animal species ⁽¹⁾** 44
- ★ **Commission Implementing Regulation (EU) 2022/594 of 8 April 2022 amending Regulation (EC) No 474/2006 as regards the list of air carriers banned from operating or subject to operational restrictions within the Union ⁽¹⁾** 49

⁽¹⁾ Text with EEA relevance.

EN

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

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Implementing Regulation (EU) 2022/595 of 11 April 2022 amending certain Regulations concerning restrictive measures and setting out a single list for the Annexes to those Regulations containing the contact details of Member States' competent authorities and the address for notifications to the European Commission	60
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DECISIONS

★ Council Decision (CFSP) 2022/596 of 11 April 2022 amending Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran	68
★ Council Decision (CFSP) 2022/597 of 11 April 2022 promoting the European network of independent non-proliferation and disarmament think tanks	75
★ Council Decision (EU) 2022/598 of 5 April 2022 on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement on the European Economic Area as regards the amendment of Protocol 4 on rules of origin to that Agreement, and repealing Decision (EU) 2020/2058 ⁽¹⁾	88
★ Commission Implementing Decision (EU) 2022/599 of 8 April 2022 on the recognition of the Biomass Biofuels Sustainability voluntary scheme (2BSVs) for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	173
★ Commission Implementing Decision (EU) 2022/600 of 8 April 2022 on the recognition of the 'Bonsucro EU' voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	176
★ Commission Implementing Decision (EU) 2022/601 of 8 April 2022 on the recognition of the 'Better Biomass' voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	179
★ Commission Implementing Decision (EU) 2022/602 of 8 April 2022 on the recognition of the 'International Sustainability & Carbon Certification – ISCC EU' voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	182
★ Commission Implementing Decision (EU) 2022/603 of 8 April 2022 on the recognition of the 'KZR INiG' scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	185

⁽¹⁾ Text with EEA relevance.

★ Commission Implementing Decision (EU) 2022/604 of 8 April 2022 on the recognition of the ‘Red Tractor Farm Assurance Crops and Sugar Beet Scheme’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	188
★ Commission Implementing Decision (EU) 2022/605 of 8 April 2022 on the recognition of the ‘REDcert-EU’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	191
★ Commission Implementing Decision (EU) 2022/606 of 8 April 2022 on the recognition of the “Round Table on Responsible Soy with EU RED Requirements (RTRS EU RED)” voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	194
★ Commission Implementing Decision (EU) 2022/607 of 8 April 2022 on the recognition of the ‘Roundtable on Sustainable Biomaterials (RSB) EU RED’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	197
★ Commission Implementing Decision (EU) 2022/608 of 8 April 2022 on the recognition of the ‘Scottish Quality Crops Farm Assurance Scheme (SQC)’ for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	200
★ Commission Implementing Decision (EU) 2022/609 of 8 April 2022 on the recognition of the ‘SURE’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	203
★ Commission Implementing Decision (EU) 2022/610 of 8 April 2022 on the recognition of the ‘Trade Assurance Scheme for Combinable Crops (TASCC)’ for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	206
★ Commission Implementing Decision (EU) 2022/611 of 8 April 2022 on the recognition of the ‘Universal Feed Assurance Scheme (UFAS)’ for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels ⁽¹⁾	209

⁽¹⁾ Text with EEA relevance.

Corrigenda

- ★ to Council Regulation (EU) 2022/328 of 25 February 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 49, 25.2.2022) 212

- ★ Corrigendum to Commission Implementing Regulation (EU) 2022/558 of 6 April 2022 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain graphite electrode systems originating in the People's Republic of China (OJ L 108, 7.4.2022) 213

- ★ to Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014) 214

- ★ Corrigendum to Council Regulation (EU) No 692/2014 of 23 June 2014 concerning restrictions on the import into the Union of goods originating in Crimea or Sevastopol, in response to the illegal annexation of Crimea and Sevastopol (OJ L 183, 24.6.2014) 215

I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2022/590 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 6 April 2022****amending Regulation (EC) No 138/2004 as regards regional economic accounts for agriculture****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure ⁽¹⁾,

Whereas:

- (1) Regulation (EU) No 549/2013 of the European Parliament and the Council ⁽²⁾ sets up the European System of Accounts 2010 ('ESA 2010') and contains the reference framework of common standards, definitions, classifications and accounting rules for drawing up the accounts of the Member States for the statistical requirements of the Union.
- (2) Regulation (EC) No 138/2004 of the European Parliament and the Council ⁽³⁾ sets up the economic accounts for agriculture ('EAA') in the Union by providing for the methodology and the time-limits for the transmission of the agricultural accounts. The EAA are satellite accounts of national accounts, as provided for by ESA 2010, with the purpose of obtaining results that are harmonised and comparable between the Member States in order to draw up the accounts for the purposes of the Union. In 2016, the European Court of Auditors published a special report No 1/2016 entitled 'Is the Commission's system for performance measurement in relation to farmers' incomes well designed and based on sound data?'. That report includes sound and relevant observations and recommendations regarding EAA and Regulation (EC) No 138/2004.

⁽¹⁾ Position of the European Parliament of 8 March 2022 (not yet published in the Official Journal) and decision of the Council of 29 March 2022.

⁽²⁾ Regulation (EU) No 549/2013 of the European Parliament and the Council of 21 May 2013 on the European system of national and regional accounts in the European Union (OJ L 174, 26.6.2013, p. 1).

⁽³⁾ Regulation (EC) No 138/2004 of the European Parliament and of the Council of 5 December 2003 on the economic accounts for agriculture in the Community (OJ L 33, 5.2.2004, p. 1).

- (3) The regional economic accounts for agriculture ('REAA') are a regional-level adaptation of the EAA. National figures alone cannot reveal the full and sometimes complex picture of what is happening at a more detailed level. Therefore, regional-level data help to increase the understanding of the diversity that exists between regions, complement information for the Union, the euro area and individual Member States, while responding to the increased need for statistics for accountability, and increase the level of harmonisation, efficiency and consistency regarding Union agricultural statistics. The REAA therefore need to be integrated into Regulation (EC) No 138/2004 in terms of methodology and the transmission programme of data.
- (4) Statistics are no longer considered to be just one among many sources of information for policy-making purposes but instead play a central role in the decision-making process. Evidence-based decision-making requires statistics that meet high-quality criteria, as set out in Regulation (EC) No 223/2009 of the European Parliament and of the Council ⁽⁴⁾, in accordance with the purposes they are serving.
- (5) High-quality statistical regional-level data are a central tool for the implementation, monitoring, evaluation, review and assessment of the economic, environmental and social impact of policies related to agriculture in the Union, in particular the common agricultural policy ('CAP'), including rural development measures, the CAP's new delivery model and national Strategic Plans, as well as Union policies relating to, inter alia, the environment, climate change, biodiversity, the circular economy, land use, balanced and sustainable regional development, public health, animal welfare, food safety and security and the United Nations sustainable development goals. The REAA are also crucial for assessing accurately the contribution of the agricultural sector to the achievement of the European Green Deal, in particular the Farm to Fork Strategy and the Union biodiversity strategy. There is increasing recognition of the role of regions and regional data in the implementation of the CAP. Regions represent an important driver for jobs and sustainable economic growth in the Union and provide better data for assessing the sustainability of the agricultural sector for the environment, people, regions and the economy.
- (6) In accordance with Regulation (EC) No 1049/2001 of the European Parliament and of the Council ⁽⁵⁾, the public should be granted access to the data collected under this Regulation that have not been published.
- (7) Regulation (EC) No 223/2009 provides the legal framework for European statistics and requires Member States to comply with the statistical principles and quality criteria set out in that Regulation. Quality reports are essential for assessing, improving and communicating on the quality of European statistics. The European Statistical System Committee ('ESSC') has endorsed the single integrated metadata structure as the European Statistical System standard for quality reporting, thereby helping to satisfy, through uniform standards and harmonised methods, the statistical quality requirements laid down in Regulation (EC) No 223/2009, in particular those set out in Article 12(3) thereof. Resources should be used optimally and the response burden should be minimised.
- (8) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of the arrangements for, and the content of, the quality reports. Implementing powers should also be conferred on the Commission in respect of possible derogations from REAA requirements. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽⁶⁾.
- (9) The EAA provide important annual macroeconomic data to European policy-makers three times per year as provided for in Annex II to this Regulation. The current transmission deadline for the EAA second estimates, one of those three data transmissions to be carried out per year, does not provide much time after the end of the reference period to collect improved data compared to the data provided for the EAA first estimates. To improve the quality of the EAA second estimates, the relevant transmission deadline needs to be slightly postponed.

⁽⁴⁾ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

⁽⁵⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

⁽⁶⁾ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

- (10) Regulation (EC) No 138/2004 should therefore be amended accordingly.
- (11) Since the objective of this Regulation, namely the integration of REAA into the current legal framework for European statistics on EAA, cannot be sufficiently achieved by the Member States but can rather, for reasons of consistency and comparability, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (12) The ESSC has been consulted,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 138/2004 is amended as follows:

- (1) In Article 3, paragraph 2 is replaced by the following:

‘2. The first transmission of data shall take place in November 2003.

However, the first transmission of data for the regional economic accounts for agriculture (“REAA”) at NUTS 2 level within the meaning of Regulation (EC) No 1059/2003 of the European Parliament and of the Council (*) shall take place by 30 September 2023.

(*) Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).;’

- (2) The following Articles are inserted:

‘Article 3a

Dissemination of statistics

Without prejudice to Regulation (EC) No 1367/2006 of the European Parliament and of the Council (*) and Regulation (EC) No 223/2009, the Commission (Eurostat) shall disseminate the data transmitted to it in accordance with Article 3 of this Regulation online, free of charge.

Article 3b

Quality assessment

1. Member States shall take the measures necessary to ensure the quality of the data and metadata transmitted.
2. For the purpose of this Regulation, the quality criteria set out in Article 12(1) of Regulation (EC) No 223/2009 shall apply to the data to be transmitted in accordance with Article 3 of this Regulation.
3. The Commission (Eurostat) shall assess the quality of the data transmitted. For that purpose, Member States shall transmit a quality report to the Commission (Eurostat), for the first time by 31 December 2025, and every 5 years thereafter, for the data sets transmitted during the reporting period.
4. In applying the quality criteria set out in Article 12(1) of Regulation (EC) No 223/2009 to the data to be transmitted in accordance with Article 3 of this Regulation, the Commission shall, by means of implementing acts, define the modalities, structure and assessment indicators for the quality reports referred to in paragraph 3 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 4a(2) of this Regulation. They shall not impose a significant additional burden or cost on the Member States.

5. Member States shall provide the Commission (Eurostat) without delay with any relevant information or change with regard to the implementation of this Regulation that would, in any substantial way, influence the quality of the data transmitted.

6. Upon a duly justified request from the Commission (Eurostat), Member States shall, without delay, provide any additional clarification necessary to assess the quality of the statistical data.

(*) Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Union institutions and bodies (OJ L 264, 25.9.2006, p. 13).;

(3) The following Articles are inserted:

Article 4a

Committee procedure

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 4b

Derogations

1. Where the application of this Regulation would necessitate major adaptations in a national statistical system of a Member State as regards the implementation of Chapter VII of Annex I, and of the transmission programme of data for REAA as referred to in Annex II, the Commission may adopt implementing acts granting derogations to that Member State for a maximum duration of 2 years. The first date for transmission of the data for REAA shall, however, not in any event be later than 30 September 2025. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 4a(2).

2. The Member State that decides to apply for a derogation referred to in paragraph 1 shall submit a duly reasoned request for such a derogation to the Commission by 21 August 2022.

3. The Union may provide financial contributions from the general budget of the Union to the national statistical institutes and other national authorities referred to in Article 5(2) of Regulation (EC) No 223/2009 in order to cover the implementation costs of this Regulation when the setting up of REAA necessitates major adaptations in the national statistical system of a Member State.;

(4) Annex I is amended in accordance with Annex I to this Regulation;

(5) Annex II is replaced by the text set out in Annex II 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 Strasbourg, 6 April 2022.

For the European Parliament
The President
R. METSOLA

For the Council
The President
C. BEAUNE

ANNEX I

Annex I to Regulation (EC) No 138/2004 is amended as follows:

(1) In the 'Contents', the following chapter is added:

'VII. Regional economic accounts for agriculture ("REAA")

A. General principles

1. Introduction
2. Regional economy, regional territory
3. Basic unit in the compilation of the REAA
4. Methods of compiling the REAA
5. Concepts of residence and territory
6. Agricultural industry and characteristic units

B. Transactions in products

1. Output
2. Intermediate consumption
3. Gross capital formation

C. Distributive transactions and other flows

1. General rules
2. Value added
3. Consumption of fixed capital
4. Subsidies
5. Taxes
6. Compensation of employees
7. Net operating surplus
8. Interest, rents
9. Agricultural entrepreneurial income: general calculation rules

D. A brief look at implementation

1. Introduction
2. Defining regional agriculture
3. Measuring agricultural output
4. Inseparable non-agricultural secondary activities
5. Intermediate consumption';

(2) In point 1.27, the third indent is replaced by the following:

- by convention, they may not include production of GFCF of non-agricultural products (such as buildings or machines) for own account. That production of GFCF of non-agricultural products for own final use is presumed to be a separable activity and is recorded as the production of an identifiable local KAU. Accommodation services made available to employees as remuneration in kind must be treated in a similar manner (they are recorded as remuneration in kind in the generation of income account);

(3) Point 2.006 is replaced by the following:

‘2.006. In the EAA, prices shall be recorded either to the nearest whole number or correct to one or two decimal places, depending on the statistical reliability of the price data available. Relevant price information on input and output is necessary to compile the EAA.’;

(4) In point 2.108, point (g) is replaced by the following:

‘(g) remuneration for services contained in gross premiums of insurance taken out to provide the enterprise with coverage for risks such as the loss of livestock, damage by hail, frost, fire and gales. The remainder, i.e. the net premium, is the component of the gross premium paid which is available to insurance companies for settling claims.

An accurate breakdown of the gross premiums into the two components can only be done for the national economy as a whole, as is done for the national accounts. The allocation of the service component between production branches is generally done using adequate breakdown keys, in connection with the construction of input-output tables. Reference shall therefore be made to national accounts when completing that item in the EAA (for the recording of subsidies related to insurance services, see 3.063, footnote 1);’;

(5) In point 2.136, the third indent is replaced by the following:

‘— changes in classification or structure of fixed assets: e.g. changes in the economic purpose of agricultural land, dairy livestock intended for meat production (cf. 2.149, footnote 1) or agricultural buildings which have been altered for private or other economic use.’;

(6) The following chapter is added:

‘VII. REGIONAL ECONOMIC ACCOUNTS FOR AGRICULTURE (“REAA”)

A. GENERAL PRINCIPLES

1. Introduction

7.01. Regional accounts play an important role in the formulation, implementation and evaluation of regional policies. Objective, reliable, consistent, coherent, comparable, relevant and harmonised regional statistical indicators provide a firm foundation for policies aimed at reducing economic and social disparities between the regions of the Union.

7.02. The REAA are a regional-level adaptation of the EAA.

7.03. The REAA comprise the same set of accounts as the EAA, but conceptual and measurement problems result in a set of accounts for regions which are more limited in scope and detail than EAA at national level.

7.04. As regional accounts, the REAA shall be compiled on the basis of regional data collected directly, and of national data that have regional breakdowns based on assumptions. The lack of sufficiently complete, timely and reliable regional information requires assumptions in compiling regional accounts. That implies that some differences between regions are not necessarily reflected in regional accounts (ESA 2010, 13.08).

2. Regional economy, regional territory

7.05. Any compilation of regional accounts, whether they refer to industries or institutional sectors, needs a strict definition of the regional economy and regional territory. In theory, the agricultural industry in a region covers the units (agricultural holdings) engaged in agricultural activities (cf. 1.60 to 1.66) on the regional territory.

- 7.06. A regional economy of a country is part of the total economy of that country. The total economy is defined in terms of institutional units and sectors. It consists of all the institutional units that have a centre of predominant economic interest in the economic territory of a country. The economic territory does not coincide exactly with the geographic territory (cf. 7.08). The economic territory of a country is divided into regional territories and the extra-regio territory (ESA 2010, 13.09).
- 7.07. The regional territory, as defined in the ESA 2010, consists of that part of the economic territory of a country that is directly assigned to a region. Free zones, bonded warehouses and factories under customs control, are attached to the regions where they are located.
- 7.08. However, that division of territory is not totally consistent with the concept of national economic territory as used by the national accounts. The extra-regio territory is made up of parts of the economic territory of a country which cannot be attached directly to a single region, and which are excluded from the REAA, i.e.:
- (a) the national air-space, territorial waters and the continental shelf lying in international waters over which the country enjoys exclusive rights;
 - (b) territorial enclaves, i.e. geographic territories situated in the rest of the world and used, under international treaties or agreements between States, by general government agencies of the country (embassies, consulates, military bases, scientific bases, etc.);
 - (c) deposits of oil, natural gas etc. in international waters, outside the continental shelf of the country, worked by resident units.
- 7.09. The Nomenclature of Territorial Units for Statistics (NUTS) classification established by Regulation (EC) No 1059/2003 of the European Parliament and of the Council (*) provides a single, uniform breakdown of the economic territory of the Union. The REAA require statistics at NUTS 2 level as commonly established under the current arrangements under that Regulation. For national purposes, regional accounts may also be compiled at a more detailed regional level, namely at NUTS 3 level, where applicable (ESA 2010, 13.12).
3. Basic unit in the compilation of the REAA
- 7.10. The units used for the regional accounts by industry are local KAUs. The local KAU is the observable form of the production unit.
- 7.11. The statistical approach (industry) “makes do” with an observable unit even if that means deviating from the single activity. As with the 2008 SNA, the ESA 2010 prefers the statistical approach and advocates the local KAU for the compilation of national accounts by industry. They thus define the same unit for the industries whether those are covered at regional or national level.
- 7.12. Like the EAA, the REAA use the agricultural holding – “adapted” in line with certain conventions to comply with the objectives in question – as the basic unit for the agricultural industry. There are two crucial reasons for that choice. On the one hand, the agricultural holding unit is the local KAU for agriculture (cf. 1.09 to 1.17), defined as that part of a KAU which refers to the local level. The local KAU is also the most appropriate unit for the agricultural industry, even if it includes non-agricultural secondary activities, which cannot be shown separately from the agricultural activities (cf. 1.15 and 1.16, 1.25 to 1.32).
- 7.13. Using the agricultural holding as the basic unit means including the non-agricultural secondary activities of those agricultural holdings in the REAA (cf. 7.12). Since the purpose of the EAA is to measure, describe and analyse the formation of income from agricultural economic activity, it excludes units that produce solely a leisure activity (e.g. kitchen gardens and private livestock rearing). In contrast, units engaged in subsistence farming are included in the EAA (cf. 1.24).

- 7.14. The agricultural holding is the reference unit for statistical surveys relating to agriculture, whether those are national or regional. That has the advantage that evaluations of output in quantity terms may be based directly on the statistical systems for measuring areas, yields, herd sizes, etc. The choice of the agricultural holding also makes for better accounting consistency.
4. Methods of compiling the REAA
- 7.15. The ESA (ESA 2010, 13.24 to 13.32) proposes two methods, applying to either industries or institutional sectors: the bottom-up and the top-down methods. The bottom-up method consists of collecting the data at the level of the units (local KAUs, institutional units) and then summing them to obtain the regional value for the different aggregates. The top-down method reconstructs the regional values by breaking down the national figure, using an indicator that reflects as closely as possible the regional distribution of the variable in question. Those two methods may also be combined in various ways, combinations which the ESA refers to as a mixture of bottom-up and top-down methods. However, collecting the same information more than once, thus creating redundancy in the data reporting, shall be avoided. Yet priority is given to the bottom-up method, although it is realised that in many cases a mixture of bottom-up and top-down methods is actually used. Details of the specific method and sources shall be set out in full transparency in the quality reports, indicating which regional data have been collected directly and which data are based on national data with regional breakdowns based on assumptions.
5. Concepts of residence and territory
- 7.16. Economic transactions of both enterprises and households may cross regional boundaries. Enterprises may also operate in more than one region, either at permanent sites or on a temporary basis, e.g. big farms may undertake work in different regions. Therefore, a clear principle is needed to help Member States to consistently allocate that interregional activity to a region.
- 7.17. The regional accounts of the industries are based on the criterion of residence of the production unit. Each industry at a regional level refers to the group of local KAUs of the same or similar principal economic activity, which have their centre of economic interest in that regional territory. More often than not, that centre of interest is associated with a specific long-term location in the region, like the institutional units to which the local KAUs belong.
- 7.18. However, the regional accounts have a number of distinct features. For certain activities, it is not always easy to define the region as a specific area. The relationship between the location of the head office and the physical location of the agricultural holding can create a problem, as factors of agricultural production may be managed by a head office in another region. For the REAA, it is important to split the two entities, and for that reason an agricultural holding must be assigned to the region where its factors of production are situated and not to the region where its headquarters are located. One head office may therefore give rise to several units within the meaning of the REAA, i.e. to as many units as there are regions of residence for local KAUs that are away from the region of the head office.
- 7.19. An alternative concept, which is generally not applied in the national and regional accounts, would be strictly territorial. That concept implies that activities are allocated to the territory where they actually take place, regardless of the residence of the units involved in the activity.
- 7.20. Though the residential approach takes precedence for the regional allocation of transactions of resident units, ESA 2010 provides for some limited scope for the application of the territorial approach (ESA 2010, 13.21). That occurs where notional units are created for land and buildings in the region or country in which the land or buildings are located.
- 7.21. In the hypothetical case, where units resident in a region only have activities within their regional territory, the residence concept coincides with the territory concept. That is also the case for the regional allocation based on notional units created for land and buildings and for unincorporated enterprises in other countries or in regions that are different from the region of residence of the owner.

6. Agricultural industry and characteristic units

7.22. The industry consists of all the local KAUs, which carry out an identical or similar economic activity (cf. 1.59). The agricultural industry, as described in the EAA, corresponds, in principle, to Division 01 in NACE Revision 2, with differences shown in 1.62 to 1.66. The scope of the REAA is defined on the basis of the list of characteristic activities drawn up for the EAA. There are some differences between the agricultural industry in the EAA, and thus in the REAA, and the industry established for the central framework of the national accounts (cf. 1.93).

B. TRANSACTIONS IN PRODUCTS

7.23. Valuing agricultural output poses a number of specific problems. The most important relate to seasonal products, livestock production and the timing of the entries in the accounts. The EAA methodology puts forward precise rules governing how the effects of the storage of seasonal products shall be taken into account, how the output of livestock shall be measured and how products on which work is in progress must be recorded. Those principles shall be complied with when the REAA are compiled. However, that does not rule out certain adaptations at regional level, for example for livestock production. It should be stressed that the total of the regional valuation must be identical with the EAA valuations.

1. Output

(a) Measurement of output

7.24. In the REAA, output of a region represents all products within the scope of EAA produced over the accounting period in that region by all the units of the agricultural industry, whether they are intended for marketing outside the industry, for sale to other agricultural holdings or, in certain cases, for use by the same agricultural holding. Consequently:

- (a) any agricultural product leaving an agricultural holding in the region shall be recorded as part of the output of the region, irrespective of its destination or the unit buying it;
- (b) certain agricultural products used as intermediate consumption by the same agricultural holding shall be included in the output of the region (cf. 2.056).

7.25. The production process of livestock generally takes several years. When livestock is valued, a distinction must be made between animals classified as fixed assets (breeding and draught animals, dairy cows, etc.) and those classified as stocks (animals intended mainly for meat). Thus, in order to avoid double counting, transactions involving the movement of animals between agricultural holdings (which are taken to be positive sales for the agricultural holdings selling the livestock and negative sales for the purchasing agricultural holdings), are dealt with as set out below:

- (a) transactions between agricultural holdings in the same region involving animals classified as fixed assets cancel each other out, apart from the transfer of ownership costs (**); they are not entered as the agricultural holdings' sales and are therefore not included in the output of the region in question;
- (b) animals classified as stock and which are the subject of a transaction between regions are treated as positive sales (along with exports) for the region of origin and animals bought from other regions as negative sales (along with imports) (**);
- (c) when ownership transfer costs (transport, trade margins, etc.) relate to trade in animals classified as stock, they are deducted from output; that happens automatically when purchases from agricultural holdings in other regions are involved, since the costs are part of negative sales, whereas an adjustment must be made in sales, and thus in output, for trade in animals between agricultural holdings in the same region.

(b) Valuation of output

- 7.26. Output shall be valued at basic prices (cf. 2.082), i.e. including subsidies on products, less taxes on products. That method of calculation means that taxes and subsidies on products need to be broken down by region.

2. Intermediate consumption

(a) Definition

- 7.27. Intermediate consumption consists of the goods (other than fixed assets) and market services consumed during the production process to produce other goods (cf. 2.097 to 2.109).

- 7.28. When the REAA are compiled, intermediate consumption includes:

- (a) agricultural products purchased for consumption during the production process from other agricultural holdings (whether in the same region or in another region);
- (b) certain products used as intra-unit consumption and entered as output (cf. 2.054 to 2.058 and 7.24).

- 7.29. The particular case of FISIM is treated in regional accounts in the same way as in national accounts. If the estimation of stocks of loans and deposits is available by region, the bottom-up method can be used. However, usually estimates of stocks of loans and deposits are not available by region. Where that is the case, the allocation of FISIM to the user industry is made with a second-best method: regional gross output or gross value added by industry are used as distribution indicators (ESA 2010, 13.40).

(b) Valuation of intermediate consumption

- 7.30. All products and services used for intermediate consumption shall be valued at the purchaser price (excluding deductible VAT) (cf. 2.110 to 2.114).

3. Gross capital formation

- 7.31. Gross capital formation for agriculture is subdivided into:

- (a) GFCF;
- (b) changes in inventories.

(a) GFCF

- 7.32. There is fixed capital formation in agriculture whenever a holder acquires or produces fixed assets which are intended to be used for a period of more than 1 year as a means of production in the agricultural production process. The allocation criterion for the recording of GFCF refers to the user industries and not to the industry to which the legal owner belongs.

- 7.33. Fixed assets owned by a multiregional unit are allocated to the local KAUs where they are used. Fixed assets used under an operating lease are recorded in the region of the owner of the assets, and those used under a financial lease are recorded in the region of the user (ESA 2010, 13.33).

- 7.34. New assets being included in fixed capital are entered gross, i.e. without deducting the consumption of fixed capital. In addition, the consumption of fixed capital is generally calculated on those assets. Net capital formation is obtained by deducting the consumption of fixed assets from gross capital formation.

- 7.35. Production units can sell existing assets to each other, e.g. second-hand machinery. When assets move between industries and regions, the total price paid shall be included in the GFCF in one industry or region and the price received shall be deducted from GFCF in the other industry or region. Transaction costs of ownership of assets, such as legal fees on sales of land and existing buildings, are counted as additional GFCF by the acquirer, even if some of the costs are paid by the seller.

7.36. The GFCF for livestock of a region must be compiled in accordance with ESA 2010 (3.124 to 3.138) and 2.149 to 2.161 of this Annex. The GFCF for livestock is equivalent to the difference between livestock acquisitions over the year (natural growth and purchases outside the region including imports), including those resulting from own-account production, and livestock disposals (for slaughter, sales to other regions, including exports, or any other final use). When all the regions are aggregated, it is important to make sure that interregional flows cancel each other out (excluding ownership transfer costs) so that the sum of all the regional GFCFs is the same as the GFCF of the national agricultural accounts. When the bottom-up method is used, the following applies: sales of animals to agricultural holdings in other regions constitute negative GFCF whereas purchases from other regions are positive GFCF. For the calculation of GFCF for livestock of a region, the recommended indirect method may be used (cf. 2.156).

(b) Changes in inventories

7.37. Inventories comprise all the assets which are not part of fixed capital and which, at a given moment, are held temporarily by production units. A distinction is made between two types of inventories: input inventories and output inventories (cf. 2.171).

7.38. For animals classified as inventories, the trade to be taken into account in the calculation of changes in inventories includes sales to, and purchases from, other regions as well as imports and exports.

C. DISTRIBUTIVE TRANSACTIONS AND OTHER FLOWS

7.39. The practical difficulties of obtaining reliable regional information on distributive transactions in certain cases, in particular when units carry out activities in more than one region, or when the region is not always a clearly defined area in which certain activities are carried out, explain why the ESA covers the regional accounts of the agricultural industry only with respect to a few aggregates: value added, subsidies, taxes, compensation of employees, rents and other income, interest and GFCF.

1. General rules

7.40. The distributive transactions are recorded on an accrual basis, i.e. at the time an economic value, amount due or claim is created, transformed or cancelled or ceases to exist, and not when payment is actually made. That recording principle (based on rights and obligations) is applied to all flows, irrespective of whether they are monetary flows, or whether they occur between units or within a single unit.

7.41. However, when the date on which the claim (debt) is acquired cannot be determined precisely, the payment date or another acceptable approximation of the accrual basis may be used (cf. 3.007).

2. Value added

(a) General rules

7.42. Value added is the result of the production activity of an economy or of one of its industries during a given period, and it is the balancing item of the production account. It is the difference between the value of output and the value of intermediate consumption. It is a key item in measuring the productivity of an economy or industry (cf. 3.013) or a region or industry within a region.

(b) Valuation of value added

7.43. Value added may be entered gross (gross value added at basic prices) or net (net value added at basic prices), i.e. before or after the deduction of the consumption of fixed capital. In line with the method for valuing output (basic price) and intermediate consumption (purchaser prices), value added is measured at basic prices (cf. 3.013).

7.44. The use of basic prices means that the taxes on products and subsidies on products must be assigned to specific goods and services, which then have to be allocated among the regions.

7.45. By deducting other taxes on production from the value added at basic prices, and adding other subsidies on production, the value added at factor cost is obtained. Net value added at factor cost constitutes the income of the factors of production (cf. 3.014).

3. Consumption of fixed capital

7.46. In the REAA, goods and services which make up the agricultural holding's fixed capital (such as plantations yielding repeat products, machinery and buildings, major improvements to land, software, costs of ownership transfer of non-produced assets) suffer wear and tear and obsolescence as means of production in the production process. Such wear and tear and obsolescence are measured as the consumption of fixed capital. Similar to the EAA, the consumption of fixed capital shall not be calculated for productive animals.

4. Subsidies

7.47. The REAA apply the same rules as the EAA: flows that are classified as operating subsidies in the EAA are classified in the same way in the REAA, a similar treatment applying for flows in the form of capital transfers.

5. Taxes

7.48. The REAA apply the same rules as the EAA: the different kind of taxes are classified in the same way in REAA as they are classified in EAA.

6. Compensation of employees

7.49. For producers, compensation of employees is allocated to the local KAUs where the people are employed. Where those data are not available, compensation of employees is allocated as a second best method, based on the hours worked. If neither compensation of employees nor hours worked are available, the number of employees by local KAU is used (cf. ESA 2010, 13.42).

7. Net operating surplus

7.50. Net operating surplus is obtained from net value added at basic prices by deducting the compensation of employees and other taxes on production and by adding other subsidies on production.

8. Interest, rents

7.51. The REAA apply the same rules as the EAA: flows that are classified as interest, rents in the EAA are classified in the same way in the REAA.

9. Agricultural entrepreneurial income: general calculation rules

7.52. Directly payable property income arising from agricultural activities and non-agricultural secondary activities, i.e. interest paid on loans taken out in connection with those activities, including for the purchase of agricultural land, and rents paid to landowners, is deducted from operating surplus (cf. 3.070 to 3.087).

D. A BRIEF LOOK AT IMPLEMENTATION

1. Introduction

7.53. This section aims to highlight some aspects of the methodology, in particular the choice of agricultural holding and the measure of output.

7.54. The agricultural holding is the reference unit for statistical surveys on agriculture, at both national and sub-national level. That is a major advantage for the REAA because it means that the valuation of output quantities can be based directly on statistical systems for measuring land areas, yields, herd sizes etc. Choosing the agricultural holding also has the advantage of enabling accounts to be more consistent. Output and costs relate, in fact, to identical sets of units, even if the extrapolation methods vary from one source to another. Lastly, choosing the agricultural holding, together with the concepts of characteristic activities and units, avoids having to make adjustments that might be contentious, as could be the case for kitchen gardens and private non-holder livestock rearing. That convention makes it easier to make comparisons between countries. Indeed, the link with statistical data in physical quantities, which are crucial for agriculture and guarantee that measurements of accounting entries will be consistent because adjustments or “extra-statistical” corrections are thus restricted, obviously simplifies and improves the calculations. Those aspects are also consistent with the aim of giving priority to the bottom-up approach in the REAA.

2. Defining regional agriculture

7.55. For each region, the agricultural industry consists of all the agricultural holdings whose factors of production are located in the region. That principle, which is consistent with the concept of the residence of production units, may pose a few problems: agricultural statistics usually define the location of agricultural holdings according to their headquarters and not directly according to the location of the factors of production. Those two locations are not always the same and that phenomenon is likely to be more frequent as agricultural holdings get larger. When the REAA are compiled, therefore, some agricultural holdings shall be reclassified between regions and even, in some cases, split up. That is likely to be difficult in practice, in which case it may be preferable to keep the same location for the agricultural holdings as in the statistical surveys. That proposal, however, depends on two conditions: firstly, the method of defining the location must be identical for all the regions in the country and secondly, the accounting entries must all be valued from sources that use the same rules for defining the location of the agricultural holdings.

3. Measuring agricultural output

7.56. Agricultural output includes certain crop products that are used again by the same agricultural holding in the form of intermediate consumption; that concerns mainly products for animal feedingstuffs. For arable crops in particular, regional output may often be determined on the basis of the quantities harvested in each region, those then being given a value via prices. In that case, all output is valued, whether it is intended for marketing outside the industry, sale to other agricultural holdings or use by the same agricultural holding. The output of each region is thus obtained directly, in line with the concept adopted in the EAA and the REAA. The prices by which output forming intra-unit consumption is valued may also be based on regional data, corresponding to the prices at which output is marketed. However, the lack of regional price data poses a general problem when it comes to valuing output, both (regional) output which is marketed and output which forms intra-unit consumption. Thus the REAA valuation of products forming intra-unit consumption raises the same difficulties as the valuation of products that are marketed. Obviously, it is a different matter when the quantities cannot be valued at regional level. In that case, a top-down method based on national-level valuations is generally the only one that can be used (****).

7.57. As regards animals, whether they are classified as inventories or fixed capital, the following elements shall be taken into account:

- valuations at regional level of changes in inventories and in GFCF relating to animals, those two flows being components of the indirect method of calculating output;
- valuations of trade in animals between regions, that trade being a component of the indirect method of calculating output;
- the breakdown between regions of the import and export flows of animals;
- the appropriate treatment of ownership transfer costs;
- the method of adjusting the REAA against the EAA.

- 7.58. In certain cases, the indirect method of calculating animal output can be too difficult at regional level. In such cases, it is better to calculate output on the basis of a model using physical data and then adjust the values to those in the EAA.
4. Inseparable non-agricultural secondary activities
- 7.59. There are various ways of incorporating inseparable non-agricultural secondary activities into the REAA, depending on the type of activity. Some of those secondary activities are highly concentrated at regional level, for example agricultural product processing. In that case, output valuations of both quantities and prices can rely on local statistical data. For that output, the values in the EAA are de facto the same as those in the REAA. Other cases, however, may be more difficult. For example, there may be no regional source for some activities, especially if they are not concentrated in particular regions from the outset. For other activities, regional data are provided by statistical surveys or micro-economic accounts information (for example the farm accountancy data network ("FADN")) but there is no guarantee that those are regionally representative. Furthermore, data may be old with no sources available for reliable updating. Lastly, sometimes qualitative indicators are not available at regional level. In all those cases, the values of the EAA are the starting point for the REAA and the top-down method must often be used.
5. Intermediate consumption
- 7.60. Intermediate consumption in the REAA includes agricultural products used by agricultural holdings, whether those are directly traded between holders in the same region or different regions or change hands via intermediaries who may or may not become the owners of the products before they are resold. Moreover, some agricultural products of intra-unit consumption are also entered as intermediate consumption, essentially certain crops used as animal feed. Purchases of animals, even of animals that are imported, shall not be entered as intermediate consumption.
- 7.61. The first method of calculating the intermediate consumption of agricultural products at the regional level is to calculate the difference between the output of the REAA and that part of the output which is intended to leave the industry, on a product-by-product basis (****). However, it is not a totally accurate representation of the intermediate consumption of agricultural products in each region, because while agricultural products intended for intermediate consumption by agricultural holdings in other regions are included, agricultural products which come from agricultural holdings in other regions are not included. Intermediate consumption must, therefore, be adjusted in line with the values in the EAA.
- 7.62. Another calculation method is also possible, using the FADN as a source of information. That source enables the intermediate consumption of agricultural products to be valued, irrespective of whether they come from sales by other agricultural holdings or from other sources such as imports. However, the FADN does not cover in exactly the same way the products that are used as intermediate consumption by the same agricultural holding, and thus corrections are necessary. Similarly, therefore, intermediate consumption must be adjusted in line with the values in the EAA.

(*) Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 154, 21.6.2003, p. 1).

(**) As long as the corresponding sales and purchases fall in the same accounting period.

(***) The purchase of an animal is never to be recorded as intermediate consumption (basically, it is an acquisition of work in progress, cf. 2.067) and the calculation of animal output can only be calculated indirectly, on the basis of the sales, the GFCF and the stock changes.

(****) According to the method used, the intra-unit consumption shall be adjusted to the EAA values.

(*****) Imported agricultural products (except animals) are excluded.

ANNEX II

ANNEX II

TRANSMISSION PROGRAMME OF DATA

For each of the output items (items 01 to 18, including sub-items), the value at basic prices as well as its components (value at producer prices, subsidies on products and taxes on products) shall be transmitted.

The data for production account and for gross fixed capital formation ("GFCF") shall be transmitted at both current prices and the prices of the previous year.

All values shall be expressed in millions of units of the national currency. Labour input shall be expressed in 1 000 annual work units.

The data for regional economic accounts for agriculture ("REAA") shall be provided at NUTS 2 level and transmitted at current prices only.

1. Production account

		Transmission concerning reference year n			
		a	b	c	d
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)	September year n+2 (REAA data)
01	CEREALS (including seeds)	X	X	X	X
01.1	Wheat and spelt	X	X	X	X
01.1/1	Soft wheat and spelt	—	—	X	X
01.1/2	Durum wheat	—	—	X	X
01.2	Rye and meslin	X	X	X	X
01.3	Barley	X	X	X	X
01.4	Oats and summer cereal mixtures	X	X	X	X
01.5	Grain maize	X	X	X	X
01.6	Rice	X	X	X	X
01.7	Other cereals	X	X	X	X
02	INDUSTRIAL CROPS	X	X	X	X
02.1	Oil seeds and oleaginous fruits (including seeds)	X	X	X	X
02.1/1	Rape and turnip rape seed	—	—	X	X
02.1/2	Sunflower	—	—	X	X
02.1/3	Soya	—	—	X	X
02.1/4	Other oleaginous products	—	—	X	X
02.2	Protein crops (including seeds)	X	X	X	X
02.3	Raw tobacco	X	X	X	X
02.4	Sugar beet	X	X	X	X

		Transmission concerning reference year n			
		a	b	c	d
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)	September year n+2 (REAA data)
02.5	Other industrial crops	X	X	X	X
02.5/1	Fibre plants	—	—	X	—
02.5/2	Hops	—	—	X	—
02.5/3	Other industrial crops: others	—	—	X	—
03	FORAGE PLANTS	X	X	X	X
03.1	Fodder maize	—	—	X	X
03.2	Fodder root crops (including forage beet)	—	—	X	X
03.3	Other forage plants	—	—	X	X
04	VEGETABLES AND HORTICULTURAL PRODUCTS	X	X	X	X
04.1	Fresh vegetables	X	X	X	X
04.1/1	Cauliflower	—	—	X	—
04.1/2	Tomatoes	—	—	X	—
04.1/3	Other fresh vegetables	—	—	X	—
04.2	Plants and flowers	X	X	X	X
04.2/1	Nursery plants	—	—	X	—
04.2/2	Ornamental plants and flowers (including Christmas trees)	—	—	X	—
04.2/3	Plantations	—	—	X	—
05	POTATOES (including seeds)	X	X	X	X
06	FRUITS	X	X	X	X
06.1	Fresh fruit	X	X	X	X
06.1/1	Dessert apples	—	—	X	—
06.1/2	Dessert pears	—	—	X	—
06.1/3	Peaches	—	—	X	—
06.1/4	Other fresh fruit	—	—	X	—
06.2	Citrus fruits	X	X	X	X
06.2/1	Sweet oranges	—	—	X	—
06.2/2	Mandarins	—	—	X	—
06.2/3	Lemons	—	—	X	—
06.2/4	Other citrus fruits	—	—	X	—
06.3	Tropical fruit	X	X	X	X

		Transmission concerning reference year n			
		a	b	c	d
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)	September year n+2 (REAA data)
06.4	Grapes	X	X	X	X
06.4/1	Dessert grapes	—	—	X	—
06.4/2	Other grapes	—	—	X	—
06.5	Olives	X	X	X	X
06.5/1	Table olives	—	—	X	—
06.5/2	Other olives	—	—	X	—
07	WINE	X	X	X	X
07.1	Table wine	—	—	X	—
07.2	Quality wine	—	—	X	—
08	OLIVE OIL	X	X	X	X
09	OTHER CROP PRODUCTS	X	X	X	X
09.1	Vegetable materials used primarily for plaiting	—	—	X	—
09.2	Seeds	—	—	X	—
09.3	Other crop products: others	—	—	X	—
10	CROP OUTPUT (01 TO 09)	X	X	X	X
11	ANIMALS	X	X	X	X
11.1	Cattle	X	X	X	X
11.2	Pigs	X	X	X	X
11.3	Equines	X	X	X	X
11.4	Sheep and goats	X	X	X	X
11.5	Poultry	X	X	X	X
11.6	Other animals	X	X	X	X
12	ANIMAL PRODUCTS	X	X	X	X
12.1	Milk	X	X	X	X
12.2	Eggs	X	X	X	X
12.3	Other animal products	X	X	X	X
12.3/1	Raw wool	—	—	X	—
12.3/2	Silkworm cocoons	—	—	X	—
12.3/3	Other animal products: others	—	—	X	—
13	ANIMAL OUTPUT (11+12)	X	X	X	X
14	AGRICULTURAL GOODS OUTPUT (10+13)	X	X	X	X

		Transmission concerning reference year n			
		a	b	c	d
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)	September year n+2 (REAA data)
15	AGRICULTURAL SERVICES OUTPUT	X	X	X	X
15.1	Agricultural services	—	—	X	—
15.2	Renting of milk quota	—	—	X	—
16	AGRICULTURAL OUTPUT (14+15)	X	X	X	X
17	NON-AGRICULTURAL SECONDARY ACTIVITIES (INSEPARABLE)	X	X	X	X
17.1	Processing of agricultural products	X	X	X	X
17.2	Other inseparable secondary activities (goods and services)	X	X	X	X
18	OUTPUT OF THE AGRICULTURAL INDUSTRY (16+17)	X	X	X	X
19	TOTAL INTERMEDIATE CONSUMPTION	X	X	X	X
19.01	Seeds and planting inventory	X	X	X	X
19.02	Energy; lubricants	X	X	X	X
19.02/1	— electricity	—	—	X	—
19.02/2	— gas	—	—	X	—
19.02/3	— other fuels and propellants	—	—	X	—
19.02/4	— other	—	—	X	—
19.03	Fertilisers and soil improvers	X	X	X	X
19.04	Plant protection products and pesticides	X	X	X	X
19.05	Veterinary expenses	X	X	X	X
19.06	Animal feedingstuffs	X	X	X	X
19.06/1	— feedingstuffs supplied by other agricultural holdings	X	X	X	X
19.06/2	— feedingstuffs purchased from outside the agricultural industry	X	X	X	X
19.06/3	— feedingstuffs produced and consumed by the same agricultural holding	X	X	X	X
19.07	Maintenance of materials	X	X	X	X
19.08	Maintenance of buildings	X	X	X	X

		Transmission concerning reference year n			
		a	b	c	d
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)	September year n+2 (REAA data)
19.09	Agricultural services	X	X	X	X
19.10	Financial intermediation services indirectly measured (FISIM)	X	X	X	X
19.11	Other goods and services	X	X	X	X
20	GROSS VALUE ADDED AT BASIC PRICES (18-19)	X	X	X	X
21	FIXED CAPITAL CONSUMPTION	X	X	X	X
21.1	Equipment	—	—	X	—
21.2	Buildings	—	—	X	—
21.3	Plantations	—	—	X	—
21.4	Others	—	—	X	—
22	NET VALUE ADDED AT BASIC PRICES (20-21)	X	X	X	X

2. Generation of income account

		Transmission concerning reference year n			
		a	b	c	d
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)	September year n+2 (REAA data)
23	COMPENSATION OF EMPLOYEES	X	X	X	X
24	OTHER TAXES ON PRODUCTION	X	X	X	X
25	OTHER SUBSIDIES ON PRODUCTION	X	X	X	X
26	FACTOR INCOME (22-24+25)	X	X	X	X
27	OPERATING SURPLUS / MIXED INCOME (22-23-24+25)	X	X	X	X

3. Entrepreneurial income account

		Transmission concerning reference year n			
		a	b	c	d
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)	September year n+2 (REAA data)
28	RENTS AND OTHER REAL ESTATE RENTAL CHARGES TO BE PAID	X	X	X	X
29	INTEREST PAYABLE	X	X	X	X
30	INTEREST RECEIVABLE	X	X	X	X
31	ENTREPRENEURIAL INCOME (27-28-29+30)	X	X	X	X

4. Elements of the capital account

		Transmission concerning reference year n			
		a	b	c	d
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)	September year n+2 (REAA data)
32	GFCF IN AGRICULTURAL PRODUCTS	—	—	X	X
32.1	GFCF in plantations	—	—	X	—
32.2	GFCF in animals	—	—	X	—
33	GFCF IN NON-AGRICULTURAL PRODUCTS	—	—	X	X
33.1	GFCF in materials	—	—	X	—
33.2	GFCF in buildings	—	—	X	—
33.3	Other GFCF	—	—	X	—
34	GFCF (EXCLUDING DEDUCTIBLE VAT) (32+33)	—	—	X	X
35	NET FIXED CAPITAL FORMATION (EXCLUDING DEDUCTIBLE VAT) (34-21)	—	—	X	X
36	CHANGES IN INVENTORIES	—	—	X	X
37	CAPITAL TRANSFERS	—	—	X	X
37.1	Investment grants	—	—	X	—
37.2	Other capital transfers	—	—	X	—

5. Agricultural labour input

		Transmission concerning reference year n		
		a	b	c
Item	List of variables	November year n (EAA estimates)	March year n+1 (EAA estimates)	September year n+1 (EAA data)
38	TOTAL AGRICULTURAL LABOUR INPUT	X	X	X
38.1	Non-salaried agricultural labour input	X	X	X
38.2	Salaried agricultural labour input	X	X	X'

DECISIONS

DECISION (EU) 2022/591 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 6 April 2022 on a General Union Environment Action Programme to 2030

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(3) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the ordinary legislative procedure ⁽³⁾,

Whereas:

- (1) In accordance with Article 192(3) of the Treaty on the Functioning of the European Union (TFEU), successive general environment action programmes have guided the development and coordination of Union environment policy and provided the framework for Union action in the field of the environment and climate since 1973.
- (2) Decision No 1386/2013/EU of the European Parliament and of the Council ⁽⁴⁾ established the 7th Environment Action Programme (7th EAP). The 7th EAP sets out the Union's environmental agenda for the period up to 31 December 2020 as well as a long-term vision for 2050.
- (3) The Commission report of 15 May 2019 on the evaluation of the 7th EAP concluded that the 2050 vision and priority objectives were still valid; that the 7th EAP has helped to provide more predictable, faster and better-coordinated action in environment policy and that the structure and enabling framework of the 7th EAP have helped create synergies, thus making environment policy more effective and efficient. Moreover, it concluded that the 7th EAP anticipated the United Nations (UN) 2030 Agenda for Sustainable Development ('UN 2030 Agenda') by its insistence that economic growth and social well-being depend on a healthy natural resource base, facilitated delivering on the Sustainable Development Goals (SDGs), and enabled the Union to speak with one voice on the global stage on climate and environmental matters, but that progress related to nature protection, health and integrating environmental concerns into other policy areas was not sufficient. It also concluded that there could

⁽¹⁾ OJ C 123, 9.4.2021, p. 76.

⁽²⁾ OJ C 106, 26.3.2021, p. 44.

⁽³⁾ Position of the European Parliament of 10 March 2022 (not yet published in the Official Journal) and decision of the Council of 29 March 2022.

⁽⁴⁾ Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' (OJ L 354, 28.12.2013, p. 171).

have been more consideration of social issues in the 7th EAP, by building on the existing links between environment and social policy, as regards, for example, the impact on vulnerable groups, jobs, social inclusion and inequality. Moreover, the Commission report noted that, despite increasingly ambitious environmental targets in many policy domains, spending on environmental protection had remained constant in Europe over many years (approximately 2 % of GDP) and that the failure to implement environmental legislation costs the Union economy around EUR 55 000 000 000 each year in health costs and in direct costs to the environment. The Commission report noted that the 7th EAP's implementation could have been reinforced by a stronger monitoring mechanism.

- (4) According to the European Environment Agency (EEA) in its report 'The European environment – state and outlook 2020, Knowledge for transition to a sustainable Europe' ('SOER 2020'), there is a unique window of opportunity for the Union in the next decade to show global leadership on sustainability by tackling the urgent sustainability challenges that require systemic solutions. Systemic change entails a fundamental, transformative and cross-cutting form of change that implies major shifts and reorientation in system goals, incentives, technologies, social practices and norms, as well as in knowledge systems and governance approaches. As stated in SOER 2020, one of the most important factors underlying Europe's persistent environmental and sustainability challenges is that they are inextricably linked to economic activities and lifestyles, in particular the societal systems that provide Europeans with necessities such as food, energy and mobility. Ensuring policy coherence with, and full implementation of, existing environmental policies would take Europe a long way to achieving its environmental goals up to 2030 and achieving the UN 2030 Agenda and its SDGs.
- (5) The Commission responded to the challenges identified in SOER 2020 by adopting the communication of 11 December 2019 entitled 'The European Green Deal', a new growth strategy for the twin green and digital transition that aims to transform the Union into a fair and prosperous society, with a sustainable, competitive, climate-neutral and resource-efficient economy, and to protect, conserve and enhance the Union's natural capital whilst improving the quality of life of current and future generations. Swiftly achieving climate and environmental targets while protecting the health and well-being of people from environmental risks and impacts and ensuring a just and inclusive transition should be the priority. Regulation (EU) 2021/1119 of the European Parliament and of the Council ⁽⁵⁾ enshrines in law the Union target to achieve climate neutrality by 2050 at the latest.
- (6) In its resolution of 28 November 2019 on the climate and environment emergency, the European Parliament underlined that immediate and ambitious action is crucial and urged the Commission to take concrete action, including by ensuring that all relevant future legislative and budgetary proposals are fully aligned with the objective of limiting global warming to under 1,5 °C and that they are not contributing to biodiversity loss, and by addressing inconsistencies of current Union policies on the climate and environment emergency, in particular through a far-reaching reform of its agricultural, trade, transport, energy and infrastructure investment policies.
- (7) The European Green Deal underpins the Next Generation EU Recovery Plan, which promotes investment in sectors which are key for the green and digital transition, in order to build resilience and create growth and jobs in a fair and inclusive society. The Recovery and Resilience Facility, which will power the Union's economic recovery from the COVID-19 crisis, together with the Union budget for 2021-2027, is also based on the priority objectives set out in the European Green Deal. Furthermore, all initiatives under the Next Generation EU Recovery Plan are to respect, where applicable, the 'do no significant harm' principle as set out in Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council ⁽⁶⁾ (the 'Taxonomy Regulation'). The Next Generation EU Recovery Plan offers an important opportunity to accelerate the pace of transition towards climate neutrality and the protection of the environment.

⁽⁵⁾ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

⁽⁶⁾ Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).

- (8) The 7th EAP expired on 31 December 2020 and Article 4(3) thereof required the Commission, if appropriate, to present a proposal for an Eighth Environment Action Programme ('8th EAP') in a timely manner with a view to avoiding a gap between the 7th and the 8th EAP. In its communication on the European Green Deal, the Commission announced that the 8th EAP would include a new monitoring mechanism to ensure that the Union remains on track to meet its environmental objectives.
- (9) In accordance with Article 192(3) TFEU, the 8th EAP sets priority objectives to be attained. The measures necessary for the implementation of the 8th EAP are to be adopted under Article 192(1) or (2) TFEU.
- (10) The measures which implement the 8th EAP, such as initiatives, programmes, investments, projects and agreements, should take into consideration the 'do no significant harm' principle laid down in Article 17 of the Taxonomy Regulation.
- (11) The 8th EAP should support the objectives of the European Green Deal in line with the long-term objective to live well, within the planetary boundaries by 2050 at the latest, in line with what has been already established in the 7th EAP. The 8th EAP, as the overall Union Environment Action Programme running until 2030, goes beyond the European Green Deal. The priority objectives of the 8th EAP set out a direction for Union policymaking, building on, but not limited to, the commitments of the strategies and initiatives of the European Green Deal, such as the EU Biodiversity Strategy for 2030, the new Circular Economy Action Plan, the Chemicals Strategy for Sustainability and the Zero Pollution Action Plan.
- (12) The Paris Agreement adopted under the UN Framework Convention on Climate Change ⁽⁷⁾ (the 'Paris Agreement') aims to strengthen the global response to the threat of climate change, including by holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1,5 °C above pre-industrial levels, recognising that this would significantly reduce the risks and impacts of climate change.
- (13) The 8th EAP forms the basis for attaining the environment and climate-related objectives defined under the UN 2030 Agenda and its SDGs, and should be aligned with the goals of the Paris Agreement, the Rio Conventions and other relevant international agreements. The 8th EAP enables a systemic change to a Union economy that ensures well-being within planetary boundaries where growth is regenerative and should also ensure that the green transition is achieved in a just and inclusive way, whilst contributing to reducing inequalities. According to a model developed by the Stockholm Resilience Centre, the achievement of the environmental- and climate-related SDGs underpins the social and economic SDGs because our societies and economies depend on a healthy biosphere and because sustainable development can only take place within the safe operating space of a stable and resilient planet. Achievement of the SDGs by the Union and its support for third countries to do the same will be essential if the Union is to demonstrate global leadership in achieving sustainability transitions.
- (14) Action to achieve the Union's environmental and climate objectives needs to be carried out in line with the implementation of the European Pillar of Social Rights.
- (15) Pursuant to Article 191(2) TFEU, Union policy on the environment is to aim at a high level of protection, taking into account the diversity of situations in the various regions of the Union, and is to be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should, as a priority, be rectified at source, and that the polluter should pay.
- (16) The 8th EAP should accelerate the green transition, in a just and inclusive way, to a climate-neutral, sustainable, non-toxic, resource-efficient, renewable energy-based, resilient and competitive circular economy that gives back to the planet more than it takes. The green transition should take place in the context of a well-being economy where growth is regenerative and which enables systemic change, which recognises that the well-being and prosperity of our societies depend on a stable climate, a healthy environment and thriving ecosystems and which provides a safe operating space within planetary boundaries. As the global population and the demand for natural resources continue to grow, economic activity should develop in a sustainable way that does no harm but, on the contrary,

⁽⁷⁾ OJ L 282, 19.10.2016, p. 4.

reverses climate change, protects, restores and improves the state of the environment, including by halting and reversing biodiversity loss, prevents environmental degradation, protects health and well-being from negative environmental risks and impacts, prevents and minimises pollution, and results in the maintenance and enrichment of natural capital and the promotion of a sustainable bioeconomy, therefore ensuring an abundance of renewable and non-renewable resources. Through continuous research and innovation, transformation of production and consumption patterns, and adaptation to new challenges and co-creation, the well-being economy strengthens resilience and protects the well-being of present and future generations.

- (17) The 8th EAP should set out thematic priority objectives in areas of climate change mitigation, adaptation to climate change, protecting and restoring terrestrial and marine biodiversity, a non-toxic circular economy, a zero pollution environment and minimising environmental pressures from production and consumption across all sectors of the economy. Those thematic priority objectives, which address both drivers and impacts of environmental damage, are inherently interlinked. A systemic approach is therefore necessary for their attainment. The 8th EAP should furthermore identify the enabling conditions to achieve, in a coherent way, the long-term and the thematic priority objectives for all actors involved.
- (18) Impact assessments undertaken in the context of the 8th EAP should take into account the full range of immediate and long-term impacts on the environment and climate as part of an integrated analysis of economic, social and environmental impacts, including their cumulative effects, as well as the costs of action and inaction. Those impact assessments should be based on wide and transparent consultation. Within 8 weeks of closure of a public consultation, the Commission should present detailed feedback on stakeholder consultation responses, distinguishing between contributions from different types of stakeholders.
- (19) The transition to a well-being economy, where growth is regenerative, is embedded in the 8th EAP and enshrined in both the 2030 and 2050 priority objectives. To ensure that transition, it will be necessary for the Union to develop a more holistic approach to policymaking through, inter alia, the use of a summary dashboard that measures economic, social and environmental progress 'beyond GDP'. A summary indicator set, as part of the Union's efforts to implement the UN 2030 Agenda, would summarise the existing indicator and monitoring processes, whilst also providing information on distance to target, where possible, and ultimately serving as a political summary to guide policy-making. The development of such an indicator set is therefore included as an enabling condition in the 8th EAP.
- (20) The UN Environment Programme and the OECD Global Forum on Environment have highlighted that environmental changes have gender-specific impact. Gender-differentiated roles also cause differentiated vulnerabilities of women and men to the effects of climate change, and climate change impacts exacerbate gender inequalities. Therefore, a gender perspective on actions and goals related to the attainment of the priority objectives of the 8th EAP is necessary in order to help ensure that gender inequalities are not perpetuated.
- (21) Article 35 of Regulation (EU) 2018/1999 of the European Parliament and of the Council ⁽⁸⁾ states that the State of the Energy Union report is to include an element on Member States' progress towards phasing out energy subsidies, in particular for fossil fuels. Article 17 of that Regulation provides that the Commission, assisted by the Energy Union Committee, is to adopt implementing acts, including a methodology for the reporting on the phasing out of energy subsidies, in particular for fossil fuels. In addition, based on the results of an ongoing study the Commission will support Member States in the phase out of other environmentally harmful subsidies.

⁽⁸⁾ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).

- (22) To meet the needs of the EU Biodiversity Strategy for 2030, including investment priorities for Natura 2000 and green infrastructure, the Commission has assessed that at least EUR 20 000 000 000 a year should be unlocked for spending on nature. This will require mobilising private and public funding at national and Union level, including through a range of different programmes.
- (23) In line with the Commission communication of 14 October 2020 entitled 'Chemicals Strategy for Sustainability Towards a Toxic-Free Environment', the 8th EAP should support the Union's efforts to promote the sound management of chemicals through international cooperation and partnerships, in bilateral, regional and multilateral fora as well as in cooperation with third countries. The Union will, in line with international commitments, ensure that hazardous chemicals banned in the Union are not produced for export, including by amending relevant legislation if and as needed.
- (24) Both in the Union and globally, land and soil continue to be degraded by a wide range of human activities, such as poor land management, land-use change, unsustainable agricultural practices, land abandonment, pollution, unsustainable forestry practices and soil sealing, and due to biodiversity loss and climate change, often combined with other factors, thus reducing the capacity of land and soil to provide ecosystem services and functions.
- (25) The global food system, including agriculture, fisheries and aquaculture, remains one of the key drivers of climate change and environmental degradation, including global deforestation. In the Union, the transformation of the Union food system is needed in order to ensure the attainment of the priority objectives of the 8th EAP.
- (26) According to the Workshop report on Biodiversity and Pandemics of 29 October 2020 issued by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the underlying causes of pandemics are the same global environmental changes that drive biodiversity loss and climate change, including land-use change, agricultural expansion and intensification, and wildlife trade and consumption, and other drivers. Climate change has been implicated in disease emergence and will likely cause substantial future pandemic risk, whilst biodiversity loss is also associated with the transformation of landscapes and can lead to increased emerging disease risk in some cases. According to the report, the cost of inaction vastly outweighs the cost of implementing global strategies to prevent pandemics based on reducing wildlife trade and land-use change and on increasing One Health surveillance.
- (27) The COVID-19 pandemic, which has led to an unprecedented global health and economic crisis, has demonstrated again the importance of applying the multi-sectoral One Health approach in policy-making, which recognises that human health depends on the state of the environment and is connected to its components and factors, including animal health, and that actions to tackle threats to health have to take into account a complexity of health and environmental interrelations. The 8th EAP should contribute to the full integration of the One Health approach across all levels of policy-making.
- (28) Progressing towards the recognition of the right to a clean, healthy and sustainable environment, as laid out in Resolution 48/13 of the United Nations Human Rights Council, is an enabling condition for attaining the priority objectives of the 8th EAP.
- (29) The term 'ecosystem approach', which has been established under the UN Convention on Biological Diversity, is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way in order to help reach a balance between the three objectives of that Convention, namely, conservation, sustainable use and benefit sharing of biological diversity.
- (30) According to the EEA report 'Nature-based solutions in Europe: Policy, knowledge and practice for climate change adaptation and disaster risk reduction', nature-based solutions (NBS) for climate change adaptation and disaster risk reduction are actions which work with and enhance nature to restore and protect ecosystems and to help society to adapt to the impacts of climate change and slow further warming, while providing multiple additional benefits. The implementation of NBS should be coherent with the 8th EAP's priority objectives.

- (31) Natural capital accounting, a tool that aims to measure the changes in the stock of natural capital at a variety of scales and to integrate the value of ecosystem services into accounting and reporting systems, should support measuring progress towards ambitious targets and measures to reduce greenhouse gas emissions and protect and restore biodiversity, which it cannot replace.
- (32) Marine and coastal ecosystems, such as mangroves, coral reefs, salt marshes and seagrass meadows, are being degraded and negatively impacted through harmful practices, pollution and processes such as eutrophication and acidification, impacting the biodiversity they sustain and the ecosystem services and functions they provide, as well as their capacity to act as carbon sinks. Urgent action is required to protect and restore marine and coastal ecosystems, including the ocean floor. Ocean protection and preservation is a global challenge and a collective responsibility, and there is a need to raise awareness and improve ocean literacy in order to foster the adoption and implementation of effective measures by all levels of, and actors in, society.
- (33) Environmental degradation and the adverse effects of climate change are expected to increase further in the years to come, impacting the hardest on developing countries and vulnerable populations. In order to help build resilience and support third countries in their efforts to mitigate, and adapt to, climate change, as well as to protect biodiversity, financial assistance from the Union and Member States to third countries should promote the UN 2030 Agenda, the Paris Agreement and the post-2020 global framework of the UN Convention on Biological Diversity and be in line with the priority objectives of the 8th EAP. Furthermore, the Union and Member States should also ensure that the Paris Agreement and other international climate and environmental agreements are implemented in ways that reflect the principles of equity and of common but differentiated responsibilities and respective capabilities, as laid down in Article 2(2) of the Paris Agreement.
- (34) Green diplomacy and enhanced cooperation with third countries, including developing countries, and supporting good global environmental governance, including promotion of access to information, public participation in decision-making and access to justice in environmental matters, are key to attaining SDGs as well as the Union's environmental and climate objectives. Ensuring synergies and coherence between all internal and external Union policies, including trade policies and agreements, and adhering to Policy Coherence for Sustainable Development is also essential.
- (35) As environment policy is highly decentralised, action to attain the priority objectives of the 8th EAP should be taken at different levels of governance, i.e. at Union, national, regional and local levels, with a collaborative approach to multi-level governance. Efficient monitoring, implementation, enforcement and accountability are essential, and effective governance is required in order to ensure coherence between policies. The integrated approach to policy development and implementation should be strengthened with a view to maximising the synergies between environmental, social and economic objectives by systematically screening and, where appropriate, assessing the potential trade-offs between them, as well as by systematically evaluating the needs of vulnerable and marginalised groups. This integrated approach should meet the specific needs of all regions, including urban and rural areas and outermost regions. Moreover, access to environmental information, public participation in environmental decision-making, and access to justice, including transparent engagement with and between public authorities at all levels of decision-making, non-governmental actors and the broader public, in line with the Convention on access to information, public participation in decision-making and access to justice in environmental matters ⁽⁹⁾ (the 'Aarhus Convention'), are important for ensuring the success of the 8th EAP.
- (36) The Commission should assess the progress in attaining the priority objectives of the 8th EAP by the Union and the Member States in the context of the just and inclusive transition towards sustainability, well-being and resilience within planetary boundaries. This is in line with calls of Heads of State or Government of the Member States in the Porto declaration, of the Council in its conclusions of 24 October 2019 on the Economy of Wellbeing and of the European Economic and Social Committee in its Reflection Paper 'Towards a Sustainable Europe by 2030' for measuring economic performance and societal progress 'beyond GDP', and moving towards using well-being as a compass for policy, which is also supported by the OECD.

⁽⁹⁾ OJ L 124, 17.5.2005, p. 4.

- (37) The assessment of progress towards the attainment of the priority objectives of the 8th EAP should reflect latest developments as regards the availability and relevance of data and indicators. It should be coherent with, and without prejudice to, monitoring and governance tools covering more specific aspects of environment and climate policy, such as, in particular, Regulation (EU) 2018/1999, the Environmental Implementation Review, announced by the Commission in its communication of 27 May 2016 entitled 'Delivering the benefits of EU environmental policies through a regular Environmental Implementation Review', and monitoring tools relating to a circular economy, zero pollution, biodiversity, air, water, soil, waste, or any other environment policies. Together with tools used under the European Semester, Eurostat's SDG Monitoring and the Commission communication of 9 September 2020 entitled the '2020 Strategic Foresight Report', assessment of progress towards attaining the priority objectives of the 8th EAP should form part of a cross-cutting, coherent and interconnected set of monitoring and governance tools, covering not only environmental but also social and economic factors.
- (38) Further developing the knowledge base on planetary boundaries and environmental footprints, and developing relevant indicator sets, are important in view of the 8th EAP's priority objectives, in particular its long-term priority objective.
- (39) Robust and meaningful data and indicators are needed in order to monitor progress towards attaining the priority objectives of the 8th EAP. The Commission, the EEA and other relevant agencies should access, re-use and build on the data and indicators provided by the Member States in accordance with applicable Union legal acts. In addition, other data sources, such as satellite data and processed information taken from the Union's Earth Observation Programme (Copernicus), the European Forest Fire Information System, the Biodiversity Information System for Europe, the Land Parcel Identification System and the European Flood Awareness System, and data platforms such as the European Marine Observation and Data Network and the Information Platform for Chemical Monitoring should be utilised. The application of modern digital tools and artificial intelligence allows the data to be managed and analysed in an effective way and thereby reduces the administrative burden, whilst increasing timeliness and quality. To assess progress towards attaining the priority objectives of the 8th EAP, non-legally binding targets could be used in addition to legally binding targets set out in Union law.
- (40) Furthermore, in accordance with the requirements set out in Directives 2003/4/EC ⁽¹⁰⁾, 2007/2/EC ⁽¹¹⁾ and (EU) 2019/1024 ⁽¹²⁾ of the European Parliament and of the Council, Member States should ensure that the relevant data, information and indicators for monitoring the implementation of the 8th EAP are freely available, non-discriminatory, with open access, adequate, of high quality, comparable, up-to-date, user friendly and easily accessible online.
- (41) To attain the priority objectives of the 8th EAP, the EEA and the European Chemicals Agency (ECHA), as well as Member States, should be equipped with adequate capacity and sufficient resources to ensure a sound, accessible and transparent knowledge and evidence base to support the implementation of the strategic priorities of the European Green Deal and the assessment of progress under the 8th EAP. Where relevant, other bodies and agencies should also be involved and contribute to the implementation of those strategic priorities and to that assessment of progress.
- (42) Article 192(3), first subparagraph, TFEU provides that it is for the European Parliament and the Council, in accordance with the ordinary legislative procedure, to adopt general action programmes setting out priority objectives to be attained in the field of Union policy on the environment. As the Commission Communication on the European Green Deal contains a roadmap of key actions relevant for the field of environment and climate in the coming years, exceptionally this Decision does not define actions for the attainment of its priority objectives for the period up to 2025. However, there will be a need to do so for the period after the European Green Deal's key actions are expected to have been put in place by 2024, to ensure that the thematic priority objectives set out in this Decision can be attained and that the 8th EAP continues to set the overarching vision of the Union's environment

⁽¹⁰⁾ Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

⁽¹¹⁾ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (OJ L 108, 25.4.2007, p. 1).

⁽¹²⁾ Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).

policy. This is also necessary in order to respect the prerogatives of the European Parliament and the Council pursuant to Article 192(3), first subparagraph, TFEU, without prejudice to the prerogatives of the Commission pursuant to Article 17 of the Treaty on European Union (TEU). For that purpose, there should be a mid-term review carried out by the Commission by 31 March 2024, followed, where appropriate, in order to attain the thematic priority objectives, by 31 March 2025, by a legislative proposal adding an annex to this Decision.

- (43) In order to take account of evolving policy objectives and the progress made, the 8th EAP should be evaluated by the Commission in 2029. The Commission should present a report to the European Parliament and to the Council containing the findings of that evaluation, followed, if appropriate, by a legislative proposal for the next environmental action programme. Such a legislative proposal should be presented in a timely manner, with a view to avoiding a gap between the 8th and the 9th EAP.
- (44) Since the objectives of this Decision cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the proposed action programme, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary to achieve those objectives,

HAVE ADOPTED THIS DECISION:

Article 1

Subject matter

1. This Decision sets out a general action programme in the field of the environment for the period up to 31 December 2030 (the '8th Environment Action programme' or '8th EAP'). It lays down the priority objectives of the 8th EAP and identifies the enabling conditions necessary to attain those priority objectives. It establishes a monitoring framework to measure the progress of the Union and its Member States towards the attainment of the priority objectives of the 8th EAP and a governance mechanism to ensure attainment of those priority objectives.
2. The 8th EAP aims to accelerate the green transition to a climate-neutral, sustainable, non-toxic, resource-efficient, renewable energy-based, resilient and competitive circular economy in a just, equitable and inclusive way, and to protect, restore and improve the state of the environment by, inter alia, halting and reversing biodiversity loss. It supports and strengthens an integrated policy and implementation approach, building upon the European Green Deal.
3. The 8th EAP forms the basis for achieving the environmental and climate objectives defined under the UN 2030 Agenda and its SDGs as well as for those pursued by multilateral environmental and climate agreements.
4. The monitoring framework of the 8th EAP shall contribute to the Union's efforts to measure progress towards sustainability, well-being and resilience.
5. The 8th EAP shall be based on the precautionary principle, the principles of preventive action and of rectification of pollution at source and the polluter pays principle.

Article 2

Priority objectives

1. The 8th EAP shall have the long-term priority objective that by 2050 at the latest, people live well, within the planetary boundaries in a well-being economy where nothing is wasted, growth is regenerative, climate neutrality in the Union has been achieved and inequalities have been significantly reduced. A healthy environment underpins the well-being

of all people and is an environment in which biodiversity is conserved, ecosystems thrive, and nature is protected and restored, leading to increased resilience to climate change, weather- and climate-related disasters and other environmental risks. The Union sets the pace for ensuring the prosperity of present and future generations globally, guided by intergenerational responsibility.

2. The 8th EAP shall have the following six interlinked thematic priority objectives for the period up to 31 December 2030:

- (a) swift and predictable reduction of greenhouse gas emissions and, at the same time, enhancement of removals by natural sinks in the Union to attain the 2030 greenhouse gas emission reduction target as laid down in Regulation (EU) 2021/1119, in line with the Union's climate and environment objectives, whilst ensuring a just transition that leaves no one behind;
- (b) continuous progress in enhancing and mainstreaming adaptive capacity, including on the basis of ecosystem approaches, strengthening resilience and adaptation and reducing the vulnerability of the environment, society and all sectors of the economy to climate change, while improving prevention of, and preparedness for, weather- and climate-related disasters;
- (c) advancing towards a well-being economy that gives back to the planet more than it takes and accelerating the transition to a non-toxic circular economy, where growth is regenerative, resources are used efficiently and sustainably, and the waste hierarchy is applied;
- (d) pursuing zero pollution, including in relation to harmful chemicals, in order to achieve a toxic-free environment, including for air, water and soil, as well as in relation to light and noise pollution, and protecting the health and well-being of people, animals and ecosystems from environment-related risks and negative impacts;
- (e) protecting, preserving and restoring marine and terrestrial biodiversity and the biodiversity of inland waters inside and outside protected areas by, inter alia, halting and reversing biodiversity loss and improving the state of ecosystems and their functions and the services they provide, and by improving the state of the environment, in particular air, water and soil, as well as by combating desertification and soil degradation;
- (f) promoting environmental aspects of sustainability and significantly reducing key environmental and climate pressures related to the Union's production and consumption, in particular in the areas of energy, industry, buildings and infrastructure, mobility, tourism, international trade and the food system.

Article 3

Enabling conditions to attain the priority objectives

The attainment of the priority objectives set out in Article 2 shall require the following from the Commission, Member States, regional and local authorities and stakeholders, as appropriate:

- (a) ensuring effective, swift and full implementation of Union legislation and strategies on the environment and the climate and striving for excellence in environmental performance at Union, national, regional and local levels, including by providing sufficient administrative and compliance assurance capacity, as laid out in the regular Environmental Implementation Review, supporting and cooperating with networks of practitioners, such as the European Union Network for the Implementation and Enforcement of Environmental Law, the European Network of Prosecutors for the Environment, the European Union Forum of Judges for the Environment and the European Network for Environmental Crime;
- (b) prioritising enforcement of Union environmental law where implementation is lacking, including through infringement proceedings, as well as by ensuring that sufficient financial and human resources are allocated for that purpose and that information on those proceedings is complete and easily accessible, while respecting Union law;

- (c) improving guidance and recommendations, including on effective, dissuasive and proportionate penalties to reduce risks of non-compliance with Union environmental law, as well as stepping up action in the area of environmental liability and responses to non-compliance, and strengthening judicial cooperation in the area of, and law enforcement against, environmental crime as laid down in relevant Union legislation, such as Directive 2008/99/EC of the European Parliament and of the Council ⁽¹³⁾;
- (d) strengthening the integrated approach to policy development and implementation, in particular by:
 - (i) mainstreaming the priority objectives set out in Article 2, as well as, where relevant, the SDGs, in all relevant strategies, legislative and non-legislative initiatives, programmes, investments and projects at Union, national, regional and local levels, as well as in relevant international agreements concluded by the Union after 2 May 2022, in order to ensure that those strategies, legislative and non-legislative initiatives, programmes, investments, projects and international agreements and their implementation are consistent with, contribute where relevant, and do no harm to any of the priority objectives set out in Article 2;
 - (ii) maximising the benefits from implementing the Directives 2011/92/EU ⁽¹⁴⁾ and 2001/42/EC ⁽¹⁵⁾ of the European Parliament and of the Council;
 - (iii) systematically screening and, where appropriate, assessing synergies and potential trade-offs between environmental, social and economic objectives for all initiatives, so as to ensure that people's well-being, and in particular their need for a healthy environment, clean air and affordable, accessible and high-quality food, water, energy, housing, green infrastructure and mobility are met in a sustainable way that leaves no one behind;
 - (iv) adopting a 'Think Sustainability First' approach, including by integrating, where relevant, the SDGs in the 'better regulation' guidelines and the 'better regulation' toolbox, as well as streamlining and operationalising the 'do no harm' principle;
 - (v) regularly evaluating existing policies and, where appropriate, proposing new legislation, based on, where relevant, impact assessments that build upon wide and transparent consultations – following procedures that are accountable, inclusive, informed and simple to implement – and that take into account the full range of immediate and long-term impacts on the environment and climate as part of an integrated analysis of economic, social and environmental impacts, including their cumulative effects, as well as the costs of action and inaction;
 - (vi) presenting, within 8 weeks of closure of a public consultation by the Commission, detailed feedback on stakeholder consultation responses, distinguishing between contributions from different types of stakeholders;
- (e) developing a summary dashboard and indicator set measuring 'beyond GDP', based on, inter alia, a targeted consultation with all relevant stakeholders as well as a report which identifies the interlinkages between existing indicator sets, monitoring frameworks and processes at Union level measuring social, economic and environmental progress and which proposes action on how existing dashboards and indicator sets can be streamlined;
- (f) ensuring that social inequalities resulting from climate- and environmental-related impacts and policies are minimised and that measures taken to protect the environment and climate are carried out in a socially fair and inclusive way;
- (g) gender mainstreaming throughout climate and environmental policies, including by incorporating a gender perspective at all stages of the policy-making process;

⁽¹³⁾ Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law (OJ L 328, 6.12.2008, p. 28).

⁽¹⁴⁾ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

⁽¹⁵⁾ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

- (h) strengthening environmentally positive incentives as well as phasing out environmentally harmful subsidies, in particular fossil fuel subsidies, at Union, national, regional and local level, without delay, inter alia, by:
 - (i) a binding Union framework to monitor and report on Member States' progress towards phasing out fossil fuel subsidies, based on an agreed methodology;
 - (ii) setting a deadline for the phasing out of fossil fuel subsidies consistent with the ambition of limiting global warming to 1,5 °C;
 - (iii) a methodology that is set out by the Commission, in consultation with Member States, by 2023, to identify other environmentally harmful subsidies; on the basis of that methodology Member States shall identify other environmentally harmful subsidies and report them regularly to the Commission, allowing for a Commission report on the level and type of such subsidies in the Union, and on progress made on phasing them out;
- (i) mainstreaming biodiversity action in the Union's policies and contributing to the achievement of the overall ambition of providing 7,5 % of annual spending under the multiannual financial framework 2021-2027 to biodiversity objectives in 2024 and 10 % of that annual spending in 2026 and in 2027, with such spending to be tracked using an effective, transparent and comprehensive methodology, while considering the existing overlaps between climate and biodiversity goals;
- (j) ensuring effective climate and biodiversity mainstreaming and proofing of the Union budget as well as consistency between climate and biodiversity funding;
- (k) promoting the sound management of chemicals at international level, whilst also promoting the global phase-down of substances which are not authorised in the Union;
- (l) swiftly substituting substances of concern, including substances of very high concern, endocrine disruptors, very persistent chemicals, neurotoxins and immuno-toxicants, as well as tackling the combination effects of chemicals, nano-forms of substances and exposure to hazardous chemicals from products, assessing their impacts on health and the environment, including climate, and biodiversity, whilst promoting safe and sustainable by-design chemicals and materials and stepping up and coordinating efforts to promote the development and validation of alternatives to animal testing;
- (m) addressing land degradation and ensuring the protection and sustainable use of soil, including by way of a dedicated legislative proposal on soil health by 2023;
- (n) transforming the Union's food system, so that, inter alia, it contributes to protecting and restoring biodiversity within and outside the Union and ensures a high level of animal welfare, whilst ensuring a just transition for affected stakeholders;
- (o) holistically recognising the interconnections between human health, animal health and the environment through integration of the One Health approach in policy making;
- (p) advancing towards the recognition of a right to a clean, healthy and sustainable environment internationally;
- (q) making full use of ecosystem approaches and green infrastructure, including biodiversity-friendly nature based solutions, whilst also ensuring that their implementation restores biodiversity and enhances ecosystem integrity and connectivity, has clear societal co-benefits, requiring full engagement with, and consent of, indigenous peoples and local communities, and does not replace or undermine measures taken to protect biodiversity or reduce greenhouse gas emissions within the Union;
- (r) making use of existing tools and methodologies as well as further improving monitoring methods, evaluation tools and measurable indicators for nature-based solutions;
- (s) significantly decreasing the Union's material and consumption footprints to bring them into planetary boundaries as soon as possible, including through the introduction of Union 2030 reduction targets, as appropriate;

- (t) effectively integrating the SDGs as well as climate and environmental objectives in the European Semester of economic governance, without prejudice to its original purpose, including in the National Reform Programmes and national recovery and resilience plans;
- (u) mobilising resources and ensuring sufficient sustainable investments from public and private sources, including of funds and instruments available under the Union budget, via the European Investment Bank and at national level, consistent with the Union's sustainable finance policy agenda;
- (v) making the best use of environmental taxation, market-based instruments and green budgeting and financing tools, including those required to ensure a socially fair transition, and supporting businesses and other stakeholders in developing and applying standardised natural capital accounting practices;
- (w) ensuring that environment policies and action at Union, national, regional and local level are based on the best available scientific knowledge and technologies, and strengthening the environmental knowledge base, including indigenous and local knowledge, and its uptake, including through research, innovation, fostering green skills, training and retraining, and further building up environmental and ecosystem accounting;
- (x) developing and consolidating the knowledge base, inter alia, on the requirements for systemic change, how to shift from a silo- and sector-based policy focus to a systemic approach to policy coherence, as well as the capacity of different ecosystems to act as greenhouse gas sinks and stocks;
- (y) harnessing the potential of digital and data technologies to support environment policy, including by delivering real-time data where possible and information on the state of ecosystems, while increasing efforts to minimise the environmental footprint of these technologies, and ensuring transparency, authenticity, interoperability and public accessibility of the data and information;
- (z) closing gaps in, and optimising, relevant indicator sets, such as those relating to systemic change, planetary boundaries and the Union's production and consumption footprints, as well as those that address the interface between environmental and socioeconomic factors, such as inequalities arising from environmental change, whilst ensuring that indicator sets are comparable at all levels of policy-making;
- (aa) mobilising broad support by civil society, working with businesses, in particular small and medium-sized enterprises, social partners, citizens, communities and other stakeholders;
- (ab) raising awareness about the importance of achieving the priority objectives set out in Article 2, as well as strengthening the capacity of citizens to act through promoting, inter alia, debate and communication at all levels, lifelong environmental education, civic involvement and community-led action;
- (ac) contributing to supporting civil society, public authorities, citizens and communities, social partners and the private sector in identifying climate and environmental risks, in assessing their impact and in taking action to prevent, mitigate and adapt to, such risks, as well as fostering their engagement in closing knowledge gaps by, inter alia, encouraging citizen observation and reporting of environmental issues and compliance gaps, including promotion of good practices of citizen science using digital technologies;
- (ad) encouraging cooperation in the development and implementation of strategies, policies or legislation related to the 8th EAP and ensuring the full participation of regional and local authorities in urban and rural areas, including in outermost regions, across all dimensions of environmental policy-making through a collaborative and multi-level approach and ensuring that regional and local communities have adequate resources for implementation on the ground;
- (ae) strengthening cooperation between all Union institutions on climate and environment policy, including between the Commission and the Committee of the Regions in the framework of their enhanced cooperation, and exploring how to improve dialogue and information pooling;
- (af) effectively applying high standards of transparency, public participation and access to justice in accordance with the Aarhus Convention both at Union and Member State level;

- (ag) making the data and evidence linked to the implementation of the 8th EAP publicly available, easily accessible and comprehensible, without prejudice to provisions on confidentiality in domain-specific legislation;
- (ah) supporting the global uptake of the priority objectives set out in Article 2, ensuring coherence between internal and external approaches and coordinated action, in particular as regards:
 - (i) engaging with third countries on climate and environmental action, encouraging and supporting them to adopt and implement rules in those areas that are at least as ambitious as those of the Union, and ensuring that all products placed on the Union market fully comply with relevant Union requirements in line with the Union's international commitments, including with regard to halting deforestation and land degradation;
 - (ii) fostering sustainable corporate governance, including establishing mandatory due diligence requirements at Union level, and promoting the uptake of responsible business conduct in Union external policies, including in trade policy;
 - (iii) enhancing cooperation with governments, businesses, social partners and civil society in third countries and international organisations to form partnerships and alliances for environment and climate protection, and promoting cooperation on environment and climate change, including in G7 and G20;
 - (iv) demonstrating leadership in international fora by, inter alia, achievement of the SDGs by the Union as well as of the objectives laid down in the Paris Agreement, the Convention on Biological Diversity, the Convention to Combat Desertification and other multilateral environmental agreements, notably by strengthening their implementation, and supporting third countries to do the same, including by increasing transparency and accountability as regards progress on the commitments made under those agreements;
 - (v) strengthening international environmental governance by closing remaining gaps and strengthening respect for, and application of, recognised international environmental principles;
 - (vi) ensuring that the Union and the Member States' financial assistance to third countries promotes the UN 2030 Agenda.

Article 4

Monitoring framework and governance

1. The Commission, supported by the European Environment Agency (EEA) and the European Chemicals Agency (ECHA), without prejudice to their independence, shall monitor, assess and report on the progress of the Union and the Member States with regard to attaining the priority objectives set out in Article 2, on an annual basis, taking into consideration the enabling conditions laid down in Article 3 and the overall goal of achieving systemic change. The information that results from that monitoring, assessment and reporting shall be made publicly available and easily accessible.
2. The monitoring, assessment and reporting referred to in paragraph 1 shall aim to facilitate high-level strategic political communication. Following a consultation process with all relevant stakeholders, the Commission shall, by 2 May 2022, present a monitoring framework, based on a limited number of headline indicators, which include, where available, systemic indicators that address, inter alia, environmental-social and environmental-economic nexus. The list of headline indicators shall remain stable to ensure accountability. It shall, however, be updated to reflect the latest policy and indicator developments, where appropriate.
3. The monitoring and assessment referred to in paragraph 1 shall reflect the latest developments as regards the availability and relevance of data and indicators and shall build on data available in the Member States and at the Union level, in particular data and indicators produced by the EEA and the European Statistical System, with a view to minimising administrative burden. It shall be coherent with, and without prejudice to, other monitoring, reporting and governance frameworks and exercises covering environment and climate policy. It shall be based on a methodology that enables, where possible, measurement of distance to targets in relation to the priority objectives set out in Article 2 and selected headline indicators.

4. The European Parliament, the Council and the Commission shall take account of, and exchange views annually on, the assessment referred to in paragraph 1 as well as actions taken and possible future actions.
5. The EEA and the ECHA shall support the Commission to improve the availability and relevance of data, indicators and knowledge, in particular by carrying out the following:
- (a) gathering, processing and reporting data and evidence with modern digital tools, whilst improving methodologies for data collection and treatment and for developing harmonised indicators;
 - (b) strengthening and providing support to basic research, mapping and monitoring;
 - (c) working towards closing the relevant monitoring data gaps, together with Member States and taking into account the need for systemic change;
 - (d) delivering policy-relevant and systemic analyses, and contributing to implementing policy objectives at Union and national level, including by proposing recommendations to enhance the progress to attain the objectives;
 - (e) integrating data on environmental, health, social and economic impacts, and exploiting fully other available data and services, such as those delivered by Copernicus;
 - (f) contributing to closing critical knowledge gaps on ecological tipping points, while taking into account geographical and ecological differences across regions;
 - (g) developing quantitative and qualitative tools, including foresight and models, which could provide, inter alia, information on potential future system-wide impacts of policies related to environment and climate and on 'distance to targets';
 - (h) further improving availability and interoperability of, and access to, data through Union programmes;
 - (i) ensuring transparency and accountability.
6. The Commission shall regularly examine data and knowledge needs at Union and national level, including the capacity of the EEA and the ECHA as well as of other European bodies and agencies, where relevant, to carry out the tasks referred to in paragraph 5.

Article 5

Mid-term review

1. By 31 March 2024, the Commission shall carry out a mid-term review of the progress achieved in attaining the thematic priority objectives set out in Article 2(2), taking into consideration the status of the enabling conditions laid down in Article 3, and the progress made towards monitoring and assessing systemic change. The Commission shall propose, where appropriate, changes to the headline indicators referred to in Article 4(2) in light of the outcome of the mid-term review. The mid-term review shall be based on the assessments carried out pursuant to Article 4(1) and on any other relevant findings. The Commission shall submit a report on the mid-term review to the European Parliament and to the Council.
2. In light of the mid-term review referred to in paragraph 1 of this Article, of the possible responses of the European Parliament and the Council to that review, of other relevant policy developments and of the latest report from the European Environment Agency on the state and outlook of the European environment, in order to attain the thematic priority objectives set out in Article 2(2), the Commission shall present, where appropriate, a legislative proposal to add an annex to the 8th EAP, for the period after 2025, containing a list of actions with a view to reaching those objectives, as well as a timeline for the respective actions.

Article 6

Evaluation

By 31 March 2029, the Commission shall carry out an evaluation of the 8th EAP. The Commission shall submit a report containing the main findings of that evaluation to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal for the next environmental action programme by 31 December 2029.

*Article 7***Entry into force**

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 Strasbourg, 6 April 2022.

For the European Parliament
The President
R. METSOLA

For the Council
The President
C. BEAUNE

II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2022/592

of 11 April 2022

implementing Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 359/2011 of 12 April 2011 concerning restrictive measures against certain persons, entities and bodies in view of the situation in Iran ⁽¹⁾, and in particular Article 12(1) thereof,

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

Whereas:

- (1) On 12 April 2011, the Council adopted Regulation (EU) No 359/2011.
- (2) On the basis of a review of Council Decision 2011/235/CFSP ⁽²⁾, the Council has decided that the restrictive measures set out therein should be renewed until 13 April 2023.
- (3) Three persons designated in Annex I to Regulation (EU) No 359/2011 are deceased, and the entries concerning them should be removed from that Annex. The Council has also concluded that the entries concerning 25 persons included in Annex I to Regulation (EU) No 359/2011 should be updated.
- (4) Annex I to Regulation (EU) No 359/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 359/2011 is amended as set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the date of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 100, 14.4.2011, p. 1.⁽²⁾ Council Decision 2011/235/CFSP of 12 April 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Iran (OJ L 100, 14.4.2011, p. 51).

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

Done at Luxembourg, 11 April 2022.

For the Council
The President
J. BORRELL FONTELLES

Annex I to Regulation (EU) No 359/2011 ('List of natural and legal persons, entities and bodies referred to in Article 2(1)') is amended as follows:

(1) entries 27 (concerning ZARGAR Ahmad), 38 (concerning FIRUZABADI Maj-Gen Dr Seyyed Hasan) and 41 (concerning HEJAZI Mohammad) in the list headed 'Persons' are deleted;

(2) the entries for the following 25 persons are replaced by the following:

Persons

	Name	Identifying information	Reasons	Date of listing
'1.	AHMADI-MOQADDAM Esmail	POB: Tehran (Iran) DOB: 1961 Gender: male	Director of the University and the Higher National Defence Research Institute since 20 September 2021. Former Senior Advisor for Security Affairs to the Chief of the Armed Forces General Staff. Chief of Iran's National Police from 2005 until early 2015. Also Head of the Iranian Cyber Police (EU-listed) from January 2011 until early 2015. Forces under his command led brutal attacks on peaceful protests and a violent night-time attack on the dormitories of Tehran University on 15 June 2009. Former head of Iran's Headquarters in support of the Yemeni People.	12.4.2011
20.	MOGHISSEH Mohammad (a.k.a. NASSERIAN)	Gender: male	Judge at the Supreme Court since November 2020. Former head of Tehran Revolutionary Court, branch 28. Also considered responsible for condemnations of members of the Baha'i community. He has dealt with post-election cases. He issued long prison sentences during unfair trials of social and political activists and journalists, and several death sentences for protesters and social and political activists.	12.4.2011
21.	MOHSENI-EJEI Gholam-Hossein	POB: Ejiyeh (Iran) DOB: circa 1956 Gender: male	Chief of Justice since July 2021. Member of the Expediency Council. Prosecutor General of Iran from September 2009 until 2014. Former Deputy Head of the Judiciary (2014 until July 2021) and spokesperson of the Judiciary (2010-2019). Intelligence Minister from 2005 until 2009. While he was Intelligence Minister during the 2009 elections, intelligence agents under his command were responsible for the detention and torture of, and the extraction of false confessions under pressure from, hundreds of activists, journalists, dissidents and reformist politicians. In addition, political figures were coerced into making false confessions under unbearable interrogation, which included torture, abuse, blackmail and the threatening of family members.	12.4.2011
22.	MORTAZAVI Said (a.k.a. MORTAZAVI Saeed)	POB: Meybod, Yazd (Iran) DOB: 1967 Gender: male	Head of the Welfare System from 2011 to 2013. Prosecutor General of Tehran until August 2009. As Prosecutor General of Tehran, he issued a blanket order used for the detention of hundreds of activists, journalists and students. In January 2010, a parliamentary investigation held him directly responsible for the detention of three prisoners who subsequently died in custody. He was suspended from office in August 2010 after an investigation by the Iranian judiciary into his role in the deaths of the three men detained on his orders following the election.	12.4.2011

			In November 2014, his role in the deaths of detainees was officially recognised by the Iranian authorities. He was acquitted by an Iranian Court on 19 August 2015, on charges connected to the torture and deaths of three young men at the Kahrizak detention centre in 2009. Sentenced to prison in 2017 and released in September 2019. In August 2021, Iran's Supreme Court issued a ruling in full support of Said Mortazavi, overturning his earlier two-year jail sentence.	
25.	SALAVATI Abdolghassem	Gender: male	Judge of the Special Court for Financial Crimes, branch 4 since 2019. Former Head of Tehran Revolutionary Court, branch 15. Committing Judge in the Tehran Tribunal. In charge of the post-election cases, he was the Judge presiding over the 'show trials' in summer 2009, he condemned to death two monarchists that appeared in the show trials. He has sentenced more than a hundred political prisoners, human rights activists and demonstrators to lengthy prison sentences. In 2018, reports showed that he continued to hand down similar sentences without proper observance of fair hearing procedures.	12.4.2011
28.	YASAGHI Ali-Akbar	Gender: male	Judge at the Supreme Court, head of the 13th section. Deputy Chief Executive Officer of Setad-e Dieh Foundation. Chief Judge, Mashhad Revolutionary Court (2001-2011). Trials under his jurisdiction have been conducted summarily and in closed sessions, without adherence to basic rights of the accused. As execution rulings were issued en masse (up to 550 between summer 2009 and summer 2011), death sentences were issued without proper observance of fair hearing procedures.	12.4.2011
30.	ESMAILI Gholam-Hosseini (a.k.a. ESMAILI Gholam Hossein)	Gender: male	Chief of Staff of Iranian President Raisi since August 2021. Judiciary spokesman from April 2019 until July 2021. Former head of the Tehran Judiciary. Former Head of Iran's Prisons Organisation. In this capacity, he was complicit in the massive detention of political protesters and covering up of abuses performed in the jailing system.	12.4.2011
33.	ABBASZADEH-MESHKINI Mahmoud	Gender: male	Member of Parliament (since February 2020) and Speaker of the Parliament's Committee for National Security and Foreign Affairs. Former Advisor to Iran's High Council for Human Rights (until 2019). Former secretary of the High Council for Human Rights. Former Governor of Ilam Province. Former Political Director of the Interior Ministry. As Head of the Article 10 Committee of the Law on Activities of Political Parties and Groups, he was in charge of authorising demonstrations and other public events and registering political parties. In 2010, he suspended the activities of two reformist political parties linked to Mousavi – the Islamic Iran Participation Front and the Islamic Revolution Mujahedeen Organisation. From 2009 onwards, he has consistently and continuously prohibited all non-governmental gatherings, therefore denying a constitutional right to protest and leading to many arrests of peaceful demonstrators in contravention of the right to freedom of assembly.	10.10.2011

			In 2009, he also denied the opposition a permit for a ceremony to mourn people killed in protests over the Presidential elections.	
35.	AKHARIAN Hassan	Gender: male	Head of Ward 5 and in charge of solitary confinement in EU-listed Rajae Shahr Prison since 2015; formerly Keeper of Ward 1 of Rajae Shahr Prison, Karadj until July 2010. Several former detainees have denounced his use of torture, as well as orders he gave to prevent inmates receiving medical assistance. According to a transcript of one reported detainee in the Rajae Shahr Prison, wardens all beat him severely, with Akharian's full knowledge. There is also at least one reported case of ill treatment and the death of a detainee, Mohsen Beikvand, under Akharian's wardenship. Beikvand died in September 2010. Other prisoners claim credibly that he was killed on the instructions of Hassan Akharian.	10.10.2011
36.	AVAEI Seyyed Ali-Reza (a.k.a. AVAEI Seyyed Alireza, AVAIE Alireza)	POB: Dezful (Iran) DOB: 20.5.1956 Gender: male	Minister of Justice until 25 August 2021. Former Director of the special investigations office. Deputy Minister of the Interior and Head of the Public Register until July 2016. Advisor to the Disciplinary Court for Judges in April 2014. Former President of the Tehran Judiciary. As President of the Tehran Judiciary, he has been responsible for human rights violations, arbitrary arrests, denials of prisoners' rights and a high number of executions.	10.10.2011
46.	KAMALIAN Behrouz (a.k.a. Hackers Brain, Behrooz_Ice)	POB: Tehran (Iran) DOB: 1983 Gender: male	Head of the 'Ashiyaneh' cyber group linked with the Iranian regime. The 'Ashiyaneh' Digital Security, founded by Behrouz Kamalian, is responsible for intensive cyber attacks both on domestic opponents and reformists and foreign institutions. Kamalian's 'Ashiyaneh' organisation's work has assisted the regime's crackdown against the opposition, which has involved numerous serious human rights violations in 2009. Both Kamalian and the 'Ashiyaneh' cyber group have continued their activities until at least December 2021.	10.10.2011
47.	KHALILOLLAHI Moussa (a.k.a. KHALILOLLAHI Mousa, ELAHI Mousa Khalil)	POB: Tabriz (Iran) DOB: 1963 Gender: male	Chief of Justice of East Azerbaijan province. Former prosecutor of Tabriz from 2010 to 2019. He was involved in Sakineh Mohammadi-Ashtiani's case and is complicit in grave violations of the right to due process.	10.10.2011
53.	TALA Hossein (a.k.a. TALA Hosseyn)	POB: Tehran (Iran) DOB: 1969 Gender: male	Mayor of Eslamshahr until 2020. Former Iranian MP. Former Governor-General ('Farmandar') of Tehran Province until September 2010, he was responsible for the intervention of police forces and therefore for the repression of demonstrations. He received a prize in December 2010 for his role in the post-election repression.	10.10.2011
55.	ZEBHI Hossein	Gender: male	First Deputy Advisor to the Judiciary and Judge of the Supreme Court (head of Branch 41 of the Supreme Court, dealing in particular with security offences and drugs). Deputy to the Prosecutor-General of Iran (2007-2015). In this role, he was responsible for judicial cases brought after the post-election protests in 2009, which were conducted in contravention of human rights. Also in this role, he has condoned excessive punishments for drug offences.	10.10.2011

56.	BAHRAMI Mohammad-Kazem	Gender: male	Head of the administrative justice court until April 2021. He was complicit in the repression of peaceful demonstrators in 2009 as head of the judiciary branch of the armed forces.	10.10.2011
60.	HOSSEINI Dr Mohammad (a.k.a. HOSSEYNI Dr Seyyed Mohammad; Seyyed, Sayyed and Sayyid)	POB: Rafsanjan, Kerman (Iran) DOB: 23.7.1961 Gender: male	Vice-president for parliamentary affairs under President Raisi since August 2021. Former advisor to President Mahmoud Ahmadinejad and spokesperson for YEKTA, a hard-line political faction. Minister of Culture and Islamic Guidance (2009-2013). Ex-IRGC, he was complicit in the repression of journalists.	10.10.2011
62.	ZARGHAMI Ezzatollah	POB: Dezful (Iran) DOB: 22.7.1959 Gender: male	Minister of Culture, Crafts and Tourism since 25 August 2021. Member of the Supreme Cyberspace Council and Cultural Revolution Council since 2014. Former Head of Islamic Republic of Iran Broadcasting (IRIB) until November 2014. Under his tenure at IRIB, He was responsible for all programming decisions. IRIB has broadcast forced confessions of detainees and a series of 'show trials' in August 2009 and December 2011. These constitute a clear violation of international provisions on fair trial and the right to due process.	23.3.2012
64.	KAZEMI Toraj	Gender: male	Chief of the Greater Tehran division of the EU-designated Cyber Police until June 2020. In this capacity, he announced a campaign for the recruitment of government hackers in order to achieve better control of information on the internet and attack 'dangerous' sites.	23.3.2012
65.	LARIJANI Sadeq	POB: Najaf (Iraq) DOB: 1960 or August 1961 Gender: male	Head of the Expediency Council since 29 December 2018. Former member of the Guardian Council (until September 2021). Former Head of the Judiciary (2009-2019). The Head of the Judiciary is required to consent to and sign off every qisas (retribution), hodoud (crimes against God) and ta'zirat (crimes against the state) punishment. This includes sentences carrying the death penalty, floggings and amputations. In this regard, he has personally signed off numerous death penalty sentences, contravening international standards, including stoning, executions by suspension strangulation, execution of juveniles, and public executions such as those where prisoners have been hanged from bridges in front of crowds of thousands. Therefore, he has contributed to a high number of executions. He has also permitted corporal punishment sentences such as amputations and the dripping of acid into the eyes of the convicted. Since Sadeq Larijani took office, arbitrary arrests of political prisoners, human rights defenders and minorities have increased markedly. Sadeq Larijani also bears responsibility for systemic failures in the Iranian judicial process with respect to the right to a fair trial.	23.3.2012
69.	MORTAZAVI Seyyed Solat	POB: Farsan, Tchar Mahal-o-Bakhtiari (South) – (Iran) DOB: 1967 Gender: male	Since 5 September 2021, Vice-President for Executive Affairs of Iran and Head of the Presidential Office. Head of the real estate branch of the Mostazafan Foundation, which was directly run by Supreme Leader Khamenei from 16 September 2019 until September 2021. Until November 2019, Director of the Tehran branch of the Foundation Astan Qods Razavi. Former mayor of the second largest city of Iran, Mashhad, where public executions are regularly carried out. Former Deputy Interior Minister for Political Affairs, appointed in 2009. In that capacity, he was responsible for directing the repression of persons who spoke up in defence of their legitimate rights, including freedom of expression. Later appointed as Head of the Iranian Election Committee for the parliamentary elections in 2012 and for the presidential elections in 2013.	23.3.2012

74.	REZVANMA-NESH Ali	Gender: male	Deputy prosecutor in the province of Karaj, region of Alborz in the period 2010-2016. Responsible for grave violations of human rights, including involvement in the execution of a juvenile.	23.3.2012
79.	RASHIDI AGHDAM Ali Ashraf	Gender: male	Deputy Director of Health, Correction and Education of Tehran Prisons. Former head of Evin Prison (2012-2015). During his tenure, conditions in the prison deteriorated and reports referenced intensified ill-treatment of prisoners. In October 2012, nine female prisoners went on hunger strike in protest of the violation of their rights and violent treatment by prison guards.	12.3.2013
80.	KIASATI Morteza	Gender: male	Judge of branch 54 of the Revolutionary Court of Tehran and of the Ahwaz Revolutionary Court, Branch 4; imposed death sentences on four Arab political prisoners, Taha Heidarian, Abbas Heidarian, Abd al-Rahman Heidarian (three brothers) and Ali Sharifi. They were arrested, tortured and hanged without due process. These cases and the lack of due process were referenced in a report dated 13 September 2012 by the UN Special Rapporteur on human rights in Iran, the UN Secretary General's report on Iran of 22 August 2012.	12.3.2013
83.	JAFARI Asadollah	Gender: male	Currently Attorney General in Isfahan. In this position, he ordered violent reactions against protesters who took to the streets in November 2021 to protest against water shortages. According to some reports, Jafari has announced the formation of a special office to investigate the arrested protesters. As former Prosecutor of Mazandaran Province, Jafari recommended the imposition of the death penalty in cases he has prosecuted, which has resulted in many executions including public executions, and in circumstances where the imposition of the death penalty is contrary to international human rights, including by being disproportionate and excessive punishment. Jafari has also been responsible for illegal arrests and violations of the rights of Baha'i detainees from initial arrest to keeping them in solitary confinement in the Intelligence Detention Centre.	12.3.2013
95.	VASEGHI Leyla (a.k.a. VASEQI Layla, VASEGHI Leila, VASEGHI Layla)	POB: Sari, Mazandaran Province (Iran) DOB: 1352 (Iranian Hijri calendar), 1972 or 1973 (Gregorian calendar) Gender: female Position: Former governor of Shahr-e Qods and Head of the City Security Council	As the governor of Shahr-e Qods and Head of the City Security Council from September 2019 until November 2021, Leyla Vaseghi ordered the police and other armed forces to use lethal means during the November 2019 protests, causing the deaths of and injuries to unarmed protesters and other civilians. As the governor of Shahr-e Qods and Head of the City Security Council, Leyla Vaseghi bears responsibility for serious human rights violations in Iran.	12.4.2021'

COMMISSION IMPLEMENTING REGULATION (EU) 2022/593**of 1 March 2022****concerning the authorisation of litsea berry essential oil as a feed additive for certain animal species****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10(2) of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC ⁽²⁾.
- (2) Litsea berry essential oil was authorised without a time limit in accordance with Directive 70/524/EEC as feed additive for all animal species. This additive was subsequently entered in the Register of feed additives as existing product, in accordance with Article 10(1)(b) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 thereof, an application was submitted for the re-evaluation of litsea berry essential oil for all animal species.
- (4) The applicant requested the additive to be classified in the additive category 'sensory additives' and in the functional group 'flavouring compounds'. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (5) The applicant requested litsea berry essential oil to be authorised also for use in water for drinking. However, Regulation (EC) No 1831/2003 does not allow the authorisation of 'flavouring compounds' for use in water for drinking. Therefore, the use of litsea berry essential oil in water for drinking should not be allowed.
- (6) The European Food Safety Authority ('the Authority') concluded in its opinion of 5 May 2021 ⁽³⁾ that, under the proposed conditions of use litsea berry essential oil does not have adverse effects on animal health, consumer health or the environment. The Authority also concluded that litsea berry essential oil should be considered as irritant to skin and eyes, and as a skin and respiratory sensitiser. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards the users of the additive.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs (OJ L 270, 14.12.1970, p. 1).

⁽³⁾ EFSA Journal 2021;19(6):6623.

- (7) The Authority further concluded, that litsea berry essential oil is recognised to flavour food and its function in feed would be essentially the same as that in food. Therefore, no further demonstration of efficacy is considered necessary. The Authority also verified the report on the methods of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (8) The assessment of litsea berry essential oil shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of this substance should be authorised as specified in the Annex to this Regulation.
- (9) Certain conditions should be provided for to allow better control. In particular, a recommended content should be indicated on the label of the feed additives. Where such content is exceeded, certain information should be indicated on the label of premixtures.
- (10) The fact that litsea berry essential oil is not authorised for use as a flavouring in water for drinking, does not preclude its use in compound feed which is administered via water.
- (11) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation of the substance concerned, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (12) 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

Authorisation

The substance specified in the Annex, belonging to the additive category 'sensory additives' and to the functional group 'flavouring compounds', is authorised as feed additive in animal nutrition, subject to the conditions laid down in that Annex.

Article 2

Transitional measures

1. The substance specified in the Annex and premixtures containing this substance, which are produced and labelled before 2 November 2022 in accordance with the rules applicable before 2 May 2022 may continue to be placed on the market and used until the existing stocks are exhausted.
2. Compound feed and feed materials containing the substance as specified in the Annex, which are produced and labelled before 2 May 2023 in accordance with the rules applicable before 2 May 2022 may continue to be placed on the market and used until the existing stocks are exhausted if they are intended for food-producing animals.
3. Compound feed and feed materials containing the substance as specified in the Annex, which are produced and labelled before 2 May 2024 in accordance with the rules applicable before 2 May 2022 may continue to be placed on the market and used until the existing stocks are exhausted if they are intended for non-food-producing animals.

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, 1 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method.	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg active substance/kg of complete feed with a moisture content of 12 %			
Category: Sensory additives. Functional group: Flavouring compounds									
2b491-eo	-	Litsea berry essential oil	<i>Additive composition</i> Essential oil obtained from the fruits of <i>Litsea cubeba</i> (Lour.) Pers. Liquid form <i>Characterisation of the active substance</i> Essential oil obtained by steam distillation from the fruits of <i>Litsea cubeba</i> (Lour.) Pers. as defined by the Council of Europe ⁽¹⁾ . Geranial: 36-45 % Neral: 25-35 % Limonene:9-15 % Linalool: 0,4-3 % Geraniol: 1-4 % CAS number: 68855-99-2 Einecs number: 290-018-7 FEMA number: 3846 CoE number: 491	Chickens for fattening Laying hens Turkeys for fattening Pigs for fattening Piglets Lactating sows Calves Dairy cows Cattle for fattening Sheep/Goats Horses Rabbits	-	-	-	1. The additive shall be incorporated into the feed in the form of a premixture. 2. In the directions for use of the additive and premixtures, the storage conditions and stability to heat treatment shall be indicated. 3. On the label of the additive the following shall be indicated: ‘Recommended maximum content of the active substance per kg of complete feedingstuff with a moisture content of 12 %: — Chickens for fattening: 11 mg; — Laying hens: 16 mg; — Turkeys for fattening: 14 mg; — Pigs for fattening: 23 mg; — Piglets: 19 mg; — Lactating sows: 28 mg; — Calves (milk replacer): 48 mg;	2 May 2032

			<i>Analytical method</i> ⁽²⁾ For the identification of the phytochemical marker <i>Neral</i> in the feed additive or in mixture of flavouring compounds: — Gas chromatography-mass spectrometry with retention time locking (RTL-GC-MS).	Salmonids Dogs Cats Ornamental fish				— Cattle for fattening, sheep, goats and horses: 43 mg; — Dairy cows: 28 mg; — Rabbits: 17 mg; — Salmonids: 47 mg; — Dogs: 50 mg; — Cats: 8,5 mg; — Ornamental fish: 125 mg'. 4. The functional group, the identification number, the name and the added amount of the active substance shall be indicated on the label of the premixture where the use level on the label of the premixture would result in exceeding the level referred to in point 3. 5. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks by inhalation, dermal contact or eyes contact. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including skin, eye and breathing protection.	
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⁽¹⁾ Natural sources of flavourings – Report No 2 (2007).

⁽²⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

COMMISSION IMPLEMENTING REGULATION (EU) 2022/594**of 8 April 2022****amending Regulation (EC) No 474/2006 as regards the list of air carriers banned from operating or subject to operational restrictions within the Union****(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 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating carrier, and repealing Article 9 of Directive 2004/36/EC ⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 ⁽²⁾ establishes the list of air carriers, which are subject to an operating ban within the Union.
- (2) Air carriers certified by the Russian Federal Air Transport Agency ('FATA') are not included in Annex A or B to Regulation (EC) No 474/2006, with the exception of the air carrier *SKOL Airline LLC* which was added to Annex A by Commission Implementing Regulation (EU) 2021/2070 ⁽³⁾.
- (3) Certain European Union ('EU') Member States and the European Union Aviation Safety Agency ('the Agency') communicated to the Commission, pursuant to Article 4(3) of Regulation (EC) No 2111/2005, information that may be relevant in the context of updating that list. Third countries and international organisations also provided relevant information. The information provided has been duly considered by the Commission in its determination whether it is appropriate to update the list.
- (4) Pursuant to the Agreement concluded in 1999 between Bermuda and Russia on the implementation of Article 83bis of the Convention on International Civil Aviation signed in Chicago on 7 December 1944 ('Chicago Convention') as regards aircraft on the Bermuda Registry operated by air carriers certified by FATA, which concerns the transfer of regulatory oversight functions and duties contained in Annexes 1, 2 and 6 to the Chicago Convention, the Bermuda Civil Aviation Authority ('BCAA') advised on 14 March 2022, by way of General Notice GEN-01-2022, to FATA that the Certificates of Airworthiness ('CoA') of all leased aircraft registered in Bermuda and operated by air carriers certified by FATA would be suspended with effect from 12 March 2022, at 23.59 UTC, based on the determination that the continued airworthiness of these aircraft can no longer be assured.
- (5) Pursuant to the Agreement concluded in 2002 between Ireland and Russia on the implementation of Article 83bis of the Chicago Convention as regards aircraft on the Irish Registry operated by air carriers certified by FATA, which concerns the transfer of regulatory oversight functions and duties contained in Annexes 1, 2 and 6 to the Chicago Convention, the Irish Aviation Authority ('IAA') issued on 15 March 2022 its Aeronautical Notice A.114 in which it declared the cessation of validity of all CoA for aircraft operated by air carriers certified by FATA, with effect from the date of that notice, based on the determination that the airworthiness of these aircraft cannot be assured.

⁽¹⁾ OJ L 344, 27.12.2005, p. 15.

⁽²⁾ Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 14).

⁽³⁾ Commission Implementing Regulation (EU) 2021/2070 of 25 November 2021 amending Regulation (EC) No 474/2006 as regards the list of air carriers banned from operating or subject to operational restrictions within the Union (OJ L 421, 26.11.2021, p. 31).

- (6) Despite these decisions of the BCAA and IAA, acting in their capacity as competent authorities of the States of Registry, a number of affected aircraft are still being operated by air carriers certified by FATA, both within Russia as well as to certain other third countries. The International Civil Aviation Organisation ('ICAO'), by its Electronic Bulletin 2022/12 of 11 March 2022, recalled that such action was a direct violation of Articles 29 and 31 of the Chicago Convention. According to that Electronic Bulletin, FATA, in its capacity as the authority responsible for ensuring compliance by Russian certified air carriers with relevant international safety standards, should not have permitted such operations to take place. Moreover, the air carriers certified by FATA operating such flights with the aircraft referred to in recitals (4) and (5) have knowingly done so in breach of relevant international safety standards, notably ICAO Annex 6, Part I, Chapter 5, Standard 5.2.3 'An aeroplane shall be operated in compliance with the terms of its certificate of airworthiness and within the approved operating limitations contained in its flight manual', with the understanding that such CoA is issued by the State of Registry.
- (7) Furthermore, a large number of those aircraft have been entered in the aircraft registry of Russia without the consent of the owners and without subsequent safety related collaboration of either the BCAA or the IAA. As also stated in the ICAO Electronic Bulletin referred to in recital (6), such action is in breach of Articles 17 and 18 of the Chicago Convention.
- (8) On 18 March 2022, ICAO released its State Letter AN 3/1.1-22/41 in which it reminds all Contracting States of the Chicago Convention of the oversight responsibilities and obligations stemming from that Convention and Annexes thereto as regards the adequate performance of safety oversight.
- (9) On 18 March 2022, Russia announced to Bermuda that it was suspending the Article 83bis Agreement, referred to in recital (4), with immediate effect. As a result, in accordance with the relevant international civil aviation safety standards, any regulatory oversight responsibilities formerly transferred to Russia under that Agreement reverted back to Bermuda as the State of Registry.
- (10) In breach of the applicable international civil aviation safety standards, FATA has retained the transferred regulatory oversight responsibilities referred to in recitals (4) and (5), and assumed, without any coordination with Bermuda and Ireland as States of Registry, the regulatory functions and duties contained in Annex 8 to the Chicago Convention. There is no verifiable evidence to conclude that FATA has developed the necessary safety oversight capacity to adequately perform such an extended oversight responsibility on such short notice, and over such an extensive number of aircraft.
- (11) On 21 March 2022, pursuant to Article 3(2) of Regulation (EC) No 473/2006 ⁽⁴⁾, the Commission informed FATA about its serious concerns regarding the aviation safety oversight situation in Russia, and informed it about the essential facts and considerations, which could form the basis of a decision to impose an operating ban on air carriers certified by FATA within the Union.
- (12) The Commission gave FATA opportunity to submit written comments and to make an oral presentation on 5 April 2022 to the Commission and the EU Air Safety Committee. FATA was requested to indicate by 1 April 2022 whether it intends to use its right of defence and wanted to appear before the EU Air Safety Committee.
- (13) On 21 March 2022, the Commission informed the EU Air Safety Committee about the ongoing joint consultations with FATA, within the framework of Regulation (EC) No 2111/2005 and Commission Regulation (EC) No 473/2006.
- (14) On 31 March 2022, FATA informed in a letter addressed to the Commission that it rejects the allegations pertaining to the safety performance of air carriers certified by FATA, and that it considers that it discharges to the full extent the responsibilities imposed on ICAO Contracting States. FATA did not, however, provide any evidence or information to support its statements, and did not demonstrate how it discharges its responsibilities for the regulatory functions and duties contained in Annex 8 to the Chicago Convention, notably with regard to the air carriers operating the aircraft referred to in recitals (4) and (5).

⁽⁴⁾ Commission Regulation (EC) No 473/2006 of 22 March 2006 laying down implementing rules for the Community list of air carriers, which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 8).

- (15) On 1 April 2022, the Commission noted that FATA had not indicated, as requested in the letter of the Commission transmitted to FATA on 21 March 2022, its intent to use its right of defence, as provided for in Regulation (EC) No 2111/2005.
- (16) On 5 April 2022, the EU Air Safety Committee met to discuss the situation of the safety performance of the air carriers certified by FATA, as well as the ability of FATA to comply with the international aviation safety standards. The EU Air Safety Committee noted the breaches of the Chicago Convention referred to in recitals (6) and (7), as well as the violation of the applicable international civil aviation safety standards referred to in recital (10). It also noted the absence of willingness to cooperate with the Commission and the EU Member States, on the question of the capacity of FATA and the air carriers it has certified, to ensure the continuing airworthiness and operational safety of the air carriers' fleet, including the aircraft referred to in recitals (4) and (5).
- (17) Further consideration was also given to the consequential impact of the restrictive measures resulting from Council Regulation (EU) 2022/328 ⁽⁵⁾ amending Regulation (EU) No 833/2014, and notably the short term operational impact of having only limited access to updates of Navigation databases, and Ground Proximity Warning Systems Databases, thus seriously impairing the safe navigation abilities of the aircraft operated by air carriers certified by FATA.
- (18) Note was taken of the fact that, as a result of the applicable restrictive measures, engineering and technical support to air carriers certified by FATA has become limited. Moreover, the lack of this engineering and technical support, coupled with the increased surveillance activity stemming from the addition of the significant number of new aircraft on the Russian registry, will increase FATA's workload and the need for expertise, which is unlikely to be immediately achievable considering, on the one hand, the Article 83bis Agreement conditions under which such activity have been handled in Russia to date, and the consequences of the applicable restrictive measures on the other hand.
- (19) In view of the aforementioned violations and the lack of willingness to cooperate with the Commission and the EU Member States by addressing the specific points and concerns raised by the Commission in its letter of 21 March 2022, the Commission and the EU Air Safety Committee concluded, in line with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, including notably the third criterion, that there is no evidence that FATA is able to discharge its responsibilities under the Chicago Convention and the standards contained in the Annexes thereto as regards the air carriers certified by FATA operating aircraft referred to in recitals (4) and (5).
- (20) Furthermore, in line with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, and particularly with the first criterion, the air carriers certified by FATA which have operated one or more of the aircraft mentioned in recital 4 and 5 have, by doing so, demonstrated serious safety deficiencies by allowing flight operations to take place in breach of relevant international safety standards applicable to commercial air transportation.
- (21) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that the list of air carriers, which are subject to an operating ban within the Union, as set out in Annex A to Regulation (EC) No 474/2006, should be amended to include all air carriers certified in Russia operating aircraft referred to in recitals (4) and (5).
- (22) Member States should continue verifying the effective compliance of air carriers certified by FATA with the relevant international safety standards, through prioritisation of ramp inspections of those air carriers pursuant to Commission Regulation (EU) No 965/2012 ⁽⁶⁾.

⁽⁵⁾ Council Regulation (EU) 2022/328 of 25 February 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 49, 25.2.2022, p. 1).

⁽⁶⁾ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

- (23) The situation as regards the ability and capacity of FATA to discharge its role and responsibilities in terms of surveillance of its aviation industry, as well as all the air carriers certified in Russia, including notably the air carriers operating aircraft referred to in recitals (4) and (5), will be monitored closely, and will be subject to further scrutiny by the Commission, assisted by the Agency, for review at the next meetings of the EU Air Safety Committee.
- (24) Regulation (EC) No 474/2006 should therefore be amended accordingly.
- (25) Articles 5 and 6 of Regulation (EC) No 2111/2005 recognise the need for decisions to be taken swiftly and, where appropriate, urgently, given the safety implications. It is therefore essential, for the protection of sensitive information and the traveling public, that any decisions in the context of updating the list of air carriers, which are subject to an operating ban or restriction within the Union, are published and enter into force immediately after their adoption.
- (26) The measures provided for in this Regulation are in accordance with the opinion of the EU Air Safety Committee established by Article 15 of Regulation (EC) No 2111/2005,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 474/2006 is amended as follows:

- (1) Annex A is replaced by the text in Annex I to this Regulation;
- (2) Annex B is replaced by the text in Annex II 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, 8 April 2022.

*For the Commission,
On behalf of the President,
Adina VĂLEAN
Member of the Commission*

ANNEX I

‘ANNEX A

LIST OF AIR CARRIERS WHICH ARE BANNED FROM OPERATING WITHIN THE UNION, WITH EXCEPTIONS ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate ('AOC') Number or Operating Licence Number	ICAO three letter designator	State of the Operator
AVIOR AIRLINES	ROI-RNR-011	ROI	Venezuela
BLUE WING AIRLINES	SRBWA-01/2002	BWI	Suriname
IRAN ASEMAN AIRLINES	FS-102	IRC	Iran
IRAQI AIRWAYS	001	IAW	Iraq
MED-VIEW AIRLINE	MVA/AOC/10-12/05	MEV	Nigeria
AIR ZIMBABWE (PVT)	177/04	AZW	Zimbabwe
All air carriers certified by the authorities with responsibility for regulatory oversight of Afghanistan, including			Afghanistan
ARIANA AFGHAN AIRLINES	AOC 009	AFG	Afghanistan
KAM AIR	AOC 001	KMF	Afghanistan
All air carriers certified by the authorities with responsibility for regulatory oversight of Angola, with the exception of TAAG Angola Airlines and Heli Malongo, including			Angola
AEROJET	AO-008/11-07/17 TEJ	TEJ	Angola
GUICANGO	AO-009/11-06/17 YYY	Unknown	Angola
AIR JET	AO-006/11-08/18 MBC	MBC	Angola
BESTFLYA AIRCRAFT MANAGEMENT	AO-015/15-06/17YYY	Unknown	Angola
HELIANG	AO 007/11-08/18 YYY	Unknown	Angola
SJL	AO-014/13-08/18YYY	Unknown	Angola
SONAIR	AO-002/11-08/17 SOR	SOR	Angola
All air carriers certified by the authorities with responsibility for regulatory oversight of Armenia, including			Armenia
AIRCOMPANY ARMENIA	AM AOC 065	NGT	Armenia

⁽¹⁾ Air carriers listed in Annex A could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

ARMENIA AIRWAYS	AM AOC 063	AMW	Armenia
ARMENIAN HELICOPTERS	AM AOC 067	KAV	Armenia
FLYONE ARMENIA	AM AOC 074		Armenia
NOVAIR	AM AOC 071	NAI	Armenia
SHIRAK AVIA	AM AOC 072	SHS	Armenia
SKYBALL	AM AOC 073	N/A	Armenia
All air carriers certified by the authorities with responsibility for regulatory oversight of Congo (Brazzaville), including			Congo (Brazzaville)
CANADIAN AIRWAYS CONGO	CG-CTA 006	TWC	Congo (Brazzaville)
EQUAFLIGHT SERVICES	CG-CTA 002	EKA	Congo (Brazzaville)
EQUAJET	RAC06-007	EKJ	Congo (Brazzaville)
TRANS AIR CONGO	CG-CTA 001	TSG	Congo (Brazzaville)
SOCIETE NOUVELLE AIR CONGO	CG-CTA 004	Unknown	Congo (Brazzaville)
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (DRC), including			Democratic Republic of Congo (DRC)
AIR FAST CONGO	AAC/DG/OPS-09/03	Unknown	Democratic Republic of Congo (DRC)
AIR KATANGA	AAC/DG/OPS-09/08	Unknown	Democratic Republic of Congo (DRC)
BUSY BEE CONGO	AAC/DG/OPS-09/04	Unknown	Democratic Republic of Congo (DRC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	AAC/DG/OPS-09/02	Unknown	Democratic Republic of Congo (DRC)
CONGO AIRWAYS	AAC/DG/OPS-09/01	Unknown	Democratic Republic of Congo (DRC)
KIN AVIA	AAC/DG/OPS-09/10	Unknown	Democratic Republic of Congo (DRC)
MALU AVIATION	AAC/DG/OPS-09/05	Unknown	Democratic Republic of Congo (DRC)
SERVE AIR CARGO	AAC/DG/OPS-09/07	Unknown	Democratic Republic of Congo (DRC)

SWALA AVIATION	AAC/DG/OPS-09/06	Unknown	Democratic Republic of Congo (DRC)
MWANT JET	AAC/DG/OPS-09/09	Unknown	Democratic Republic of Congo (RDC)
All air carriers certified by the authorities with responsibility for regulatory oversight of Djibouti, including			Djibouti
DAALLO AIRLINES	Unknown	DAO	Djibouti
All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including			Equatorial Guinea
CEIBA INTERCONTINENTAL	2011/0001/MTTCT/DGAC/SOPS	CEL	Equatorial Guinea
CRONOS AIRLINES	2011/0004/MTTCT/DGAC/SOPS	Unknown	Equatorial Guinea
All air carriers certified by the authorities with responsibility for regulatory oversight of Eritrea, including			Eritrea
ERITREAN AIRLINES	AOC No 004	ERT	Eritrea
NASAIR ERITREA	AOC No 005	NAS	Eritrea
All air carriers certified by the authorities with responsibility for regulatory oversight of Kyrgyzstan, including			Kyrgyzstan
AEROSTAN	08	BSC	Kyrgyzstan
AIR COMPANY AIR KG	50	Unknown	Kyrgyzstan
AIR MANAS	17	MBB	Kyrgyzstan
AVIA TRAFFIC COMPANY	23	AVJ	Kyrgyzstan
FLYSKY AIRLINES	53	FSQ	Kyrgyzstan
HELI SKY	47	HAC	Kyrgyzstan
KAP.KG AIRCOMPANY	52	KGS	Kyrgyzstan
SKY KG AIRLINES	41	KGK	Kyrgyzstan
TEZ JET	46	TEZ	Kyrgyzstan
VALOR AIR	07	VAC	Kyrgyzstan
All air carriers certified by the authorities with responsibility for regulatory oversight of Liberia.			Liberia
All air carriers certified by the authorities with responsibility for regulatory oversight of Libya, including			Libya
AFRIQYAH AIRWAYS	007/01	AAW	Libya

AIR LIBYA	004/01	TLR	Libya
AL MAHA AVIATION	030/18	Unknown	Libya
BERNIQ AIRWAYS	032/21	BNL	Libya
BURAQ AIR	002/01	BRQ	Libya
GLOBAL AIR TRANSPORT	008/05	GAK	Libya
HALA AIRLINES	033/21	HTP	Libya
LIBYAN AIRLINES	001/01	LAA	Libya
LIBYAN WINGS AIRLINES	029/15	LWA	Libya
PETRO AIR	025/08	PEO	Libya
All air carriers certified by the authorities with responsibility for regulatory oversight of Nepal, including			Nepal
AIR DYNASTY HELI. S.	035/2001	Unknown	Nepal
ALTITUDE AIR	085/2016	Unknown	Nepal
BUDDHA AIR	014/1996	BHA	Nepal
FISHTAIL AIR	017/2001	Unknown	Nepal
SUMMIT AIR	064/2010	Unknown	Nepal
HELI EVEREST	086/2016	Unknown	Nepal
HIMALAYA AIRLINES	084/2015	HIM	Nepal
KAILASH HELICOPTER SERVICES	087/2018	Unknown	Nepal
MAKALU AIR	057A/2009	Unknown	Nepal
MANANG AIR PVT	082/2014	Unknown	Nepal
MOUNTAIN HELICOPTERS	055/2009	Unknown	Nepal
PRABHU HELICOPTERS	081/2013	Unknown	Nepal
NEPAL AIRLINES CORPORATION	003/2000	RNA	Nepal
SAURYA AIRLINES	083/2014	Unknown	Nepal
SHREE AIRLINES	030/2002	SHA	Nepal
SIMRIK AIR	034/2000	Unknown	Nepal
SIMRIK AIRLINES	052/2009	RMK	Nepal
SITA AIR	033/2000	Unknown	Nepal
TARA AIR	053/2009	Unknown	Nepal
YETI AIRLINES	037/2004	NYT	Nepal
The following air carriers certified by the authorities with responsibility for regulatory oversight of Russia			Russia
AURORA AIRLINES	486	SHU	Russia
AVIACOMPANY "AVIASTAR-TU" CO. LTD	458	TUP	Russia

IZHAVIA	479	IZA	Russia
JOINT STOCK COMPANY "AIR COMPANY "YAKUTIA"	464	SYL	Russia
JOINT STOCK COMPANY "RUSJET"	498	RSJ	Russia
JOINT STOCK COMPANY "UVT AERO"	567	UVT	Russia
JOINT STOCK COMPANY SIBERIA AIRLINES	31	SBI	Russia
JOINT STOCK COMPANY SMARTAVIA AIRLINES	466	AUL	Russia
JOINT-STOCK COMPANY "IRAERO" AIRLINES	480	IAE	Russia
JOINT-STOCK COMPANY "URAL AIRLINES"	18	SVR	Russia
JOINT-STOCK COMPANY ALROSA AIR COMPANY	230	DRU	Russia
JOINT-STOCK COMPANY NORDSTAR AIRLINES	452	TYA	Russia
JS AVIATION COMPANY "RUSLINE"	225	RLU	Russia
JSC YAMAL AIRLINES	142	LLM	Russia
LLC "NORD WIND"	516	NWS	Russia
LLC "AIRCOMPANY IKAR"	36	KAR	Russia
POBEDA AIRLINES LIMITED LIABILITY COMPANY	562	PBD	Russia
PUBLIC JOINT STOCK COMPANY "AEROFLOT - RUSSIAN AIRLINES"	1	AFL	Russia
ROSSIYA AIRLINES, JOINT STOCK COMPANY	2	SMD	Russia
SKOL AIRLINE LLC	228	CDV	Russia
UTAIR AVIATION, JOINT-STOCK COMPANY	6	UTA	Russia
All air carriers certified by the authorities with responsibility for regulatory oversight of Sao Tome and Principe, including			Sao Tome and Principe
AFRICA'S CONNECTION	10/AOC/2008	ACH	Sao Tome and Principe
STP AIRWAYS	03/AOC/2006	STP	Sao Tome and Principe
All air carriers certified by the authorities with responsibility for regulatory oversight of Sierra Leone			Sierra Leone
All air carriers certified by the authorities with responsibility for regulatory oversight of Sudan, including			Sudan

<i>ALFA AIRLINES SD</i>	54	AAJ	Sudan
<i>BADR AIRLINES</i>	35	BDR	Sudan
<i>BLUE BIRD AVIATION</i>	11	BLB	Sudan
<i>ELDINDER AVIATION</i>	8	DND	Sudan
<i>GREEN FLAG AVIATION</i>	17	GNF	Sudan
<i>HELEJETIC AIR</i>	57	HJT	Sudan
<i>KATA AIR TRANSPORT</i>	9	KTV	Sudan
<i>KUSH AVIATION CO.</i>	60	KUH	Sudan
<i>NOVA AIRWAYS</i>	46	NOV	Sudan
<i>SUDAN AIRWAYS CO.</i>	1	SUD	Sudan
<i>SUN AIR</i>	51	SNR	Sudan
<i>TARCO AIR</i>	56	TRQ	Sudan'

ANNEX II

‘ANNEX B

LIST OF AIR CARRIERS WHICH ARE SUBJECT TO OPERATIONAL RESTRICTIONS WITHIN THE UNION ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate ('AOC') Number	ICAO three letter designator	State of the Operator	Aircraft type restricted	Registration mark(s) and, when available, construction serial number(s) of restricted aircraft	State of registry
IRAN AIR	FS100	IRA	Iran	All aircraft of type Fokker F100 and of type Boeing B747	Aircraft of type Fokker F100 as mentioned on the AOC; aircraft of type Boeing B747 as mentioned on the AOC	Iran
AIR KORYO	GAC-AOC/KOR-01	KOR	North Korea	All fleet with the exception of: 2 aircraft of type TU-204.	All fleet with the exception of: P-632, P-633.	North Korea'

⁽¹⁾ Air carriers listed in Annex B could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

COMMISSION IMPLEMENTING REGULATION (EU) 2022/595**of 11 April 2022****amending certain Regulations concerning restrictive measures and setting out a single list for the Annexes to those Regulations containing the contact details of Member States' competent authorities and the address for notifications to the European Commission**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism ⁽¹⁾, and in particular Article 7 thereof, Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations ⁽²⁾, and in particular Article 7(1)(b) thereof, Council Regulation (EC) No 147/2003 of 27 January 2003 concerning certain restrictive measures in respect of Somalia ⁽³⁾, and in particular Article 6a thereof, Council Regulation (EC) No 1210/2003 of 7 July 2003 concerning certain specific restrictions on economic and financial relations with Iraq and repealing Regulation (EC) No 2465/96 ⁽⁴⁾, and in particular Article 11(c) thereof, Council Regulation (EC) No 314/2004 of 19 February 2004 concerning restrictive measures in view of the situation in Zimbabwe ⁽⁵⁾, and in particular Article 11(a) thereof, Council Regulation (EC) No 1183/2005 of 18 July 2005 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo ⁽⁶⁾, and in particular Article 9(6) thereof, Council Regulation (EC) No 305/2006 of 21 February 2006 imposing specific restrictive measures against certain persons suspected of involvement in the assassination of former Lebanese Prime Minister Rafiq Hariri ⁽⁷⁾, and in particular Article 8(1)(b) thereof, Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine ⁽⁸⁾, and in particular Article 8 thereof, Council Regulation (EC) No 1412/2006 of 25 September 2006 concerning certain restrictive measures in respect of Lebanon ⁽⁹⁾, and in particular Article 5 thereof, Council Regulation (EU) No 1284/2009 of 22 December 2009 imposing certain specific restrictive measures in respect of the Republic of Guinea ⁽¹⁰⁾, and in particular Article 15 thereof, Council Regulation (EU) No 356/2010 of 26 April 2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia ⁽¹¹⁾, and in particular Article 11 thereof, Council Regulation (EU) No 101/2011 of 4 February 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia ⁽¹²⁾, and in particular Article 11 thereof, Council Regulation (EU) No 359/2011 of 12 April 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran ⁽¹³⁾, and in particular Article 11 thereof, Council Regulation (EU) No 753/2011 of 1 August 2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan ⁽¹⁴⁾, and in particular Article 10 thereof, Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 ⁽¹⁵⁾, and in particular Article 31 thereof, Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010 ⁽¹⁶⁾, and in particular Article 45 thereof, Council Regulation (EU) No 377/2012 of 3 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau ⁽¹⁷⁾, and in particular Article 10 thereof, Council Regulation (EU) No 401/2013 concerning restrictive measures in view of the situation in Myanmar/Burma and repealing Regulation (EC) No 194/2008 ⁽¹⁸⁾, and in particular Article 7 thereof, Council Regulation (EU) No 208/2014 of 5 March 2014 concerning

⁽¹⁾ OJ L 344, 28.12.2001, p. 70.⁽²⁾ OJ L 139, 29.5.2002, p. 9.⁽³⁾ OJ L 24, 29.1.2003, p. 2.⁽⁴⁾ OJ L 169, 8.7.2003, p. 6.⁽⁵⁾ OJ L 55, 24.2.2004, p. 1.⁽⁶⁾ OJ L 193, 23.7.2005, p. 1.⁽⁷⁾ OJ L 51, 22.2.2006, p. 1.⁽⁸⁾ OJ L 134, 20.5.2006, p. 1.⁽⁹⁾ OJ L 267, 27.9.2006, p. 2.⁽¹⁰⁾ OJ L 346, 23.12.2009, p. 26.⁽¹¹⁾ OJ L 105, 27.4.2010, p. 1.⁽¹²⁾ OJ L 31, 5.2.2011, p. 1.⁽¹³⁾ OJ L 100, 14.4.2011, p. 1.⁽¹⁴⁾ OJ L 199, 2.8.2011, p. 1.⁽¹⁵⁾ OJ L 16, 19.1.2012, p. 1.⁽¹⁶⁾ OJ L 88, 24.3.2012, p. 1.⁽¹⁷⁾ OJ L 119, 4.5.2012, p. 1.⁽¹⁸⁾ OJ L 121, 3.5.2013, p. 1.

restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine ⁽¹⁹⁾, and in particular Article 13 thereof, Council Regulation (EU) No 224/2014 of 10 March 2014 concerning restrictive measures in view of the situation in the Central African Republic ⁽²⁰⁾, and in particular Article 16 thereof, Council Regulation (EU) No 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine ⁽²¹⁾, and in particular Article 13 thereof, Council Regulation (EU) No 747/2014 of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Regulations (EC) No 131/2004 and (EC) No 1184/2005 ⁽²²⁾, and in particular Article 14 thereof, Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine ⁽²³⁾, and in particular Article 7 thereof, Council Regulation (EU) No 1352/2014 of 18 December 2014 concerning restrictive measures in view of the situation in Yemen ⁽²⁴⁾, and in particular Article 14 thereof, Council Regulation (EU) 2015/735 of 7 May 2015 concerning restrictive measures in respect of the situation in South Sudan, and repealing Regulation (EU) No 748/2014 ⁽²⁵⁾, and in particular Article 19 thereof, Council Regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi ⁽²⁶⁾, and in particular Article 12 thereof, Council Regulation (EU) 2016/44 of 18 January 2016 concerning restrictive measures in view of the situation in Libya and repealing Regulation (EU) No 204/2011 ⁽²⁷⁾, and in particular Article 20(a) thereof, Council Regulation (EU) 2016/1686 of 20 September 2016 imposing additional restrictive measures directed against ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them ⁽²⁸⁾, and in particular Article 17 thereof, Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No 329/2007 ⁽²⁹⁾, and in particular Article 46(a) thereof, Council Regulation (EU) 2017/1770 of 28 September 2017 concerning restrictive measures in view of the situation in Mali ⁽³⁰⁾, and in particular Article 12(7) thereof, Council Regulation (EU) 2017/2063 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela ⁽³¹⁾, and in particular Article 17(5) thereof, Council Regulation (EU) 2018/1542 of 15 October 2018 concerning restrictive measures against the proliferation and use of chemical weapons ⁽³²⁾, and in particular Article 12(5) thereof, Council Regulation (EU) 2019/796 of 17 May 2019 concerning restrictive measures against cyber-attacks threatening the Union or its Member States ⁽³³⁾, and in particular Article 13(5) thereof, Council Regulation (EU) 2019/1890 of 11 November 2019 concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean ⁽³⁴⁾, and in particular Article 12(5) thereof, Council Regulation (EU) 2020/1998 of 7 December 2020 concerning restrictive measures against serious human rights violations and abuses ⁽³⁵⁾, and in particular Article 14(5) thereof, Council Regulation (EU) 2021/1275 of 30 July 2021 concerning restrictive measures in view of the situation in Lebanon ⁽³⁶⁾, and in particular Article 13(5) thereof, Council Regulation (EU) 2022/263 of 23 February 2022 concerning restrictive measures in response to the recognition of the non-government controlled areas of the Donetsk and Luhansk oblasts of Ukraine and the ordering of Russian armed forces into those areas ⁽³⁷⁾, and in particular Article 12 thereof,

⁽¹⁹⁾ OJ L 66, 6.3.2014, p. 1.

⁽²⁰⁾ OJ L 70, 11.3.2014, p. 1.

⁽²¹⁾ OJ L 78, 17.3.2014, p. 6.

⁽²²⁾ OJ L 203, 11.7.2014, p. 1.

⁽²³⁾ OJ L 229, 31.7.2014, p. 1.

⁽²⁴⁾ OJ L 365, 19.12.2014, p. 60.

⁽²⁵⁾ OJ L 117, 8.5.2015, p. 13.

⁽²⁶⁾ OJ L 257, 2.10.2015, p. 1.

⁽²⁷⁾ OJ L 12, 19.1.2016, p. 1.

⁽²⁸⁾ OJ L 255, 21.9.2016, p. 1.

⁽²⁹⁾ OJ L 224, 31.8.2017, p. 1.

⁽³⁰⁾ OJ L 251, 29.9.2017, p. 1.

⁽³¹⁾ OJ L 295, 14.11.2017, p. 21.

⁽³²⁾ OJ L 259, 16.10.2018, p. 12.

⁽³³⁾ OJ L 129I, 17.5.2019, p. 1.

⁽³⁴⁾ OJ L 291, 12.11.2019, p. 3.

⁽³⁵⁾ OJ L 410I, 7.12.2020, p. 1.

⁽³⁶⁾ OJ L 277I, 2.8.2021, p. 1.

⁽³⁷⁾ OJ L 42I, 23.2.2022, p. 77.

Whereas:

- (1) In order to harmonise and to update the contact details of Member States competent authorities under certain Regulations concerning restrictive measures, this Regulation sets out a single list of contact details of Member States competent authorities and the address for notifications to the Commission.
- (2) The single list of contact details of Member States competent authorities and the address for notifications to the Commission set out in this Regulation replace the specific lists set out in Council Regulation (EC) No 2580/2001, Council Regulation (EC) No 881/2002, Council Regulation (EC) No 147/2003, Council Regulation (EC) No 1210/2003, Council Regulation (EC) No 314/2004, Council Regulation (EC) No 1183/2005, Council Regulation (EC) No 305/2006, Council Regulation (EC) No 765/2006, Council Regulation (EC) No 1412/2006, Council Regulation (EU) No 1284/2009, Council Regulation (EU) No 356/2010, Council Regulation (EU) No 101/2011, Council Regulation (EU) No 359/2011, Council Regulation (EU) No 753/2011, Council Regulation (EU) No 36/2012, Council Regulation (EU) No 267/2012, Council Regulation (EU) No 377/2012, Council Regulation (EU) No 401/2013, Council Regulation (EU) No 208/2014, Council Regulation (EU) No 224/2014, Council Regulation (EU) No 269/2014, Council Regulation (EU) No 747/2014, Council Regulation (EU) No 833/2014, Council Regulation (EU) No 1352/2014, Council Regulation (EU) 2015/735, Council Regulation (EU) 2015/1755, Council Regulation (EU) 2016/44, Council Regulation (EU) 2016/1686, Council Regulation (EU) 2017/1509, Council Regulation (EU) 2017/1770, Council Regulation (EU) 2017/2063, Council Regulation (EU) 2018/1542, Council Regulation (EU) 2019/796, Council Regulation (EU) 2019/1890, Council Regulation (EU) 2020/1998, Council Regulation (EU) 2021/1275 and Council Regulation (EU) 2022/263, and those regulations should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Council Regulation (EC) No 2580/2001 is replaced by the list set out in the Annex to this Regulation.

Article 2

Annex II to Council Regulation (EC) No 881/2002 is replaced by the list set out in the Annex to this Regulation.

Article 3

Annex I to Council Regulation (EC) No 147/2003 is replaced by the list set out in the Annex to this Regulation.

Article 4

Annex V to Council Regulation (EC) No 1210/2003 is replaced by the list set out in the Annex to this Regulation.

Article 5

Annex II to Council Regulation (EC) No 314/2004 is replaced by the list set out in the Annex to this Regulation.

Article 6

Annex II to Council Regulation (EC) No 1183/2005 is replaced by the list set out in the Annex to this Regulation.

Article 7

Annex II to Council Regulation (EC) No 305/2006 is replaced by the list set out in the Annex to this Regulation.

Article 8

Annex II to Council Regulation (EC) No 765/2006 is replaced by the list set out in the Annex to this Regulation.

Article 9

The Annex to Council Regulation (EC) No 1412/2006 is replaced by the list set out in the Annex to this Regulation.

Article 10

Annex III to Council Regulation (EU) No 1284/2009 is replaced by the list set out in the Annex to this Regulation.

Article 11

Annex II to Council Regulation (EU) No 356/2010 is replaced by the list set out in the Annex to this Regulation.

Article 12

Annex II to Council Regulation (EU) No 101/2011 is replaced by the list set out in the Annex to this Regulation.

Article 13

Annex II to Council Regulation (EU) No 359/2011 is replaced by the list set out in the Annex to this Regulation.

Article 14

Annex II to Council Regulation (EU) No 753/2011 is replaced by the list set out in the Annex to this Regulation.

Article 15

Annex III to Council Regulation (EU) No 36/2012 is replaced by the list set out in the Annex to this Regulation.

Article 16

Annex X to Council Regulation (EU) No 267/2012 is replaced by the list set out in the Annex to this Regulation.

Article 17

Annex II to Council Regulation (EU) No 377/2012 is replaced by the list set out in the Annex to this Regulation.

Article 18

Annex II to Council Regulation (EU) No 401/2013 is replaced by the list set out in the Annex to this Regulation.

Article 19

Annex II to Council Regulation (EU) No 208/2014 is replaced by the list set out in the Annex to this Regulation.

Article 20

Annex II to Council Regulation (EU) No 224/2014 is replaced by the list set out in the Annex to this Regulation.

Article 21

Annex II to Council Regulation (EU) No 269/2014 is replaced by the list set out in the Annex to this Regulation.

Article 22

Annex II to Council Regulation (EU) No 747/2014 is replaced by the list set out in the Annex to this Regulation.

Article 23

Annex I to Council Regulation (EU) No 833/2014 is replaced by the list set out in the Annex to this Regulation.

Article 24

Annex II to Council Regulation (EU) No 1352/2014 is replaced by the list set out in the Annex to this Regulation.

Article 25

Annex III to Council Regulation (EU) 2015/735 is replaced by the list set out in the Annex to this Regulation.

Article 26

Annex II to Council Regulation (EU) 2015/1755 is replaced by the list set out in the Annex to this Regulation.

Article 27

Annex IV to Council Regulation (EU) 2016/44 is replaced by the list set out in the Annex to this Regulation.

Article 28

Annex II to Council Regulation (EU) 2016/1686 is replaced by the list set out in the Annex to this Regulation.

Article 29

Annex I to Council Regulation (EU) 2017/1509 is replaced by the list set out in the Annex to this Regulation.

Article 30

Annex II to Council Regulation (EU) 2017/1770 is replaced by the list set out in the Annex to this Regulation.

Article 31

Annex III to Council Regulation (EU) 2017/2063 is replaced by the list set out in the Annex to this Regulation.

Article 32

Annex II to Council Regulation (EU) 2018/1542 is replaced by the list set out in the Annex to this Regulation.

Article 33

Annex II to Council Regulation (EU) 2019/796 is replaced by the list set out in the Annex to this Regulation.

Article 34

Annex II to Council Regulation (EU) 2019/1890 is replaced by the list set out in the Annex to this Regulation.

Article 35

Annex II to Council Regulation (EU) 2020/1998 is replaced by the list set out in the Annex to this Regulation.

Article 36

Annex II to Council Regulation (EU) 2021/1275 is replaced by the list set out in the Annex to this Regulation.

Article 37

Annex I to Council Regulation (EU) 2022/263 is replaced by the list set out in the Annex to this Regulation.

Article 38

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, 11 April 2022.

For the Commission
On behalf of The President
Director-General
Directorate-General for Financial Stability, Financial
Services and Capital Markets Union

ANNEX

‘BELGIUM

https://diplomatie.belgium.be/en/policy/policy_areas/peace_and_security/sanctions

BULGARIA

<https://www.mfa.bg/en/EU-sanctions>

CZECHIA

www.financnianalytickyurad.cz/mezinarodni-sankce.html

DENMARK

<http://um.dk/da/Udenrigspolitik/folkeretten/sanktioner/>

GERMANY

<https://www.bmwi.de/Redaktion/DE/Artikel/Aussenwirtschaft/embargos-aussenwirtschaftsrecht.html>

ESTONIA

<https://vm.ee/et/rahvusvahelised-sanktsioonid>

IRELAND

<https://www.dfa.ie/our-role/policies/ireland-in-the-eu/eu-restrictive-measures/>

GREECE

<http://www.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html>

SPAIN

<https://www.exteriores.gob.es/es/PoliticaExterior/Paginas/SancionesInternacionales.aspx>

FRANCE

<http://www.diplomatie.gouv.fr/fr/autorites-sanctions/>

CROATIA

<https://mvep.gov.hr/vanjska-politika/medjunarodne-mjere-ogranicavanja/22955>

ITALY

https://www.esteri.it/it/politica-estera-e-cooperazione-allo-sviluppo/politica_europea/misure_deroghe/

CYPRUS

<https://mfa.gov.cy/themes/>

LATVIA

<http://www.mfa.gov.lv/en/security/4539>

LITHUANIA

<http://www.urm.lt/sanctions>

LUXEMBOURG

<https://maee.gouvernement.lu/fr/directions-du-ministere/affaires-europeennes/organisations-economiques-int/mesures-restrictives.html>

HUNGARY

<https://kormany.hu/kulgazdasagi-es-kulugyminiszterium/ensz-eu-szankcios-tajekoztato>

MALTA

<https://foreignandeu.gov.mt/en/Government/SMB/Pages/SMB-Home.aspx>

NETHERLANDS

<https://www.rijksoverheid.nl/onderwerpen/internationale-sancties>

AUSTRIA

<https://www.bmeia.gv.at/themen/aussenpolitik/europa/eu-sanktionen-nationale-behoerden/>

POLAND

<https://www.gov.pl/web/dyplomacja/sankcje-miedzynarodowe>

<https://www.gov.pl/web/diplomacy/international-sanctions>

PORTUGAL

<https://www.portaldiplomatico.mne.gov.pt/politica-externa/medidas-restritivas>

ROMANIA

<http://www.mae.ro/node/1548>

SLOVENIA

http://www.mzz.gov.si/si/omejevalni_ukrepi

SLOVAKIA

https://www.mzv.sk/europske_zalezitosti/europske_politiky-sankcie_eu

FINLAND

<https://um.fi/pakotteet>

SWEDEN

<https://www.regeringen.se/sanktioner>

Address for notifications to the European Commission:

European Commission

Directorate-General for Financial Stability, Financial Services and Capital Markets Union (DG FISMA)

Rue de Spa 2

B-1049 Brussels, Belgium

E-mail: relex-sanctions@ec.europa.eu

DECISIONS

COUNCIL DECISION (CFSP) 2022/596

of 11 April 2022

amending Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) On 12 April 2011, the Council adopted Decision 2011/235/CFSP ⁽¹⁾.
- (2) On the basis of a review of Decision 2011/235/CFSP, the Council considers that the restrictive measures set out therein should be renewed until 13 April 2023.
- (3) Three persons designated in the Annex to Decision 2011/235/CFSP are deceased, and the entries concerning them should be removed from the Annex. The Council has also concluded that the entries concerning 25 persons included in the Annex to Decision 2011/235/CFSP should be updated.
- (4) Decision 2011/235/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/235/CFSP is amended as follows:

- (1) in Article 6, paragraph 2 is replaced by the following:
‘2. This Decision shall apply until 13 April 2023. It shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.’;
- (2) the Annex is amended as set out in the Annex to this Decision.

Article 2

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

Done at Luxembourg, 11 April 2022.

For the Council
The President
J. BORRELL FONTELLES

⁽¹⁾ Council Decision 2011/235/CFSP of 12 April 2011 concerning restrictive measures directed against certain persons and entities in view of the situation in Iran (OJ L 100, 14.4.2011, p. 51).

The Annex to Decision 2011/235/CFSP ('List of persons and entities referred to in Articles 1 and 2') is amended as follows:

- (1) entries 27 (concerning ZARGAR Ahmad), 38 (concerning FIRUZABADI Maj-Gen Dr Seyyed Hasan) and 41 (concerning HEJAZI Mohammad) in the list headed 'Persons' are deleted;
- (2) the entries for the following 25 persons are replaced by the following:

Persons

	Name	Identifying information	Reasons	Date of listing
'1.	AHMADI-MOQADDAM Esmail	POB: Tehran (Iran) DOB: 1961 Gender: male	Director of the University and the Higher National Defence Research Institute since 20 September 2021. Former Senior Advisor for Security Affairs to the Chief of the Armed Forces General Staff. Chief of Iran's National Police from 2005 until early 2015. Also Head of the Iranian Cyber Police (EU-listed) from January 2011 until early 2015. Forces under his command led brutal attacks on peaceful protests and a violent night-time attack on the dormitories of Tehran University on 15 June 2009. Former head of Iran's Headquarters in support of the Yemeni People.	12.4.2011
20.	MOGHISSEH Mohammad (a.k.a. NASSERIAN)	Gender: male	Judge at the Supreme Court since November 2020. Former head of Tehran Revolutionary Court, branch 28. Also considered responsible for condemnations of members of the Baha'i community. He has dealt with post-election cases. He issued long prison sentences during unfair trials of social and political activists and journalists, and several death sentences for protesters and social and political activists.	12.4.2011
21.	MOHSENI-EJEI Gholam-Hossein	POB: Ejiyeh (Iran) DOB: circa 1956 Gender: male	Chief of Justice since July 2021. Member of the Expediency Council. Prosecutor General of Iran from September 2009 until 2014. Former Deputy Head of the Judiciary (2014 until July 2021) and spokesperson of the Judiciary (2010-2019). Intelligence Minister from 2005 until 2009. While he was Intelligence Minister during the 2009 elections, intelligence agents under his command were responsible for the detention and torture of, and the extraction of false confessions under pressure from, hundreds of activists, journalists, dissidents and reformist politicians. In addition, political figures were coerced into making false confessions under unbearable interrogation, which included torture, abuse, blackmail and the threatening of family members.	12.4.2011
22.	MORTAZAVI Said (a.k.a. MORTAZAVI Saeed)	POB: Meybod, Yazd (Iran) DOB: 1967 Gender: male	Head of the Welfare System from 2011 to 2013. Prosecutor General of Tehran until August 2009. As Prosecutor General of Tehran, he issued a blanket order used for the detention of hundreds of activists, journalists and students. In January 2010, a parliamentary investigation held him directly responsible for the detention of three prisoners who subsequently died in custody. He was suspended from office in August 2010 after an investigation by the Iranian judiciary into his role in the deaths of the three men detained on his orders following the election.	12.4.2011

	Name	Identifying information	Reasons	Date of listing
			In November 2014, his role in the deaths of detainees was officially recognised by the Iranian authorities. He was acquitted by an Iranian Court on 19 August 2015, on charges connected to the torture and deaths of three young men at the Kahrizak detention centre in 2009. Sentenced to prison in 2017 and released in September 2019. In August 2021, Iran's Supreme Court issued a ruling in full support of Said Mortazavi, overturning his earlier two-year jail sentence.	
25.	SALAVATI Abdolghassem	Gender: male	Judge of the Special Court for Financial Crimes, branch 4 since 2019. Former Head of Tehran Revolutionary Court, branch 15. Committing Judge in the Tehran Tribunal. In charge of the post-election cases, he was the Judge presiding over the 'show trials' in summer 2009, he condemned to death two monarchists that appeared in the show trials. He has sentenced more than a hundred political prisoners, human rights activists and demonstrators to lengthy prison sentences. In 2018, reports showed that he continued to hand down similar sentences without proper observance of fair hearing procedures.	12.4.2011
28.	YASAGHI Ali-Akbar	Gender: male	Judge at the Supreme Court, head of the 13th section. Deputy Chief Executive Officer of Setad-e Dieh Foundation. Chief Judge, Mashhad Revolutionary Court (2001-2011). Trials under his jurisdiction have been conducted summarily and in closed sessions, without adherence to basic rights of the accused. As execution rulings were issued en masse (up to 550 between summer 2009 and summer 2011), death sentences were issued without proper observance of fair hearing procedures.	12.4.2011
30.	ESMAILI Gholam-Hossein (a.k.a. ESMAILI Gholam Hossein)	Gender: male	Chief of Staff of Iranian President Raisi since August 2021. Judiciary spokesman from April 2019 until July 2021. Former head of the Tehran Judiciary. Former Head of Iran's Prisons Organisation. In this capacity, he was complicit in the massive detention of political protesters and covering up of abuses performed in the jailing system.	12.4.2011
33.	ABBASZADEH-MESHKINI Mahmoud	Gender: male	Member of Parliament (since February 2020) and Speaker of the Parliament's Committee for National Security and Foreign Affairs. Former Advisor to Iran's High Council for Human Rights (until 2019). Former secretary of the High Council for Human Rights. Former Governor of Ilam Province. Former Political Director of the Interior Ministry. As Head of the Article 10 Committee of the Law on Activities of Political Parties and Groups, he was in charge of authorising demonstrations and other public events and registering political parties.	10.10.2011

	Name	Identifying information	Reasons	Date of listing
			In 2010, he suspended the activities of two reformist political parties linked to Mousavi – the Islamic Iran Participation Front and the Islamic Revolution Mujahedeen Organisation. From 2009 onwards, he has consistently and continuously prohibited all non-governmental gatherings, therefore denying a constitutional right to protest and leading to many arrests of peaceful demonstrators in contravention of the right to freedom of assembly. In 2009, he also denied the opposition a permit for a ceremony to mourn people killed in protests over the Presidential elections.	
35.	AKHARIAN Hassan	Gender: male	Head of Ward 5 and in charge of solitary confinement in EU-listed Rajaee Shahr Prison since 2015; formerly Keeper of Ward 1 of Rajaee Shahr Prison, Karadj until July 2010. Several former detainees have denounced his use of torture, as well as orders he gave to prevent inmates receiving medical assistance. According to a transcript of one reported detainee in the Rajaee Shahr Prison, wardens all beat him severely, with Akharian's full knowledge. There is also at least one reported case of ill treatment and the death of a detainee, Mohsen Beikvand, under Akharian's wardenship. Beikvand died in September 2010. Other prisoners claim credibly that he was killed on the instructions of Hassan Akharian.	10.10.2011
36.	AVAEE Seyyed Ali-Reza (a.k.a. AVAEE Seyyed Alireza, AVAIE Alireza)	POB: Dezful (Iran) DOB: 20.5.1956 Gender: male	Minister of Justice until 25 August 2021. Former Director of the special investigations office. Deputy Minister of the Interior and Head of the Public Register until July 2016. Advisor to the Disciplinary Court for Judges in April 2014. Former President of the Tehran Judiciary. As President of the Tehran Judiciary, he has been responsible for human rights violations, arbitrary arrests, denials of prisoners' rights and a high number of executions.	10.10.2011
46.	KAMALIAN Behrouz (a.k.a. Hackers Brain, Behrooz_Ice)	POB: Tehran (Iran) DOB: 1983 Gender: male	Head of the 'Ashiyaneh' cyber group linked with the Iranian regime. The 'Ashiyaneh' Digital Security, founded by Behrouz Kamalian, is responsible for intensive cyber attacks both on domestic opponents and reformists and foreign institutions. Kamalian's 'Ashiyaneh' organisation's work has assisted the regime's crackdown against the opposition, which has involved numerous serious human rights violations in 2009. Both Kamalian and the 'Ashiyaneh' cyber group have continued their activities until at least December 2021.	10.10.2011
47.	KHALILOLLAHI Moussa (a.k.a. KHALILOLLAHI Mousa, ELAHI Mousa Khalil)	POB: Tabriz (Iran) DOB: 1963 Gender: male	Chief of Justice of East Azerbaijan province. Former prosecutor of Tabriz from 2010 to 2019. He was involved in Sakineh Mohammadi-Ashtiani's case and is complicit in grave violations of the right to due process.	10.10.2011

	Name	Identifying information	Reasons	Date of listing
53.	TALA Hossein (a.k.a. TALA Hosseyn)	POB: Tehran (Iran) DOB: 1969 Gender: male	Mayor of Eslamshahr until 2020. Former Iranian MP. Former Governor-General ('Farmandar') of Tehran Province until September 2010, he was responsible for the intervention of police forces and therefore for the repression of demonstrations. He received a prize in December 2010 for his role in the post-election repression.	10.10.2011
55.	ZEBHI Hossein	Gender: male	First Deputy Advisor to the Judiciary and Judge of the Supreme Court (head of Branch 41 of the Supreme Court, dealing in particular with security offences and drugs). Deputy to the Prosecutor-General of Iran (2007-2015). In this role, he was responsible for judicial cases brought after the post-election protests in 2009, which were conducted in contravention of human rights. Also in this role, he has condoned excessive punishments for drug offences.	10.10.2011
56.	BAHRAMI Mohammad-Kazem	Gender: male	Head of the administrative justice court until April 2021. He was complicit in the repression of peaceful demonstrators in 2009 as head of the judiciary branch of the armed forces.	10.10.2011
60.	HOSSEINI Dr Mohammad (a.k.a. HOSSEYNI Dr Seyyed Mohammad; Seyyed, Sayyed and Sayyid)	POB: Rafsanjan, Kerman (Iran) DOB: 23.7.1961 Gender: male	Vice-president for parliamentary affairs under President Raisi since August 2021. Former advisor to President Mahmoud Ahmadinejad and spokesperson for YEKTA, a hard-line political faction. Minister of Culture and Islamic Guidance (2009-2013). Ex-IRGC, he was complicit in the repression of journalists.	10.10.2011
62.	ZARGHAMI Ezzatollah	POB: Dezful (Iran) DOB: 22.7.1959 Gender: male	Minister of Culture, Crafts and Tourism since 25 August 2021. Member of the Supreme Cyberspace Council and Cultural Revolution Council since 2014. Former Head of Islamic Republic of Iran Broadcasting (IRIB) until November 2014. Under his tenure at IRIB, He was responsible for all programming decisions. IRIB has broadcast forced confessions of detainees and a series of 'show trials' in August 2009 and December 2011. These constitute a clear violation of international provisions on fair trial and the right to due process.	23.3.2012
64.	KAZEMI Toraj	Gender: male	Chief of the Greater Tehran division of the EU-designated Cyber Police until June 2020. In this capacity, he announced a campaign for the recruitment of government hackers in order to achieve better control of information on the internet and attack 'dangerous' sites.	23.3.2012
65.	LARIJANI Sadeq	POB: Najaf (Iraq) DOB: 1960 or August 1961 Gender: male	Head of the Expediency Council since 29 December 2018. Former member of the Guardian Council (until September 2021). Former Head of the Judiciary (2009-2019). The Head of the Judiciary is required to consent to and sign off every qisas (retribution), hodoud (crimes against God) and ta'zirat (crimes against the state)	23.3.2012

	Name	Identifying information	Reasons	Date of listing
			punishment. This includes sentences carrying the death penalty, floggings and amputations. In this regard, he has personally signed off numerous death penalty sentences, contravening international standards, including stoning, executions by suspension strangulation, execution of juveniles, and public executions such as those where prisoners have been hanged from bridges in front of crowds of thousands. Therefore, he has contributed to a high number of executions. He has also permitted corporal punishment sentences such as amputations and the dripping of acid into the eyes of the convicted. Since Sadeq Larijani took office, arbitrary arrests of political prisoners, human rights defenders and minorities have increased markedly. Sadeq Larijani also bears responsibility for systemic failures in the Iranian judicial process with respect to the right to a fair trial.	
69.	MORTAZAVI Seyyed Solat	POB: Farsan, Tchar Mahal-o-Bakhtiari (South) – (Iran) DOB: 1967 Gender: male	Since 5 September 2021, Vice-President for Executive Affairs of Iran and Head of the Presidential Office. Head of the real estate branch of the Mostazafan Foundation, which was directly run by Supreme Leader Khamenei from 16 September 2019 until September 2021. Until November 2019, Director of the Tehran branch of the Foundation Astan Qods Razavi. Former mayor of the second largest city of Iran, Mashhad, where public executions are regularly carried out. Former Deputy Interior Minister for Political Affairs, appointed in 2009. In that capacity, he was responsible for directing the repression of persons who spoke up in defence of their legitimate rights, including freedom of expression. Later appointed as Head of the Iranian Election Committee for the parliamentary elections in 2012 and for the presidential elections in 2013.	23.3.2012
74.	REZVANMA-NESH Ali	Gender: male	Deputy prosecutor in the province of Karaj, region of Alborz in the period 2010-2016. Responsible for grave violations of human rights, including involvement in the execution of a juvenile.	23.3.2012
79.	RASHIDI AGHDAM Ali Ashraf	Gender: male	Deputy Director of Health, Correction and Education of Tehran Prisons. Former head of Evin Prison (2012-2015). During his tenure, conditions in the prison deteriorated and reports referenced intensified ill-treatment of prisoners. In October 2012, nine female prisoners went on hunger strike in protest of the violation of their rights and violent treatment by prison guards.	12.3.2013
80.	KIASATI Morteza	Gender: male	Judge of branch 54 of the Revolutionary Court of Tehran and of the Ahwaz Revolutionary Court, Branch 4; imposed death sentences on four Arab political prisoners, Taha Heidarian, Abbas Heidarian, Abd al-Rahman Heidarian (three brothers) and Ali Sharifi. They were arrested, tortured and hanged without due process. These cases and the lack of due process were referenced in a report dated 13 September 2012 by the UN Special Rapporteur on human rights in Iran, the UN Secretary General's report on Iran of 22 August 2012.	12.3.2013

	Name	Identifying information	Reasons	Date of listing
83.	JAFARI Asadollah	Gender: male	Currently Attorney General in Isfahan. In this position, he ordered violent reactions against protesters who took to the streets in November 2021 to protest against water shortages. According to some reports, Jafari has announced the formation of a special office to investigate the arrested protesters. As former Prosecutor of Mazandaran Province, Jafari recommended the imposition of the death penalty in cases he has prosecuted, which has resulted in many executions including public executions, and in circumstances where the imposition of the death penalty is contrary to international human rights, including by being disproportionate and excessive punishment. Jafari has also been responsible for illegal arrests and violations of the rights of Baha'i detainees from initial arrest to keeping them in solitary confinement in the Intelligence Detention Centre.	12.3.2013
95.	VASEGHI Leyla (a.k.a. VASEQI Layla, VASEGHI Leila, VASEGHI Layla)	POB: Sari, Mazandaran Province (Iran) DOB: 1352 (Iranian Hijri calendar), 1972 or 1973 (Gregorian calendar) Gender: female Position: Former governor of Shahr-e Qods and Head of the City Security Council	As the governor of Shahr-e Qods and Head of the City Security Council from September 2019 until November 2021, Leyla Vaseghi ordered the police and other armed forces to use lethal means during the November 2019 protests, causing the deaths of and injuries to unarmed protesters and other civilians. As the governor of Shahr-e Qods and Head of the City Security Council, Leyla Vaseghi bears responsibility for serious human rights violations in Iran.	12.4.2021'

COUNCIL DECISION (CFSP) 2022/597**of 11 April 2022****promoting the European network of independent non-proliferation and disarmament think tanks**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

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

Whereas:

- (1) On 12 December 2003, the European Council adopted the EU Strategy against proliferation of weapons of mass destruction ('the EU WMD Non-proliferation Strategy'), Chapter III of which contains a list of measures that need to be taken both within the Union and in third countries to combat such proliferation.
- (2) The Union is actively implementing the EU WMD Non-proliferation Strategy and giving effect to the measures listed in Chapter III thereof, such as developing the necessary structures within the Union.
- (3) On 8 December 2008, the Council adopted its conclusions and a document entitled 'New lines for action by the European Union in combating the proliferation of weapons of mass destruction and their delivery systems' ('the New Lines for Action'), which states that the proliferation of weapons of mass destruction ('WMD') continues to constitute one of the greatest security challenges and that non-proliferation policy constitutes an essential part of the common foreign and security policy (CFSP).
- (4) In the New Lines for Action, the Council calls on competent Council formations and bodies, the Commission, other institutions and Member States to give a concrete follow-up to that document.
- (5) In the New Lines for Action, the Council underlines that action by the Union to prevent proliferation could benefit from the support provided by a non-governmental non-proliferation network, bringing together foreign-policy institutions and research centres specialising in the Union's strategic areas while building on useful networks which already exist. Such a network could be extended to institutions in third countries.
- (6) On 19 November 2018, the Council adopted the EU Strategy against illicit firearms, small arms and light weapons and their ammunition, entitled 'Securing arms, protecting citizens' ('the EU SALW Strategy'). The EU SALW Strategy replaced the EU Strategy to combat the illicit accumulation and trafficking of SALW and their ammunition, which was adopted in 2005. Illicit SALW continue to contribute to instability and violence in the Union, in its immediate neighbourhood and in the rest of the world. Illicit small arms are fuelling armed violence and organised crime, as well as global terrorism and conflicts, and thwarting sustainable development and crisis-management efforts. They destabilise entire regions, as well as States and their societies, and increase the impact of terrorist attacks. This is why the Council is committed to preventing and curbing the illicit trade in SALW and their ammunition and is promoting accountability and responsibility with regard to their legal trade. The EU SALW Strategy takes into account the evolved security context, including the threat of terrorism inside the Union and developments in SALW design and technology affecting the capacity of governments to address the threat. It also takes into account the guiding principles of the 2016 EU Global Strategy.

- (7) On 26 July 2010, the Council adopted Decision 2010/430/CFSP ⁽¹⁾, which established the European network of independent non-proliferation think tanks and provided that the technical implementation of that Decision is to be carried out by the EU Non-Proliferation Consortium ('the Consortium').
- (8) The choice of the Consortium as sole beneficiary of a grant in this case is justified because of the will of the Union, as supported by the Member States, to continue its fruitful cooperation with the European network of independent non-proliferation think tanks, which is contributing to the creation of a common European culture with regard to non-proliferation and disarmament, as well as helping the Union to develop and shape its policies in those areas and increase Union visibility. The very nature of the Consortium, which owes its existence to the Union and depends entirely on Union support, makes 100 % financing necessary in this case. The Consortium has no independent financial resources or legal authority to raise other funds. Moreover, the Consortium has established a network, managed by six think tanks, that brings together over 100 think tanks, research centres and university departments, combining almost the entire non-governmental expertise on non-proliferation and disarmament in the Union, including entities in all Member States.
- (9) On 10 March 2014, the Council adopted Decision 2014/129/CFSP ⁽²⁾, which extended for 3 years the Union's continued promotion and financial support of the activities of the European network of independent non-proliferation think tanks and entrusted the Consortium with the technical implementation of that Decision.
- (10) On 3 April 2017, the Council adopted Decision (CFSP) 2017/632 ⁽³⁾, which provides for the extension of the duration of Decision 2014/129/CFSP in order to allow for the continued implementation of the activities until 2 July 2017.
- (11) On 4 July 2017, the Council adopted Decision (CFSP) 2017/1195 ⁽⁴⁾, extending the implementation period of Decision 2014/129/CFSP from 3 July until 31 December 2017 to allow for the organisation of one major annual conference on non-proliferation and disarmament in 2017 as well as for the continued maintenance and updating of the internet platform of the Consortium.
- (12) On 26 February 2018, the Council adopted Decision (CFSP) 2018/299 ⁽⁵⁾, which extended for 3 years the Union's continued promotion and financial support of the activities of the European network of independent non-proliferation think tanks and entrusted the Consortium with the technical implementation of that Decision.
- (13) On 16 April 2021, the Council adopted Decision (CFSP) 2021/648 ⁽⁶⁾, extending the implementation period of Decision (CFSP) 2018/299 to 17 May 2022 because of implementation challenges arising from the continuing COVID-19 pandemic,

⁽¹⁾ Council Decision 2010/430/CFSP of 26 July 2010 establishing a European network of independent non-proliferation think tanks in support of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 202, 4.8.2010, p. 5).

⁽²⁾ Council Decision 2014/129/CFSP of 10 March 2014 promoting the European network of independent non-proliferation think tanks in support of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 71, 12.3.2014, p. 3).

⁽³⁾ Council Decision (CFSP) 2017/632 of 3 April 2017 amending Decision 2014/129/CFSP promoting the European network of independent non-proliferation think tanks in support of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 90, 4.4.2017, p. 10).

⁽⁴⁾ Council Decision (CFSP) 2017/1195 of 4 July 2017 amending Decision 2014/129/CFSP promoting the European network of independent non-proliferation think tanks in support of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 172, 5.7.2017, p. 14).

⁽⁵⁾ Council Decision (CFSP) 2018/299 of 26 February 2018 promoting the European network of independent non-proliferation and disarmament think tanks in support of the implementation of the EU Strategy against proliferation of weapons of mass destruction (OJ L 56, 28.2.2018, p. 46).

⁽⁶⁾ Council Decision (CFSP) 2021/648 of 16 April 2021 amending Decision (CFSP) 2018/299 promoting the European network of independent non-proliferation and disarmament think tanks in support of the implementation of the EU Strategy against proliferation of weapons of mass destruction (OJ L 133, 20.4.2021, p. 57).

HAS ADOPTED THIS DECISION:

Article 1

1. For the purposes of contributing to the enhanced implementation of the EU WMD Non-proliferation Strategy and the EU SALW Strategy, which are based on the principles of effective multilateralism, prevention and cooperation with third countries, the continued promotion and support of the activities of the European network of independent non-proliferation and disarmament think tanks is hereby extended in order to further the following objectives:

- (a) to encourage political and security-related dialogue and long-term discussion of measures to combat the proliferation of WMD and their delivery systems within civil societies and, in particular, among experts, researchers and academics;
- (b) to provide those participating in the relevant preparatory bodies of the Council with the opportunity to consult the network on issues related to non-proliferation, disarmament and arms export control, and to enable the representatives of Member States to participate in the meetings of the Consortium;
- (c) to constitute a useful stepping stone for non-proliferation and disarmament action by the Union and the international community, in particular by providing reports and/or recommendations to the representatives of the High Representative of the Union for Foreign Affairs and Security Policy ('the HR');
- (d) to contribute to enhancing third countries' awareness of proliferation and disarmament challenges and of the need to work in cooperation with the Union and in the context of multilateral fora, in particular the United Nations, to prevent, deter, halt and, where possible, eliminate proliferation programmes of worldwide concern;
- (e) to contribute to the development of expertise and institutional capacity in non-proliferation and disarmament matters in think tanks and governments in the Union and third countries, including by strengthening non-proliferation and disarmament education, raising awareness of those issues among the younger generations and promoting the next generation of researchers and practitioners in this field, especially women, and in the natural and technical sciences.

2. The projects to be supported by the Union shall include the following specific activities:

- (a) providing means for the holding of major annual conferences with third countries and civil society on non-proliferation and disarmament to discuss and identify further measures to combat the proliferation of WMD and their delivery systems and interrelated disarmament objectives, as well as to address challenges related to conventional weapons, including countering the illicit trade and excessive accumulation of SALW and their ammunition. The conferences will also promote internationally the EU WMD Non-proliferation Strategy and the EU SALW Strategy, and the role, in this field, of Union institutions and think tanks in the Union, with a view to raising the visibility of Union policies in this area and submitting reports and/or recommendations to the representatives of the HR;
- (b) providing means for the organisation of annual consultative meetings between representatives of Union institutions, representatives of Member States and experts to exchange views on major issues and critical developments in the fields of disarmament, non-proliferation and arms export control with a view to submitting reports and/or recommendations to the representatives of the HR;
- (c) providing means for the organisation of ad-hoc seminars for experts and practitioners on the full range of non-proliferation and disarmament issues, covering both unconventional and conventional arms, with a view to submitting reports and/or recommendations to the representatives of the HR;
- (d) providing means for the preparation and publication of policy papers covering topics under the mandate of the Consortium and putting forward political and/or operational policy options;
- (e) providing means for continued awareness-raising, education and development of expertise and institutional capacity in the area of non-proliferation and disarmament in think tanks and governments in the Union and third countries through:
 - the maintenance and further development of an e-learning course covering all relevant aspects of non-proliferation and disarmament,

- the setting-up of up non-proliferation and disarmament internships for graduate students or young diplomats from the Union and third countries,
 - the continuation of the Young Women and Next Generation Initiative and the Mentorship Programme,
 - the organisation of annual Brussels study visits for the participants in the UN Programme of Fellowships on Disarmament in order to promote and raise the visibility of Union policies in the fields of non-proliferation, disarmament and arms export control,
 - the organisation of a training course to raise awareness of proliferation risks, including those stemming from science and technology developments, among students of the natural sciences;
- (f) providing means for further maintaining, managing and developing an internet platform and related accounts on social networks to facilitate contacts, provide a unique forum for European disarmament and non-proliferation research, promote the European network of independent non-proliferation and disarmament think tanks, reach out to the global non-proliferation and disarmament community and promote the educational offers of the Consortium with respect to both on-site training courses and e-learning.

A detailed description of the projects is set out in the Annex.

Article 2

1. The HR shall be responsible for the implementation of this Decision.
2. Technical implementation of the activities referred to in Article 1(2) shall be carried out by the Consortium, consisting of the Fondation pour la recherche stratégique (FRS), the Peace Research Institute Frankfurt (HSFK/PRIF), the International Institute for Strategic Studies Europe (IISS-Europe), the Stockholm International Peace Research Institute (SIPRI), the International Affairs Institute (IAI) in Rome and the Vienna Center for Disarmament and Non-Proliferation (VCDNP). The Consortium shall perform this task under the responsibility of the HR. For this purpose, the HR shall enter into the necessary arrangements with the Consortium.
3. Member States and the European External Action Service shall propose priorities and topics of specific interest for assessment in the Consortium's research programmes, to be addressed in working documents and seminars, in accordance with the policies of the Union.

Article 3

1. The financial reference amount for the implementation of the projects covering the activities referred to in Article 1(2) shall be EUR 4 700 000.
2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 1. For this purpose, it shall conclude a grant agreement with the Consortium. The agreement shall stipulate that the Consortium is to ensure visibility of the Union's contribution, appropriate to its size.
4. The Commission shall endeavour to conclude the agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

Article 4

1. The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the Consortium. Those reports shall form the basis for the evaluation carried out by the Council.

2. The Commission shall report on the financial aspects of the projects referred to in Article 1(2).

Article 5

1. This Decision shall enter into force on the date of its adoption.
2. This Decision shall expire 36 months after the date of conclusion of the agreement referred to in Article 3(3). However, it shall expire 6 months after its entry into force if that agreement has not been concluded by that time.

Done at Luxembourg, 11 April 2022.

For the Council
The President
J. BORRELL FONTELLES

ANNEX

PROJECT DOCUMENT

EU Non-Proliferation and Disarmament Consortium (Phase IV) – HR(2022) 34

17 January 2022

The EU Non-Proliferation and Disarmament Consortium (EUNPDC) was created by the Council of the European Union with the goal to establish a European Network of independent think-tanks to encourage the political and security-related dialogue and the long-term discussion of measures to combat the proliferation of weapons of mass destruction (WMD) and their delivery systems. Such dialogue also covers issues related to conventional weapons, including small arms and light weapons (SALW). Launched in 2010 by Council Decision 2010/430/CFSP, the EU renewed support to the project for two more phases in 2014 (by EU Council Decision 2014/129/CFSP) and 2018 (by EU Council Decision 2018/299/CFSP). The implementation of Phase III will be concluded in May 2022.

The EUNPDC currently consists of the Fondation pour la Recherche Stratégique (FRS), the Istituto Affari Internazionali (IAI), the International Institute for Strategic Studies (IISS), the Peace Research Institute Frankfurt (HSFK/ PRIF), the Stockholm International Peace Research Institute (SIPRI) and the Vienna Center for Disarmament and Non-Proliferation (VCDNP). Over the years the Network has expanded as to include 104 members among think tanks, research centres and university departments based in all EU member states and in six other countries (Norway, Serbia, Switzerland, Turkey, Ukraine, United Kingdom).

The role of the Consortium is to coordinate and promote the Network and make its expertise available to the EU, with a view to inform the discussion of its relevant bodies on non-proliferation, arms control and disarmament policies and provide ideas, analysis and recommendations. The Consortium has fulfilled this task through a diverse range of activities, including international conferences and meetings, educational activities, publications and outreach. During Phase III of the project, the scope of the work of the Consortium has progressively expanded to respond to the need to build more capacity, awareness, and opportunities in the field of disarmament, non-proliferation, and arms control among the next generation of practitioners and scholars as well as among professionals in the field of natural sciences. Particular attention has also been paid to the need to involve more women in the field.

The continuous developments and challenges in the field of disarmament, non-proliferation and arms control make the convening, research, and outreach work of the Consortium and the Network particularly relevant for the EU and its member states. Building on the work carried out in the previous phases of the project, Phase IV of the EUNPDC, as presented in this document, reflects how its activities can continue to allow the Consortium and the Network to inform the work of the EU in this important area.

1. General management

Under the General Management SIPRI will continue to oversee and coordinate the activities of the Consortium and the European Network of independent non-proliferation and disarmament think tanks (the Network), including through the organization of Steering Committee meetings between representatives of the European External Action Service (EEAS), the European Commission and the Consortium and the fulfilment of reporting obligations. This also includes the task to further expand the diversity of the Network in terms of academic disciplines, geography, gender and age. The general management also includes time for all members of the Consortium to fulfil general management tasks (e.g. attending coordination meetings, submitting input to the coordinator) and visibility costs.

Phase IV (2022-2025) will also include:

- Creation of an EUNPDC Programme Committee made up of representatives of members of the Consortium, the EEAS and the European Commission to provide input on the contents and organization of the Annual Conference and other projects (e.g. the Consultative meeting, the publication series and ad-hoc seminars).
- Six oral (virtual or in-person) briefings to CONOP, COARM and other EU bodies, as appropriate, by experts affiliated with the members of the Network or the Consortium and upon request of the EEAS (formerly delivered through the Help Desk project).

2. Description of the projects

The following aims are cross-cutting for all projects:

- Ensuring diversity in terms of gender and geography in all activities
- Supporting the next generation of non-proliferation and disarmament experts

2.1 Organisation of an annual NPD Conference (lead: IAI)

Purpose and description of the project

The Annual Conference with the participation of governmental experts and independent think tanks and other academic experts from the EU and associated states as well as third countries, will discuss and identify further measures to combat the proliferation of WMD and their delivery systems and interrelated disarmament objectives, as well as address challenges related to conventional weapons, including countering the illicit trade and excessive accumulation of SALW and their ammunition, as well as related risks and opportunities of emerging technologies.

In Phase IV (2022-2025) this activity covers the organisation of one Annual Conference per year. The Consortium aims to hold the Conference in person but with the possibility to livestream part of, or the whole event. Should COVID-19 pandemic-related travel and meeting restrictions continue to apply, the Consortium stands ready to adjust the format of the event as it has already done during Phase III. Additionally:

- A Network meeting will be held in person back-to-back with the Annual Conference. Additional virtual Network meetings will be held throughout the year.
- The Next Generation meeting will be organized back-to-back with the Annual Conference but linked with other activities involving young experts (see heading 2.6 of this document).
- The mentees of the EUNPDC Mentorship Programme will be invited to participate in the conference.

Results of the project

- Maintain a major European-led international non-proliferation and disarmament conference that will continue to be a key venue for promoting strategic discussion of measures to combat the proliferation of WMD and their delivery systems and interrelated disarmament objectives to address challenges related to conventional weapons, including countering the illicit trade and excessive accumulation of SALW and their ammunition.
- Increase visibility and awareness of Union policies in the field of WMD and SALW non-proliferation and in the field of chemical, biological, radiological or nuclear (CBRN) action among the government officials, academia and civil society of third countries.
- Promote the role and cohesion of the Network and the Union's role in this field.
- Build up non-proliferation and disarmament expertise in countries where it is insufficient, including third countries, with a particular focus on supporting the next generation.
- Submit action-oriented recommendations that would enhance the implementation of the EU WMD Non-proliferation and SALW Strategies and constitute a useful steppingstone for non-proliferation and conventional weapons-related action by the Union and the international community.
- Increase the awareness and knowledge of the institutions of the Union, of Member States, civil society and third countries about threats related to WMD and their means of delivery, allowing them to improve anticipation.

2.2 Organisation of an annual NPD Consultative Meeting (lead: FRS)

Purpose and description of the project

The Consultative Meetings, with participation of representatives of the EU, Member States and think tanks, address both short- and mid-term challenges for the Union in the fields of non-proliferation and disarmament, in particular WMD and their delivery vehicles, conventional weapons including SALW, new types of weapons and delivery systems.

In Phase IV of the project this activity covers the organisation of one Consultative Meeting per year, divided into two parts, each one of them covering CONOP and COARM-related issues, and the preparation of associated reports and/or recommendations. The agendas for these events will be prepared in close cooperation with the EEAS and the Council's CFSP working groups in the fields of non-proliferation and disarmament (CONOP) and conventional arms export (COARM). Additional bodies will be consulted when relevant (e.g. the EEAS Space Task Force). Specifically:

- The annual Consultative Meeting will be composed of up to 2 days split between the CONOP and COARM meetings. It will foresee the in-person participation of up to 50 individuals from European think tanks, EU Member States and EU institutions specialised in WMD disarmament and non-proliferation and conventional weapons issues, including SALW, as well as emerging technologies to each of these two CONOP and COARM-oriented sessions.
- The Consultative Meeting will be held in an in-person format over 2 days to increase exchanges between participants as much as possible.

Results of the project

- Exchange information and analysis regarding current proliferation trends among policy practitioners and academic experts from the Member States, as well as specialised staff from the EEAS and institutions of the Union.
- Discuss the best ways and means to implement Union policies against proliferation.
- Provide constructive feedback to the Union on its strategies against the proliferation of WMD and SALW by independent European think tanks, and suggestions from practitioners to researchers on the most policy-relevant topics for further research.
- Identify relevant issues in the field of non-proliferation and disarmament for policy-oriented reports.
- Produce policy-oriented reports together with a set of action-oriented recommendations to the representatives of the HR.

2.3 Organisation of 9 NPD Ad Hoc Seminars

Purpose and description of the project

The Ad Hoc seminars serve a consultative purpose between the Network, the Union and its Member States, on an ad hoc basis, in order to address salient events and EU policy options, as well as provide an opportunity for the Network, Member States and the EU institutions to reach out to target audiences inside and outside the Union.

The project provides for the organisation of up to nine ad hoc expert seminars with the preparation of an associated written brief. For Phase IV:

- Three seminars will be organized in person and six in virtual format.
- As part of the organization of the seminars, an ad hoc written brief focusing on the topic of the seminar, will be commissioned to relevant experts affiliated with the Network, the Consortium or, if needed, other institutes. These briefs will either be circulated ahead of the seminar as a background document or after to provide an overview of key takeaways. The ad hoc briefs will be published on the website of the Consortium.
- The EEAS can also request stand-alone briefs (previously Help Desk Papers) instead of a written brief focusing on the topic of an Ad Hoc seminar.

Results of the project

- Exchange information and analysis regarding current proliferation trends among policy practitioners and academic experts from the Member States, as well as specialised staff from the EEAS and institutions of the Union.
- Discuss the best ways and means to implement Union policies against proliferation.
- Provide constructive feedback to the Union on its strategies against the proliferation of WMD and SALW by independent Union think tanks, and suggestions from practitioners to the think tanks on the most policy-relevant topics for further research.

- Identify relevant issues in the field of non-proliferation and disarmament for policy-oriented reports.
- Produce policy-oriented reports together with a set of action-oriented recommendation to the representatives of the HR. These reports will be disseminated to the relevant institutions of the Union and the Member States.

2.4 Publication of 15 EU Non-Proliferation and Disarmament Policy Papers (lead: SIPRI)

Purpose and description of the project

The project provides for the preparation and publication of up to 15 policy papers. The policy papers will be commissioned by the Consortium and prepared, primarily, by the Consortium or the Network, with a view to ensure a balanced and diverse representation of views in terms of gender and of thematic and regional expertise. Where possible, the policy paper series will invite contributions from 'next generation' specialists to contribute to their professional development. The papers will cover the topics under the mandate of the Consortium. Every paper will propose recommendations/policy options. All policy papers will be published on the website of the Consortium.

Results of the project

- Enhanced political and security-related dialogue on measures to combat the proliferation of WMD and their delivery systems, arms control and disarmament, primarily by experts, researchers and academics.
- Increased awareness, knowledge and understanding within civil society, the European network of independent non-proliferation think tanks, and governments of issues related to Union non-proliferation, arms control and disarmament policies.
- Political and/or operational policy options provided to the HR, the Union's institutions and the Member States.
- Development of non-proliferation, arms control and disarmament actions at Union level assisted through ideas, information and analysis.

2.5 Promotion and strengthening of NPD education

The project consists of the following activities:

2.5.1 *Update of the EUNPD E-Learning infrastructure and courses* (lead: PRIF)

Purpose and description of the project

This activity will focus on the global dissemination and use of the eLearning tool, which was developed under Phase II and III. The course currently consists of 20 learning units on all relevant issues regarding non-proliferation and disarmament. In Phase IV, all 20 units will be regularly updated to provide students with the most recent facts and figures. Due to the significant upheavals the field of non-proliferation and disarmament has undergone in recent years, this phase focuses on significantly updating the 15 original learning units developed between 2014 and 2017: in terms of content; user-friendliness and user-interface; and graphic and video design. These changes will make it easier to keep the learning units up to date.

Special attention will again be devoted to accessibility i.e., the upgrade for users with visual or hearing impairments. The intelligibility of the whole course will be enhanced through a language review by specialized English native speakers. Continuing outreach and support to educational institutions will allow easy integration of the eLearning into University Master Programmes and other educational offers and encourage global usage of the eLearning course.

Results of the project

- Maintenance, optimization and updating of the existing EUNPD eLearning course covering all relevant aspects of non-proliferation and disarmament.
- Outreach and assistance to educators, lecturers' trainers to use the EU non-proliferation and disarmament educational resources.

- Outreach and assistance to journalists and junior diplomats to use the EU non-proliferation and disarmament educational resources.
- Providing support for the teaching of arms control, non-proliferation and disarmament in university seminars.
- Providing support for combining eLearning and class-room-training (“blended learning”).
- Increased in-depth knowledge of EU non-proliferation and disarmament policies across the Union and in third countries.
- Providing a constantly updated open educational resource for all stakeholders involved in non-proliferation research and programming.
- Providing critical supportive knowledge to non-proliferation practitioners and scholars.

2.5.2 **‘Teaching clinic’ (teaching resource hub) (lead: PRIF)**

Purpose and description of the project

This activity will continue the work initiated in 2021/22, to strengthen disarmament, arms control and non-proliferation education in the EU. Up to now, 59 relevant courses recently taught at universities in the EU were identified through an extensive online search. The respective lecturers were contacted individually. In response, 24 syllabi were made available. A preliminary evaluation resulted in two master syllabi and short summaries of key texts. In Phase IV, the project will compile courses at European and North American universities and expand the search to non-Western countries. The statistical analysis will constantly be refined and updated. Additional material will be proposed to lecturers and teachers.

Results of the project

- Extensive range of curricula of learning events as examples and inspiration provided on the Consortium website.
- Statistical evaluation of existing courses regarding, e.g. topics taught, theoretical approaches or gender diversity, will be published on the Consortium website and presented at conferences or workshops.
- Creation and updating of two “master syllabi” for first-time teachers.
- Short summaries of relevant or missing literature published on the Consortium website.

2.5.3 **Proliferation awareness training course (lead: SIPRI)**

Purpose and description of the project

This activity will cover the organization of 6 training courses to raise awareness of proliferation risks for graduate and post-graduate students of the natural sciences and other relevant fields. It will also create a bridge between the social and natural sciences, which was identified as an urgent need in the last phase. This will include the development of a dedicated curriculum for distinct audiences (such as biomedical, engineering or nuclear) and delivery of two courses per year. In Phase IV, three of these courses will be organized in person in Stockholm; three will take place virtually.

Results of the project

- Enhanced capacity in the next generation of scholars of the natural sciences and other relevant fields in non-proliferation instruments and policies.
- Contribution to the goal of Union non-proliferation policy through enhanced awareness of proliferation risks among disciplines with major proliferation risks and technological developments; as well as of opportunities to address proliferation risks through technological developments.
- Combination of distance learning (e-learning) and on-site training (“blended learning”).

2.6 **Promotion of NPD related issues to young women and next generation**

The project consists of the following activities:

2.6.1 **Internship Programme (lead: PRIF)**

Purpose and description of the project

This activity provides for European non-proliferation and disarmament internships for up to 30 graduate students or young diplomats, each for a period up to 3 months. The internships will be set up and documented by the Consortium, and combine participation in events and workshops, reading and writing assignments, and project integration. All institutes belonging to the Network are eligible as host institutes. 24 out of 30 internships shall be reserved for European candidates, whereas the remaining six internships are reserved for non-European candidates. All interns will be invited — to the extent possible — to the conferences and seminars organised by the Consortium taking place during their internship.

Results of the project

- Enhanced capacity in the next generation of scholars and practitioners in non-proliferation policy and programming.
- Increased in-depth knowledge of Union non-proliferation and disarmament policies across the Union.
- Better understanding of Union strategies, policies and non-proliferation approaches in third countries.
- The creation of networks of young practitioners and academics and the facilitation of practical cooperation.
- Strengthened capacity-building on Union policies in the fields of WMD and SALW within the Network.

2.6.2 Next Generation and Young Women activities and Mentorship Programme (lead: VCDNP)

Purpose and description of the project

Inspired by the widely perceived age and gender imbalances among experts and practitioners in the non-proliferation, disarmament and arms control field, the project aims to expose undergraduate, graduate and post-graduate level students to non-proliferation, disarmament and arms control issues, increasing their awareness of them, and encouraging their engagement in events and workshops on relevant topics. In Phase IV, the activity will see two in-person outreach visits per year to universities in Europe to enhance visibility of the field and opportunities for young scholars. The activity will further organize webinars on thematic topics, always including information on career opportunities or pathways for young people.

To increase women's presence in the field, in Phase IV the project will also conduct a formal mentorship programme annually (1-year duration) to pair 20 young women with 20 mentors in order to help improve individuals' networks, increase understanding of the field and seek career advice. The mentorship programme will be accompanied by expert sessions, socials and skills building workshops.

Results of the project

- Enhanced capacity in the next generation of scholars and practitioners in the field of non-proliferation, disarmament and arms control.
- Better understanding of the field and relevant EU policies.
- Increased awareness of opportunities for young scholars, especially women, to become more engaged in the field of non-proliferation, disarmament and arms control.
- Strengthened networks among young practitioners and between young practitioners and established experts.
- Improved engagement with young scholars interested in learning more about the field and entering the field.

2.7 UN Disarmament Fellows visit to Brussels (lead: VCDNP)

Purpose and description of the project

The project, in the framework of the UN Disarmament Fellows programme, provides a 2 to 3-day study visit to Brussels, Belgium, to allow the Fellows to learn more about the EU, its policies, functioning and institutions. The visit will be scheduled to fit into the European component of the fellowship programme. The programme aims to provide a comprehensive overview of the EU's main institutions and policy making bodies, especially related to non-proliferation and disarmament, and provides thematic presentations on the EU's work in the field, including support programmes offered to third countries.

Results of the project

- Increased knowledge and visibility of the functioning and institutions in the EU and its policies as well as support programmes on non-proliferation and disarmament in third countries.
- Enhanced expertise on WMD and SALW matters in partner and third countries.
- Increased collaboration with the UN Office for Disarmament Affairs and contribution to education efforts in the framework of the UN Disarmament Fellowship Programme.

2.8 Outreach and communication (lead: FRS)

The project consists of the following activities:

Website, Network platform and outreach (lead: FRS)*Purpose and description of the project*

This activity provides the means for web hosting, web design and technical maintenance of the Consortium website and social networks (Twitter, LinkedIn, Youtube). Following the creation of a digital collaborative platform in the previous Phase to facilitate communication, cooperation and sharing of best practices within the Network, this activity will cover the community management, updates, and technical maintenance of the platform. Network members will be more directly involved via this digital collaborative platform, by interacting on the forum, sharing their resources and upcoming events, as well as providing updates on their experts and their institute. Each individual research will be able to create a dedicated profile on the platform, find out information about the EUNPDC and the Network, and interact with other users. In addition:

- Publications, events and job opportunities of the Consortium and other Network members will continue to be promoted and supported on the various platforms.
- Conferences organised by the Consortium will continue to be promoted and documented on the website (background papers, agenda, presentations, video recording of open meeting when appropriate).
- Educational opportunities within the Consortium, including the e-learning course, the teaching resources, the Young Women and Next Generation Initiative, fellowship and internship opportunities will continue to be promoted in a dedicated section of the website.
- Links will be created between the website and the platform to ensure the integration and regular update of all outreach and communication tools used by the Consortium.
- The newsletter will continue to be published monthly. Each issue will feature: 1) a forum allowing representatives of the Network to promote their research activities with a focus on those started most recently; b) updated information on the activities of the Consortium; c) news on the activities of Network members; d) an editorial piece discussing non-proliferation and disarmament topics of relevance to EU policy.

2.8.1 Production of an EUNPDC podcast (lead: IISS-Europe)*Purpose and description of the project*

This activity foresees the launch of a EUNPDC podcast addressing thematic issues within the mandate of the Consortium. In Phase IV of the project, the podcast series, hosted by IISS-Europe, will produce up to 36 episodes.

Results of the project activities

- Increased awareness and knowledge of the institutions of the Union, the Member States, civil society and third countries about threats related to conventional weapons, WMD and their means of delivery, allowing them to improve anticipation.
- Promoting a better understanding of the EU WMD Non-proliferation and SALW strategies within civil society.
- Ensuring an interface between the Union and the network of think tanks.
- Managing a platform where non-proliferation think tanks can continuously share their independent views and analysis on WMD proliferation and conventional weapons issues, including SALW.
- Expanding, managing and updating the existing network of independent think tanks.

- Enabling permanent and free downloading of documents from Network meetings and from independent think tanks who may wish to share their research results without financial compensation.

COUNCIL DECISION (EU) 2022/598**of 5 April 2022****on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement on the European Economic Area as regards the amendment of Protocol 4 on rules of origin to that Agreement, and repealing Decision (EU) 2020/2058****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ('the EEA Agreement') was concluded by the Union by Decision 94/1/ECSC, EC of the Council and the Commission ⁽¹⁾ and entered into force on 1 January 1994.
- (2) Protocol 4 to the EEA Agreement lays down the rules of origin. Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee established by Article 92 of the EEA Agreement ('the Joint Committee') may decide to amend Protocol 4.
- (3) The Joint Committee will adopt a decision amending Protocol 4 ('decision') during its next meeting, before the end of 2023.
- (4) It is appropriate to establish the position to be taken on the Union's behalf within the Joint Committee, as the decision will have legal effects in the Union.
- (5) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin ('the Convention') was concluded by the Union by Council Decision 2013/94/EU ⁽²⁾ and entered into force in relation to the Union on 1 May 2012. It lays down provisions on the origin of goods traded under relevant bilateral free trade agreements concluded between the Contracting Parties to the Convention, which apply without prejudice to the principles laid down in those bilateral agreements.
- (6) Discussions on amending the Convention have resulted in a new set of modernised and more flexible rules of origin to be incorporated into the Convention. Pending the conclusion and entry into force of the amendment of the Convention, the Contracting Parties to the EEA Agreement have agreed to apply as soon as possible an alternative set of rules of origin based on those of the amended Convention, which may be used bilaterally as alternative rules of origin to those laid down in the Convention ('Transitional rules') ⁽³⁾. To that effect, the decision will also provide for the Transitional rules.

⁽¹⁾ Decision 94/1/ECSC, EC of the Council and the Commission of 13 December 1993 on the conclusion of the Agreement on the European Economic Area between the European Communities, their Member States and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation (OJ L 1, 3.1.1994, p. 1).

⁽²⁾ Council Decision 2013/94/EU of 26 March 2012 on the conclusion of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (OJ L 54, 26.2.2013, p. 3).

⁽³⁾ See Council Decision (EU) 2020/2056 of 7 December 2020 on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement between the European Economic Community and the Kingdom of Norway as regards the amendment of that Agreement by replacing Protocol No 3 thereto concerning the definition of the concept of 'originating products' and methods of administrative cooperation (OJ L 424, 15.12.2020, p.15) and Council Decision (EU) 2020/2057 of 7 December 2020 on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement between the European Economic Community and the Republic of Iceland as regards the amendment of that Agreement by replacing Protocol No 3 thereto concerning the definition of the concept of 'originating products' and methods of administrative cooperation (OJ L 424, 15.12.2020, p. 17).

- (7) The text of the Joint Committee draft decision on which the Council based its position in Decision (EU) 2020/2058 ⁽⁴⁾ was rejected by the European Free Trade Association (EFTA) States for technical reasons at the meeting of the EEA Joint Sub-Committee on the free movement of goods held on 30 June 2021. Therefore, in the interests of clarity and legal certainty, Decision (EU) 2020/2058 should be repealed and the Council should establish a new position to be taken by the Union within the Joint Committee as regards the amendment of Protocol 4.
- (8) The Contracting Parties to the EEA Agreement started to apply the Transitional rules among themselves on a bilateral basis from 1 September 2021. Therefore, it is appropriate to apply the decision retroactively from 1 September 2021 under the conditions provided for by Article 4 thereof, to ensure consistency in the application of rules of origin within the EEA.
- (9) The position of the Union within the Joint Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Joint Committee established by the Agreement on the European Economic Area as regards the amendment of Protocol 4 to that Agreement, shall be based on the draft decision of the Joint Committee attached to this Decision.

Article 2

Decision (EU) 2020/2058 is repealed.

Article 3

This Decision shall enter into force on the date of its adoption and shall expire on 31 December 2023.

Done at Luxembourg, 5 April 2022.

For the Council
The President
B. LE MAIRE

⁽⁴⁾ Council Decision (EU) 2020/2058 of 7 December 2020 on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement on the European Economic Area, as regards the amendment of Protocol 4 (on rules of origin) to that Agreement (OJ L 424, 15.12.2020, p. 19).

DRAFT

DECISION No .../2022 OF THE EEA JOINT COMMITTEE
of ...
amending Protocol 4 on rules of origin to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ("the EEA Agreement"), and in particular Article 98 thereof,

Whereas:

- (1) Article 9 of the EEA Agreement refers to Protocol 4 to the EEA Agreement ("Protocol 4") which lays down the rules of origin.
- (2) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽¹⁾ ("the PEM Convention") aims to transpose the existing bilateral systems of rules of origin established in bilateral free trade agreements concluded among the Contracting Parties to the PEM Convention into a multilateral framework, without prejudice to the principles laid down in those bilateral agreements.
- (3) The Union, Norway and Liechtenstein signed the PEM Convention on 15 June 2011 and Iceland signed the PEM Convention on 30 June 2011.
- (4) The Union, Norway, Iceland and Liechtenstein each deposited their instrument of acceptance with the depositary of the PEM Convention on 26 March 2012, 9 November 2011, 12 March 2012 and 28 November 2011, respectively. Consequently, and in accordance with Article 10(3) of the PEM Convention, the PEM Convention entered into force on 1 January 2012 as regards Liechtenstein and Norway and on 1 May 2012 as regards Iceland and the Union.
- (5) Pending the conclusion and entry into force of the amendment of the PEM Convention, the Contracting Parties to the EEA Agreement have agreed to apply an alternative set of rules of origin based on those of the amended PEM Convention, which may be used bilaterally as alternative rules of origin to those laid down in the PEM Convention, by adding an Appendix A to Protocol 4.
- (6) Protocol 4 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Protocol 4 shall be amended as set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on [...], provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*). It shall apply from 1 September 2021.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

⁽¹⁾ OJ L 54, 26.2.2013, p. 4.

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

Article 4

For the purposes of the application of this Decision, proofs of origin may be issued retrospectively for exports performed between 1 September 2021 and the date of entry into force of this Decision.

Done at ...,

For the EEA Joint Committee
The President

The Secretaries
To the EEA Joint Committee

ANNEX

TO DECISION OF THE EEA JOINT COMMITTEE No .../...

The following shall be inserted at the end of Protocol 4:

"APPENDIX A

ALTERNATIVE APPLICABLE RULES OF ORIGIN

Rules for optional application among Contracting Parties to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ('PEM Convention'), pending the conclusion and entry into force of the amendment of the PEM Convention

('the Rules' or 'the Transitional rules')

DEFINITION OF THE CONCEPT OF 'ORIGINATING PRODUCTS' AND METHODS OF ADMINISTRATIVE COOPERATION

TABLE OF CONTENTS

TITLE I **GENERAL PROVISIONS**

Article 1 **Definitions**

TITLE II **DEFINITION OF THE CONCEPT OF 'ORIGINATING PRODUCTS'**

Article 2 **General requirements**

Article 3 **Wholly obtained products**

Article 4 **Sufficient working or processing**

Article 5 **Tolerance rule**

Article 6 **Insufficient working or processing**

Article 7 **Cumulation of origin**

Article 8 **Conditions for the application of cumulation of origin**

Article 9 **Unit of qualification**

Article 10 **Sets**

Article 11 **Neutral elements**

Article 12 **Accounting segregation**

TITLE III **TERRITORIAL REQUIREMENTS**

Article 13 **Principle of territoriality**

Article 14 **Non-alteration**

Article 15 **Exhibitions**

TITLE IV **DRAWBACK OR EXEMPTION**

Article 16 **Drawback of or exemption from customs duties**

TITLE V **PROOF OF ORIGIN**

Article 17 **General requirements**

Article 18 **Conditions for making out an origin declaration**

Article 19 **Approved exporter**

Article 20 **Procedure for issue of a movement certificate EUR.1**

Article 21 **Movement certificates EUR.1 issued retrospectively**

Article 22 **Issue of a duplicate movement certificate EUR.1**

Article 23 **Validity of proof of origin**

Article 24 **Free zones**

Article 25 **Importation requirements**

Article 26 **Importation by instalments**

Article 27 **Exemption from proof of origin**

Article 28 **Discrepancies and formal errors**

Article 29 **Supplier's declarations**

Article 30 **Amounts expressed in euro**

TITLE VI PRINCIPLES OF COOPERATION AND DOCUMENTARY EVIDENCE

Article 31 **Documentary evidence, preservation of proofs of origin and supporting documents**

Article 32 **Dispute settlement**

TITLE VII ADMINISTRATIVE COOPERATION

Article 33 **Notification and cooperation**

Article 34 **Verification of proofs of origin**

Article 35 **Verification of supplier's declarations**

Article 36 **Penalties**

TITLE VIII APPLICATION OF APPENDIX A

Article 37 **Liechtenstein**

Article 38 **Republic of San Marino**

Article 39 **Principality of Andorra**

Article 40 **Ceuta and Melilla**

List of Annexes

ANNEX I: **Introductory notes to the list in Annex II**

ANNEX II: **List of working or processing required to be carried out on non-originating materials in order for the product manufactured to obtain originating status**

ANNEX III: **Text of the origin declaration**

ANNEX IV: **Specimens of movement certificate EUR.1 and application for a movement certificate EUR.1**

ANNEX V: **Special conditions concerning products originating in Ceuta and Melilla**

ANNEX VI: **Supplier's declaration**

ANNEX VII: **Long-term supplier's declaration**

TITLE I

GENERAL PROVISIONS

Article 1

Definitions

For the purposes of these Rules:

- (a) 'applying Contracting Party' means a Contracting Party to the PEM Convention that incorporates these Rules in its bilateral preferential trade agreements with another Contracting Party to the PEM Convention and includes the Contracting Parties to the EEA Agreement;
- (b) 'chapters', 'headings' and 'subheadings' mean the chapters, the headings and the subheadings (four- or six-digit codes) used in the nomenclature which makes up the Harmonized Commodity Description and Coding System ('Harmonised System') with the changes pursuant to the Recommendation of 26 June 2004 of the Customs Cooperation Council;
- (c) 'classified' means the classification of a good under a particular heading or subheading of the Harmonised System;
- (d) 'consignment' means products which are either:
 - (i) sent simultaneously from one exporter to one consignee; or
 - (ii) covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a document, by a single invoice;
- (e) 'customs authorities of the Party or applying Contracting Party' for the European Union means any of the customs authorities of the Member States of the European Union;
- (f) 'customs value' means the value as determined in accordance with the Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (WTO Agreement on Customs Valuation);
- (g) 'ex-works price' means the price paid for the product ex works to the manufacturer in the EEA in whose undertaking the last working or processing is carried out, provided that the price includes the value of all the materials used and all other costs related to its production, minus any internal taxes which are, or may be, repaid when the product obtained is exported. Where the last working or processing has been subcontracted to a manufacturer, the term 'manufacturer' refers to the enterprise that has employed the subcontractor.

Where the actual price paid does not reflect all costs related to the manufacturing of the product which are actually incurred in the EEA, the ex-works price means the sum of all those costs, minus any internal taxes which are, or may be, repaid when the product obtained is exported;

- (h) 'fungible material' or 'fungible product' means material or product that is of the same kind and commercial quality, with the same technical and physical characteristics, and which cannot be distinguished from one another;
- (i) 'goods' means both material and product;
- (j) 'manufacture' means any kind of working or processing, including assembly;
- (k) 'material' means any ingredient, raw material, component or part, etc., used in the manufacture of the product;
- (l) 'maximum content of non-originating materials' means the maximum content of non-originating materials which is permitted in order to consider a manufacture to be working or processing sufficient to confer originating status on the product. It may be expressed as a percentage of the ex-works price of the product or as a percentage of the net weight of these materials used falling under a specified group of chapters, chapter, heading or subheading;
- (m) 'product' means the product being manufactured, even if it is intended for later use in another manufacturing operation;
- (n) 'territory' includes the land territory, internal waters and the territorial sea of the Contracting Parties to the EEA Agreement to which the EEA Agreement applies;

- (o) 'value added' shall be taken to be the ex-works price of the product minus the customs value of each of the materials incorporated which originate in the other applying Contracting Parties with which cumulation is applicable or, where the customs value is not known or cannot be ascertained, the first ascertainable price paid for the materials in the EEA;
- (p) 'value of materials' means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the EEA. Where the value of the originating materials used needs to be established, this point shall be applied *mutatis mutandis*.

TITLE II

DEFINITION OF THE CONCEPT OF 'ORIGINATING PRODUCTS'

Article 2

General requirements

1. For the purpose of implementing the EEA Agreement, the following products shall be considered as originating in the EEA:

- (a) products wholly obtained in the EEA within the meaning of Article 3;
- (b) products obtained in the EEA incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the EEA within the meaning of Article 4.

For this purpose, the territories of the Contracting Parties to the EEA Agreement to which the Agreement applies shall be considered as a single territory.

2. Notwithstanding paragraph 1, the territory of the Principality of Liechtenstein shall be excluded from that of the EEA for the purpose of determining the origin of the products referred to in Tables I and II of Protocol 3, and such products shall be considered to be originating in the EEA only if they have been either wholly obtained or sufficiently worked or processed in the territories of the other Contracting Parties to the EEA Agreement.

Article 3

Wholly obtained products

1. The following shall be considered as wholly obtained in the EEA:

- (a) mineral products and natural water extracted from its soil or from its seabed;
- (b) plants, including aquatic plants, and vegetable products grown or harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products from slaughtered animals born and raised there;
- (f) products obtained by hunting or fishing conducted there;
- (g) products of aquaculture where the fish, crustaceans, molluscs and other aquatic invertebrates are born or raised there from eggs, larvae, fry or fingerlings;
- (h) products of sea fishing and other products taken from the sea outside any territorial sea by its vessels;
- (i) products made on board its factory ships exclusively from products referred to in point (h);
- (j) used articles collected there fit only for the recovery of raw materials;
- (k) waste and scrap resulting from manufacturing operations conducted there;
- (l) products extracted from the seabed or below the seabed which is situated outside its territorial sea but where it has exclusive exploitation rights;
- (m) goods produced there exclusively from the products specified in points (a) to (l).

2. The terms 'its vessels' and 'its factory ships' in points (h) and (i) of paragraph 1 respectively shall apply only to vessels and factory ships which meet each of the following requirements:

- (a) they are registered in a Member State of the European Union or in an EFTA State;
- (b) they sail under the flag of a Member State of the European Union or an EFTA State;
- (c) they meet one of the following conditions:
 - (i) they are at least 50 % owned by nationals of the Contracting Parties to the EEA Agreement; or
 - (ii) they are owned by companies which:
 - have their head office and their main place of business in a Member State of the European Union or in an EFTA State; and
 - are at least 50 % owned by the Contracting Parties to the EEA Agreement or public entities or nationals thereof.

3. For the purpose of paragraph 2, the EFTA States are to be considered as one applying Contracting Party.

Article 4

Sufficient working or processing

1. Without prejudice to paragraph 3 of this Article and to Article 6, products which are not wholly obtained in the EEA shall be considered to be sufficiently worked or processed when the conditions laid down in the list in Annex II for the goods concerned are fulfilled.

2. If a product which has obtained originating status in the EEA in accordance with paragraph 1 is used as a material in the manufacture of another product, no account shall be taken of the non-originating materials which may have been used in its manufacture.

3. The determination of whether the requirements of paragraph 1 are met, shall be carried out for each product.

However, where the relevant rule is based on compliance with a maximum content of non-originating materials, the customs authorities of the Contracting Parties to the EEA Agreement may authorise exporters to calculate the ex-works price of the product and the value of the non-originating materials on an average basis as set out in paragraph 4, in order to take into account the fluctuations in costs and currency rates.

4. Where the second subparagraph of paragraph 3 applies, an average ex-works price of the product and average value of non-originating materials used shall be calculated respectively on the basis of the sum of the ex-works prices charged for all sales of the same products carried out during the preceding fiscal year and the sum of the value of all the non-originating materials used in the manufacture of the same products over the preceding fiscal year as defined in that Contracting Party to the EEA Agreement or, where figures for a complete fiscal year are not available, a shorter period which should not be less than three months.

5. Exporters having opted for calculation on an average basis shall consistently apply such a method during the year following the fiscal year of reference, or, where appropriate, during the year following the shorter period used as a reference. They may cease to apply such a method where during a given fiscal year, or a shorter representative period of no less than three months, they record that the fluctuations in costs or currency rates which justified the use of such a method have ceased.

6. The averages referred to in paragraph 4 shall be used as the ex-works price and the value of non-originating materials, respectively, for the purpose of establishing compliance with the maximum content of non-originating materials.

*Article 5***Tolerance rule**

1. By way of derogation from Article 4 and subject to paragraphs 2 and 3 of this Article, non-originating materials which, according to the conditions set out in the list in Annex II, are not to be used in the manufacture of a given product may nevertheless be used, provided that their total net weight or value assessed for the product does not exceed:

- (a) 15 % of the net weight of the product falling within Chapters 2 and 4 to 24, other than processed fishery products of Chapter 16;
- (b) 15 % of the ex-works price of the product for products other than those covered by point (a).

This paragraph shall not apply to products falling within Chapters 50 to 63 of the Harmonised System, for which the tolerances mentioned in Notes 6 and 7 of Annex I shall apply.

2. Paragraph 1 of this Article shall not allow to exceed any of the percentages for the maximum content of non-originating materials as specified in the rules laid down in the list in Annex II.

3. Paragraphs 1 and 2 of this Article shall not apply to products wholly obtained in the EEA within the meaning of Article 3. However, without prejudice to Article 6 and Article 9(1), the tolerance provided for in those provisions shall nevertheless apply to products for which the rule laid down in the list in Annex II requires that the materials which are used in the manufacture of that product are wholly obtained.

*Article 6***Insufficient working or processing**

1. Without prejudice to paragraph 2 of this Article, the following operations shall be considered to be insufficient working or processing to confer the status of an originating product, whether or not the requirements of Article 4 are satisfied:

- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
- (b) breaking-up and assembly of packages;
- (c) washing, cleaning; removal of dust, oxide, oil, paint or other coverings;
- (d) ironing or pressing of textiles;
- (e) simple painting and polishing operations;
- (f) husking and partial or total milling of rice; polishing, and glazing of cereals and rice;
- (g) operations to colour or flavour sugar or form sugar lumps; partial or total milling of crystal sugar;
- (h) peeling, stoning and shelling, of fruits, nuts and vegetables;
- (i) sharpening, simple grinding or simple cutting;
- (j) sifting, screening, sorting, classifying, grading, matching (including the making-up of sets of articles);
- (k) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;
- (m) simple mixing of products, whether or not of different kinds;
- (n) mixing of sugar with any material;
- (o) simple addition of water or dilution or dehydration or denaturation of products;
- (p) simple assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (q) slaughter of animals;
- (r) a combination of two or more operations specified in points (a) to (q).

2. All the operations carried out in the EEA on a given product shall be taken into account when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

Article 7

Cumulation of origin

1. Without prejudice to Article 2, products shall be considered as originating in the EEA, if they are obtained there, incorporating materials originating in any applying Contracting Party provided that the working or processing carried out in the EEA goes beyond the operations referred to in Article 6. It shall not be necessary for such materials to have undergone sufficient working or processing.

2. Where the working or processing carried out in the EEA does not go beyond the operations referred to in Article 6, the product obtained by incorporating materials originating in any other applying Contracting Party, shall be considered as originating in the EEA only where the value added there is greater than the value of the materials used originating in any of the other applying Contracting Parties. If this is not so, the product obtained shall be considered as originating in the applying Contracting Party which accounts for the highest value of originating materials used in the manufacture in the EEA.

3. Without prejudice to Article 2, and with the exclusion of products falling within Chapters 50 to 63, working or processing carried out in an applying Contracting Party other than a Contracting Party to the EEA Agreement shall be considered as having been carried out in the EEA when the products obtained undergo subsequent working or processing in the EEA.

4. Without prejudice to Article 2, for products falling within Chapters 50 to 63 and only for the purpose of bilateral trade between the Contracting Parties to the EEA Agreement, working or processing carried out in the importing Contracting Party to the EEA Agreement shall be considered as having been carried out in the EEA when the products undergo subsequent working or processing in the EEA.

For the purpose of this paragraph, the participants in the European Union's Stabilisation and Association process and the Republic of Moldova are to be considered as one applying Contracting Party.

5. The Contracting Parties to the EEA Agreement may, by way of a decision of the EEA Joint Committee, jointly opt to extend the application of paragraph 3 of this Article on importation of products falling within Chapters 50 to 63.

6. For the purpose of cumulation within the meaning of paragraphs 3 to 5 of this Article, the originating products shall be considered as originating in the EEA only if the working or processing undergone there goes beyond the operations referred to in Article 6.

7. Products originating in one of the applying Contracting Parties which do not undergo any working or processing in the EEA shall retain their origin if exported into one of the other Contracting Parties to the EEA Agreement.

Article 8

Conditions for the application of cumulation of origin

1. The cumulation provided for in Article 7 may be applied only provided that:

- (a) a preferential trade agreement in accordance with Article XXIV of the General Agreement on Tariffs and Trade 1994 (GATT) is applicable between the applying Contracting Parties involved in the acquisition of the originating status and the Contracting Party to the EEA Agreement of destination; and
- (b) goods have obtained originating status by the application of rules of origin identical to those given in these Rules.

2. Notices indicating the fulfilment of the necessary requirements to apply cumulation shall be published in the *Official Journal of the European Union* (C series) and in an official publication in other Contracting Parties to the EEA Agreement, in accordance with their own procedures.

The cumulation provided for in Article 7 shall apply from the date indicated in those notices.

The Contracting Parties to the EEA Agreement shall provide the European Commission with details of the relevant agreements concluded with other applying Contracting Parties, including the dates of entry into force of these Rules.

3. The proof of origin should include the statement in English 'CUMULATION APPLIED WITH (name of the relevant applying Contracting Party/Parties in English)' when products obtained the originating status by application of cumulation of origin in accordance with Article 7.

In cases where a movement certificate EUR.1 is used as a proof of origin, that statement shall be made in Box 7 of the movement certificate EUR.1.

4. The Contracting Parties to the EEA Agreement may decide, for the products exported within the EEA that obtained the originating status by application of cumulation of origin in accordance with Article 7, to waive the obligation of including on the proof of origin the statement referred to in paragraph 3 of this Article ⁽¹⁾.

The Contracting Parties to the EEA Agreement shall notify the waiver to the European Commission in accordance with Article 8(2).

Article 9

Unit of qualification

1. The unit of qualification for the application of these Rules shall be the particular product which is considered to be the basic unit when determining classification using the nomenclature of the Harmonised System. It follows that:

- (a) when a product composed of a group or assembly of articles is classified under the terms of the Harmonised System in a single heading, the whole constitutes the unit of qualification;
- (b) when a consignment consists of a number of identical products classified under the same heading of the Harmonised System, each individual item shall be taken into account when applying these Rules.

2. Where under General Rule 5 of the Harmonised System packaging is included with the product for classification purposes, it shall be included for the purposes of determining origin.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the ex-works price thereof shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 10

Sets

Sets, as defined in General Rule 3 of the Harmonised System, shall be regarded as originating when all the component products are originating.

When a set is composed of originating and non-originating products, the set as a whole shall however be regarded as originating, provided that the value of the non-originating products does not exceed 15 % of the ex-works price of the set.

Article 11

Neutral elements

In order to determine whether a product is an originating product, no account shall be taken of the origin of the following which might be used in its manufacture:

- (a) energy and fuel;

⁽¹⁾ The Contracting Parties to the EEA Agreement agree to waive the obligation to include in the proof of origin the statement referred to in Article 8(3).

- (b) plant and equipment;
- (c) machines and tools;
- (d) any other goods which do not enter, and which are not intended to enter, into the final composition of the product.

Article 12

Accounting segregation

1. If originating and non-originating fungible materials are used in the working or processing of a product, economic operators may ensure the management of materials using the accounting segregation method, without keeping the materials on separate stocks.
2. Economic operators may ensure the management of originating and non-originating fungible products of heading 1701 using the accounting segregation method, without keeping the products on separate stocks.
3. The Contracting Parties to the EEA Agreement may require that the application of accounting segregation is subject to prior authorisation by the customs authorities. The customs authorities may grant the authorisation subject to any conditions they deem appropriate and shall monitor the use made of the authorisation. The customs authorities may withdraw the authorisation whenever the beneficiary makes improper use of the authorisation in any manner whatsoever or fails to fulfil any of the other conditions laid down in these Rules.

Through the use of accounting segregation it must be ensured that, at any time, no more products can be considered as 'originating in the EEA' than would have been the case if a method of physical segregation of the stocks had been used.

The method shall be applied and the application thereof shall be recorded on the basis of the general accounting principles applicable in the Contracting Party to the EEA Agreement.

4. The beneficiary of the method referred to in paragraphs 1 and 2 shall make out or apply for proofs of origin for the quantity of products which may be considered as originating in the EEA. At the request of the customs authorities, the beneficiary shall provide a statement of how the quantities have been managed.

TITLE III

TERRITORIAL REQUIREMENTS

Article 13

Principle of territoriality

1. The conditions set out in Title II shall be fulfilled without any interruption in the EEA.
2. If originating products exported from the EEA to another country are returned, they shall be considered to be non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:
 - (a) the products returned are the same as those which were exported; and
 - (b) they have not undergone any operations beyond that necessary to preserve them in good condition while in that country or while being exported.
3. The obtention of originating status in accordance with the conditions set out in Title II shall not be affected by working or processing done outside the EEA on materials exported from the EEA and subsequently re-imported there, provided:
 - (a) those materials are wholly obtained in the EEA or have undergone working or processing beyond the operations referred to in Article 6 prior to being exported; and
 - (b) it can be demonstrated to the satisfaction of the customs authorities that:
 - (i) the re-imported products have been obtained by working or processing the exported materials; and

- (ii) the total added value acquired outside the EEA by applying this Article does not exceed 10 % of the ex-works price of the end product for which originating status is claimed.

4. For the purposes of paragraph 3 of this Article, the conditions for obtaining originating status set out in Title II shall not apply to working or processing done outside the EEA. However, where, in the list in Annex II, a rule setting a maximum value for all the non-originating materials incorporated is applied in determining the originating status of the end product, the total value of the non-originating materials incorporated in the territory of the Contracting Party to the EEA Agreement concerned, taken together with the total added value acquired outside the EEA by applying this Article, shall not exceed the stated percentage.

5. For the purposes of applying paragraphs 3 and 4, 'total added value' shall be taken to mean all costs arising outside the EEA, including the value of the materials incorporated there.

6. Paragraphs 3 and 4 of this Article shall not apply to products which do not fulfil the conditions set out in the list in Annex II or which can be considered sufficiently worked or processed only if the general tolerance fixed in Article 5 is applied.

7. Any working or processing of the kind covered by this Article and done outside the EEA shall be done under the outward processing arrangements, or similar arrangements.

Article 14

Non-alteration

1. The preferential treatment provided for under the EEA Agreement shall apply only to products satisfying the requirements of these Rules and declared for importation in a Contracting Party to the EEA Agreement provided that those products are the same as those exported from the exporting Contracting Party to the EEA Agreement. They shall not have been altered, transformed in any way or subjected to operations other than to preserve them in good condition or than adding or affixing marks, labels, seals or any documentation to ensure compliance with specific domestic requirements of the importing Contracting Party to the EEA Agreement carried out under customs supervision in the third country(ies) of transit or splitting prior to being declared for home use.

2. Storage of products or consignments may take place provided they remain under customs supervision in the third country(ies) of transit.

3. Without prejudice to Title V of this Appendix, the splitting of consignments may take place, provided they remain under customs supervision in the third country(ies) of splitting.

4. In the case of doubt, the importing Contracting Party to the EEA Agreement may request the importer or its representative to submit at any time all appropriate documents to provide evidence of compliance with this Article, which may be given by any documentary evidence, and notably by:

- (a) contractual transport documents such as bills of lading;
- (b) factual or concrete evidence based on marking or numbering of packages;
- (c) a certificate of non-manipulation provided by the customs authorities of the country(ies) of transit or splitting or any other documents demonstrating that the goods remained under customs supervision in the country(ies) of transit or splitting; or
- (d) any evidence related to the goods themselves.

Article 15

Exhibitions

1. Originating products, sent for exhibition in a country other than with which cumulation is applicable in accordance with Articles 7 and 8 and sold after the exhibition for importation in the EEA, shall benefit on importation from the EEA Agreement provided it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned the products from a Contracting Party to the EEA Agreement to the country in which the exhibition is held and has exhibited them there;

- (b) the products have been sold or otherwise disposed of by that exporter to a person in another Contracting Party to the EEA Agreement;
- (c) the products have been consigned during the exhibition or immediately thereafter in the state in which they were sent for exhibition; and
- (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A proof of origin shall be issued or made out in accordance with Title V of this Appendix and submitted to the customs authorities of the importing Contracting Party to the EEA Agreement in the normal manner. The name and address of the exhibition shall be indicated thereon. Where necessary, additional documentary evidence of the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organised for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

TITLE IV

DRAWBACK OR EXEMPTION

Article 16

Drawback of or exemption from customs duties

1. Non-originating materials used in the manufacture of products falling within Chapters 50 to 63 of the Harmonised System originating in the EEA for which a proof of origin is issued or made out in accordance with Title V of this Appendix shall not be subject in the exporting Contracting Party to the EEA Agreement to drawback of or exemption from customs duties of whatever kind.

2. The prohibition in paragraph 1 shall apply to any arrangement for refund, remission or non-payment, partial or complete, of customs duties or charges having an equivalent effect, applicable in any exporting Contracting Party to the EEA Agreement to materials used in the manufacture, where such refund, remission or non-payment applies, expressly or in effect, when products obtained from the said materials are exported and not when they are retained for home use there.

3. The exporter of products covered by a proof of origin shall be prepared to submit at any time, upon request from the customs authorities, all appropriate documents proving that no drawback has been obtained in respect of the non-originating materials used in the manufacture of the products concerned and that all customs duties or charges having equivalent effect applicable to such materials have actually been paid.

4. The prohibition in paragraph 1 of this Article shall not apply to trade between the Contracting Parties to the EEA Agreement for products that obtained originating status by application of cumulation of origin covered by Article 7(4) or (5).

TITLE V

PROOF OF ORIGIN

Article 17

General requirements

1. Originating products shall, on importation into a Contracting Party to the EEA Agreement, benefit from the provisions of the EEA Agreement upon submission of one of the following proofs of origin:

- (a) a movement certificate EUR.1, a specimen of which appears in Annex IV to this Appendix;

(b) in the cases specified in Article 18(1), a declaration, subsequently referred to as the 'origin declaration' given by the exporter on an invoice, a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified; the text of the origin declaration appears in Annex III to this Appendix.

2. Notwithstanding paragraph 1 of this Article, originating products within the meaning of these Rules shall, in the cases specified in Article 27, benefit from the provisions of the EEA Agreement without it being necessary to submit any of the proofs of origin referred to in paragraph 1 of this Article.

3. Without prejudice to paragraph 1, the Contracting Parties to the EEA Agreement may agree that, for the preferential trade between them, proofs of origin listed in points (a) and (b) of paragraph 1 are replaced by statements on origin made out by exporters registered in an electronic database in accordance with the internal legislation of the Contracting Parties to the EEA Agreement.

The use of a statement on origin made out by the exporters registered in an electronic database agreed by two or more applying Contracting Parties shall not impede the use of diagonal cumulation with other applying Contracting Parties.

4. For the purposes of paragraph 1, the Contracting Parties to the EEA Agreement may agree to establish a system that allows proofs of origin listed in points (a) and (b) of paragraph 1 to be issued electronically and/or submitted electronically.

5. For the purpose of Article 7, if Article 8(4) applies, the exporter established in an applying Contracting Party who issues, or applies for, a proof of origin on the basis of another proof of origin which benefits from a waiver from the obligation to include the statement as otherwise required by Article 8(3) shall take all necessary steps to ensure that the conditions for applying cumulation are fulfilled and shall be prepared to submit all relevant documents to the customs authorities.

Article 18

Conditions for making out an origin declaration

1. An origin declaration as referred to in point (b) of Article 17(1) may be made out:

(a) by an approved exporter within the meaning of Article 19; or

(b) by any exporter for any consignment consisting of one or more packages containing originating products the total value of which does not exceed EUR 6 000.

2. An origin declaration may be made out if the products can be considered as originating in the EEA or an applying Contracting Party and fulfil the other requirements of these Rules.

3. The exporter making out an origin declaration shall be prepared to submit at any time, at the request of the customs authorities of the exporting Contracting Party to the EEA Agreement, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of these Rules.

4. An origin declaration shall be made out by the exporter by typing, stamping or printing on the invoice, the delivery note or another commercial document, the declaration, the text of which appears in Annex III to this Appendix, using one of the linguistic versions set out in that Annex and in accordance with the provisions of the national law of the exporting country. If the declaration is handwritten, it shall be written in ink in printed characters.

5. Origin declarations shall bear the original signature of the exporter in manuscript. However, an approved exporter within the meaning of Article 19 shall not be required to sign such declarations provided that he gives the customs authorities of the exporting Contracting Party to the EEA Agreement a written undertaking that he accepts full responsibility for any origin declaration which identifies him as if it had been signed in manuscript by him.

6. An origin declaration may be made out by the exporter when the products to which it relates are exported, or after exportation (the 'retrospective origin declaration') on condition that it is presented in the importing country within two years after the importation of the products to which it relates.

Where the splitting of a consignment takes place in accordance with Article 14(3) and provided that the same two-year deadline is respected, the retrospective origin declaration shall be made out by the approved exporter of the exporting Contracting Party to the EEA Agreement of the products.

Article 19

Approved exporter

1. The customs authorities of the exporting Contracting Party to the EEA Agreement may, subject to national requirements, authorise any exporter established in that Contracting Party to the EEA Agreement (the 'approved exporter'), to make out origin declarations irrespective of the value of the products concerned.
2. An exporter who requests such authorisation must offer, to the satisfaction of the customs authorities, all guarantees necessary to verify the originating status of the products as well as the fulfilment of the other requirements of these Rules.
3. The customs authorities shall grant to the approved exporter a customs authorisation number which shall appear on the origin declaration.
4. The customs authorities shall verify the proper use of an authorisation. They may withdraw the authorisation if the approved exporter makes improper use of it and shall do so if the approved exporter no longer offers the guarantees referred to in paragraph 2.

Article 20

Procedure for issuing of a movement certificate EUR.1

1. A movement certificate EUR.1 shall be issued by the customs authorities of the exporting Contracting Party to the EEA Agreement on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative.
2. For that purpose, the exporter or his authorised representative shall fill in both the movement certificate EUR.1 and the application form, specimens of which appear in Annex IV to this Appendix. Those forms shall be completed in one of the languages in which the EEA Agreement is drawn up and in accordance with the provisions of the national law of the exporting Contracting Party to the EEA Agreement. If the completion of the forms is done in handwriting, they shall be completed in ink in printed characters. The description of the products shall be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line shall be drawn below the last line of the description, the empty space being crossed through.
3. The movement certificate EUR.1 shall include the statement in English 'TRANSITIONAL RULES' in box 7.
4. The exporter applying for the issue of a movement certificate EUR.1 shall be prepared to submit at any time, at the request of the customs authorities of the exporting Contracting Party to the EEA Agreement where the movement certificate EUR.1 is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of these Rules.
5. A movement certificate EUR.1 shall be issued by the customs authorities of the exporting Contracting Party to the EEA Agreement if the products concerned can be considered as products originating and fulfil the other requirements of these Rules.
6. The customs authorities issuing movement certificates EUR.1 shall take any steps necessary to verify the originating status of the products and the fulfilment of the other requirements of these Rules. For that purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate. They shall also ensure that the forms referred to in paragraph 2 of this Article are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions.

7. The date of issue of the movement certificate EUR.1 shall be indicated in Box 11 of the movement certificate EUR.1.
8. A movement certificate EUR.1 shall be issued by the customs authorities and made available to the exporter as soon as actual exportation has been effected or ensured.

Article 21

Movement certificates EUR.1 issued retrospectively

1. Notwithstanding Article 20(8), a movement certificate EUR.1 may be issued after exportation of the products to which it relates if:
 - (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances;
 - (b) it is demonstrated to the satisfaction of the customs authorities that a movement certificate EUR.1 was issued but was not accepted at importation for technical reasons;
 - (c) the final destination of the products concerned was not known at the time of exportation and was determined during their transportation or storage and after possible splitting of consignments in accordance with Article 14(3);
 - (d) a movement certificate EUR.1 or EUR.MED was issued in accordance with the rules of the PEM Convention for products that are also originating in accordance with these Rules; the exporter shall take all necessary steps to ensure that the conditions to apply cumulation are fulfilled and be prepared to submit to the customs authorities all relevant documents proving that the product is originating in accordance with these Rules; or
 - (e) a movement certificate EUR.1 was issued on the basis of Article 8(4) and the application of Article 8(3) is required at importation in another applying Contracting Party.
2. For the implementation of paragraph 1, the exporter shall indicate in his application the place and date of exportation of the products to which the movement certificate EUR.1 relates, and state the reasons for his request.
3. The customs authorities may issue a movement certificate EUR.1 retrospectively within two years from the date of exportation and only after verifying that the information supplied in the exporter's application complies with that in the corresponding file.
4. In addition to the requirement under Article 20(3), movement certificates EUR.1 issued retrospectively shall be endorsed with the following phrase in English: 'ISSUED RETROSPECTIVELY'.
5. The endorsement referred to in paragraph 4 shall be inserted in Box 7 of the movement certificate EUR.1.

Article 22

Issue of a duplicate movement certificate EUR.1

1. In the event of theft, loss or destruction of a movement certificate EUR.1, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.
2. In addition to the requirement under Article 20(3), the duplicate issued in accordance with paragraph 1 of this Article shall be endorsed with the following word in English: 'DUPLICATE'.
3. The endorsement referred to in paragraph 2 shall be inserted in Box 7 of the duplicate movement certificate EUR.1.
4. The duplicate, which shall bear the date of issue of the original movement certificate EUR.1, shall take effect as from that date.

*Article 23***Validity of proof of origin**

1. A proof of origin shall be valid for ten months from the date of issue or making out in the exporting Contracting Party to the EEA Agreement, and shall be submitted within that period to the customs authorities of the importing Contracting Party to the EEA Agreement.
2. Proofs of origin which are submitted to the customs authorities of the importing Contracting Party to the EEA Agreement after the period of validity referred to in paragraph 1 may be accepted for the purpose of applying the tariff preferences, where failure to submit those documents by the final date set is due to exceptional circumstances.
3. In other cases of belated presentation, the customs authorities of the importing Contracting Party to the EEA Agreement may accept the proofs of origin where the products have been presented to customs before the said final date.

*Article 24***Free zones**

1. The Contracting Parties to the EEA Agreement shall take all necessary steps to ensure that products traded under cover of a proof of origin which in the course of transport use a free zone situated in their territory are not substituted by other goods and do not undergo handling other than normal operations designed to prevent their deterioration.
2. By way of derogation from paragraph 1, when products originating in the EEA or an applying Contracting Party are imported into a free zone under cover of a proof of origin and undergo treatment or processing, a new proof of origin may be issued or made out, if the treatment or processing undergone complies with these Rules.

*Article 25***Importation requirements**

Proofs of origin shall be submitted to the customs authorities of the importing Contracting Party to the EEA Agreement in accordance with the procedures applicable in that Contracting Party to the EEA Agreement.

*Article 26***Importation by instalments**

Where, at the request of the importer and subject to the conditions laid down by the customs authorities of the importing Contracting Party to the EEA Agreement, dismantled or non-assembled products within the meaning of General Rule 2(a) for the interpretation of the Harmonised System falling within Sections XVI and XVII or headings 7308 and 9406 are imported by instalments, a single proof of origin for such products shall be submitted to the customs authorities on importation of the first instalment.

*Article 27***Exemptions from proof of origin**

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a proof of origin, provided that such products are not imported by way of trade and have been declared as meeting the requirements of these Rules and where there is no doubt as to the veracity of such a declaration.
2. Imports shall not be considered as imports by way of trade if all the following conditions are met:
 - (a) the imports are occasional;
 - (b) the imports consist solely of products for the personal use of the recipients or travellers or their families;

(c) it is evident from the nature and quantity of the products that no commercial purpose is in view.

3. The total value of those products shall not exceed EUR 500 in the case of small packages or EUR 1 200 in the case of products forming part of travellers' personal luggage.

Article 28

Discrepancies and formal errors

1. The discovery of slight discrepancies between the statements made in the proof of origin and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not ipso facto render the proof of origin null and void if it is duly established that that document does correspond to the products submitted.

2. Obvious formal errors such as typing errors on a proof of origin shall not cause the documents referred to in paragraph 1 of this Article to be rejected if those errors are not such as to create doubts concerning the correctness of the statements made in those documents.

Article 29

Supplier's declarations

1. When a movement certificate EUR.1 is issued or an origin declaration is made out in a Contracting Party to the EEA Agreement for originating products, in the manufacture of which goods coming from another applying Contracting Party which have undergone working or processing there without having obtained preferential originating status have been used in accordance with Article 7(3) or Article 7(4), account shall be taken of the supplier's declaration given for those goods in accordance with this Article.

2. The supplier's declaration referred to in paragraph 1 shall serve as evidence of the working or processing undergone in the EEA or in an applying Contracting Party by the goods concerned for the purpose of determining whether the products in the manufacture of which those goods are used, may be considered as products originating in the EEA and fulfil the other requirements of these Rules.

3. A separate supplier's declaration shall, except in the cases referred to in paragraph 4, be made out by the supplier for each consignment of goods in the form prescribed in Annex VI on a sheet of paper annexed to the invoice, the delivery note or any other commercial document describing the goods concerned in sufficient detail to enable them to be identified.

4. Where a supplier regularly supplies a particular customer with goods for which the working or processing undergone in the EEA or in an applying Contracting Party is expected to remain constant for a period of time, he may provide a single supplier's declaration to cover subsequent consignments of those goods (the 'long-term supplier's declaration'). A long-term supplier's declaration may normally be valid for a period of up to two years from the date of making out the declaration. The customs authorities of the applying Contracting Party where the declaration is made out lay down the conditions under which longer periods may be used. The long-term supplier's declaration shall be made out by the supplier in the form prescribed in Annex VII and shall describe the goods concerned in sufficient detail to enable them to be identified. It shall be provided to the customer concerned before he is supplied with the first consignment of goods covered by that declaration or together with his first consignment. The supplier shall inform his customer immediately if the long-term supplier's declaration is no longer applicable to the goods supplied.

5. The supplier's declarations referred to in paragraphs 3 and 4 shall be typed or printed using one of the languages of the EEA Agreement, in accordance with the national law of the applying Contracting Party where the declaration is made out, and shall bear the original signature of the supplier in manuscript. The declaration may also be handwritten; in such a case, it shall be written in ink in printed characters.

6. The supplier making out a declaration shall be prepared to submit at any time, at the request of the customs authorities of the applying Contracting Party where the declaration is made out, all appropriate documents proving that the information given on that declaration is correct.

*Article 30***Amounts expressed in euro**

1. For the purposes of application of the point (b) of Article 18(1) and Article 27(3) in cases where products are invoiced in a currency other than euro, amounts in the national currencies of the Contracting Parties to the EEA Agreement equivalent to the amounts expressed in euro shall be fixed annually by each of the countries concerned.
2. A consignment shall benefit from the point (b) of Article 18(1) or Article 27(3) by reference to the currency in which the invoice is drawn up, according to the amount fixed by the country concerned.
3. The amounts to be used in any given national currency shall be the equivalent in that currency of the amounts expressed in euro as at the first working day of October. The amounts shall be communicated to the European Commission by 15 October and shall apply from 1 January the following year. The European Commission shall notify all countries concerned of the relevant amounts.
4. The Contracting Parties to the EEA Agreement may round up or down the amount resulting from the conversion into its national currency of an amount expressed in euro. The rounded-off amount may not differ from the amount resulting from the conversion by more than 5 %. A Party may retain unchanged its national currency equivalent of an amount expressed in euro if, at the time of the annual adjustment provided for in paragraph 3, the conversion of that amount, prior to any rounding-off, results in an increase of less than 15 % in the national currency equivalent. The national currency equivalent may be retained unchanged if the conversion were to result in a decrease in that equivalent value.
5. The amounts expressed in euro shall be reviewed by the EEA Joint Committee at the request of a Contracting Party to the EEA Agreement. When carrying out that review, the EEA Joint Committee shall consider the desirability of preserving the effects of the limits concerned in real terms. For that purpose, it may decide to modify the amounts expressed in euro.

TITLE VI**PRINCIPLES OF COOPERATION AND DOCUMENTARY EVIDENCE***Article 31***Documentary evidence, preservation of proofs of origin and supporting documents**

1. An exporter who has made out an origin declaration or has applied for a movement certificate EUR.1 shall keep a hard copy or an electronic version of those proofs of origin and all documents supporting the originating status of the product, for at least three years from the date of issuance or making out of the origin declaration.
2. The supplier making out a supplier's declaration shall keep copies of the declaration and of all the invoices, delivery notes or other commercial documents to which that declaration is annexed as well as the documents referred to in Article 29(6) for at least three years.

The supplier making out a long-term supplier's declaration shall keep copies of the declaration and of all the invoices, delivery notes or other commercial documents concerning goods covered by that declaration sent to the customer concerned, as well as the documents referred to in Article 29(6) for at least three years. That period shall begin from the date of expiry of validity of the long-term supplier's declaration.

3. For the purposes of paragraph 1 of this Article, the documents supporting the originating status, inter alia, are the following:
 - (a) direct evidence of the processes carried out by the exporter or supplier to obtain the product, contained, for example, in his accounts or internal bookkeeping;
 - (b) documents proving the originating status of materials used, issued or made out in the relevant applying Contracting Party in accordance with its national legislation;
 - (c) documents proving the working or processing of materials in the relevant Contracting Party to the EEA Agreement, made out or issued in that Contracting Party to the EEA Agreement in accordance with its national legislation;

- (d) origin declarations or movement certificates EUR.1 proving the originating status of materials used, made out or issued in the Contracting Parties to the EEA Agreement in accordance with these Rules;
 - (e) appropriate evidence concerning working or processing undergone outside the EEA by application of Articles 13 and 14, proving the fulfilment of the requirements of those Articles.
4. The customs authorities of the exporting Contracting Party to the EEA Agreement issuing movement certificates EUR.1 shall keep the application form referred to in Article 20(2) for at least three years.
5. The customs authorities of the importing Contracting Party to the EEA Agreement shall keep the origin declarations and the movement certificates EUR.1 submitted to them for at least three years.
6. Supplier's declarations proving the working or processing undergone in an applying Contracting Party or in the EEA by materials used, made out in that applying Contracting Party or in the EEA, shall be treated as a document referred to in Articles 18(3), 20(4) and 29(6) used for the purpose of proving that products covered by a movement certificate EUR.1 or an origin declaration may be considered as products originating in that applying Contracting Party or in the EEA and fulfil the other requirements of these Rules.

Article 32

Dispute settlement

Where disputes arise in relation to the verification procedures under Articles 34 and 35, or in relation to the interpretation of this Appendix, which cannot be settled between the customs authorities requesting a verification and the customs authorities responsible for carrying out the verification, they shall be submitted to the EEA Joint Committee.

In all cases the settlement of disputes between the importer and the customs authorities of the importing Contracting Party to the EEA Agreement shall take place in accordance with the legislation of that country.

TITLE VII

ADMINISTRATIVE COOPERATION

Article 33

Notification and cooperation

1. The customs authorities of the Contracting Parties to the EEA Agreement shall provide each other with specimen impressions of stamps used in their customs offices for the issue of movement certificates EUR.1, with the models of the authorisation numbers granted to approved exporters and with the addresses of the customs authorities responsible for verifying those certificates and origin declarations.
2. In order to ensure the proper application of these Rules, the Contracting Parties to the EEA Agreement shall assist each other, through the competent customs authorities, in checking the authenticity of the movement certificates EUR.1, the origin declarations, the supplier's declarations and the correctness of the information given in those documents.

Article 34

Verification of proofs of origin

1. Subsequent verifications of proofs of origin shall be carried out at random or whenever the customs authorities of the importing Contracting Party to the EEA Agreement have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of these Rules.
2. When they make a request for subsequent verification, the customs authorities of the importing Contracting Party to the EEA Agreement shall return the movement certificate EUR.1 and the invoice, if it has been submitted, the origin declaration, or a copy of those documents, to the customs authorities of the exporting Contracting Party to the EEA Agreement giving, where appropriate, the reasons for the request for verification. Any documents and information obtained suggesting that the information given on the proof of origin is incorrect shall be forwarded in support of the request for verification.

3. The verification shall be carried out by the customs authorities of the exporting Contracting Party to the EEA Agreement. For that purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate.
4. If the customs authorities of the importing Contracting Party to the EEA Agreement decide to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.
5. The customs authorities requesting the verification shall be informed of the results thereof as soon as possible. Those results shall indicate clearly whether the documents are authentic and whether the products concerned may be considered as products originating in the EEA and fulfil the other requirements of these Rules.
6. If in cases of reasonable doubt there is no reply within ten months of the date of the verification request or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting customs authorities shall, except in exceptional circumstances, refuse entitlement to the preferences.

Article 35

Verification of supplier's declarations

1. Subsequent verifications of supplier's declarations or long-term supplier's declarations may be carried out at random or whenever the customs authorities of a Contracting Party to the EEA Agreement where such declarations have been taken into account to issue a movement certificate EUR.1 or to make out an origin declaration, have reasonable doubts as to the authenticity of the document or the correctness of the information given in that document.
2. For the purposes of implementing the provisions of paragraph 1, the customs authorities of the Party referred to in paragraph 1 shall return the supplier's declaration or the long-term supplier's declaration and invoice(s), delivery note(s) or other commercial document(s) concerning goods covered by such declaration, to the customs authorities of the applying Contracting Party where the declaration was made out, giving, where appropriate, the reasons of substance or form of the request for verification.

They shall forward, in support of the request for subsequent verification, any documents and information that have been obtained suggesting that the information given in the supplier's declaration or the long-term supplier's declaration is incorrect.

3. The verification shall be carried out by the customs authorities of the applying Contracting Party where the supplier's declaration or the long-term supplier's declaration was made out. For that purpose, they shall have the right to call for any evidence and carry out any inspection of the supplier's accounts or any other check which they consider appropriate.
4. The customs authorities requesting the verification shall be informed of the results thereof as soon as possible. Those results shall indicate clearly whether the information given in the supplier's declaration or the long-term supplier's declaration is correct and make it possible for them to determine whether and to what extent such declaration could be taken into account for issuing a movement certificate EUR.1 or for making out an origin declaration.

Article 36

Penalties

Each Contracting Party to the EEA Agreement shall provide for the imposition of criminal, civil or administrative penalties for violations of its national legislation related to these Rules.

TITLE VIII**APPLICATION OF APPENDIX A***Article 37***Liechtenstein**

Without prejudice to Article 2, a product originating in Liechtenstein shall, due to the customs union between Switzerland and Liechtenstein, be considered as originating in Switzerland.

*Article 38***Republic of San Marino**

Without prejudice to Article 2, a product originating in the Republic of San Marino shall, due to the customs union between the European Union and the Republic of San Marino, be considered as originating in the European Union.

*Article 39***Principality of Andorra**

Without prejudice to Article 2, a product originating in the Principality of Andorra classified under Chapters 25 to 97 of the Harmonised System shall, due to the customs union between the European Union and the Principality of Andorra, be considered as originating in the European Union.

*Article 40***Ceuta and Melilla**

1. For the purposes of these Rules, the term 'EEA' shall not cover Ceuta and Melilla.
2. For the purposes of applying Protocol 49 to the EEA Agreement concerning products originating in Ceuta and Melilla, these Rules shall apply *mutatis mutandis* subject to the special conditions set out in Annex V.

ANNEX I**INTRODUCTORY NOTES TO THE LIST IN ANNEX II****Note 1 – General introduction**

The list sets out the conditions required for all products to be considered as sufficiently worked or processed within the meaning of Article 4 of Title II of this Appendix. There are four different types of rules, which vary according to the product:

- (a) through working or processing a maximum content of non-originating materials is not exceeded;
- (b) through working or processing the 4-digit Harmonised System heading or 6-digit Harmonised System subheading of the manufactured products becomes different from the 4-digit Harmonised System heading or 6-digit subheading respectively of the materials used;
- (c) a specific working or processing operation is carried out;
- (d) working or processing is carried out on certain wholly obtained materials.

Note 2 – The structure of the list

- 2.1 The first two columns in the list describe the product obtained. The column (1) gives the heading number or chapter number used in the Harmonised System and the column (2) gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns, a rule is specified in column (3). Where, in some cases, the entry in the column (1) is preceded by an 'ex', this signifies that the rules in column (3) apply only to the part of that heading as described in column (2).

- 2.2 Where several heading numbers are grouped together in column (1) or a chapter number is given and the description of products in column (2) is therefore given in general terms, the adjacent rules in column (3) apply to all products which, under the Harmonised System, are classified in headings of the chapter or in any of the headings grouped together in column (1).
- 2.3 Where there are different rules in the list applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rules in column (3).
- 2.4 Where two alternative rules are set out in column (3), separated by 'or', it is at the choice of the exporter which one to use.

Note 3 – **Examples of how to apply the rules**

- 3.1 Article 4 of Title II of this Appendix, concerning products having obtained originating status which are used in the manufacture of other products, shall apply, regardless of whether that status has been obtained inside the factory where those products are used or in another factory in the EEA.
- 3.2 Pursuant to Article 6 of Title II of this Appendix, the working or processing carried out must go beyond the list of operations mentioned in that Article. If it does not, the goods shall not qualify for the granting of the benefit of preferential tariff treatment, even if the conditions set out in the list below are met.

Subject to Article 6 of Title II of this Appendix, the rules in the list represent the minimum amount of working or processing required, and the carrying-out of more working or processing also confers originating status; conversely, the carrying-out of less working or processing cannot confer originating status.

Thus, if a rule provides that non-originating material, at a certain level of manufacture, may be used, the use of such material at an earlier stage of manufacture is allowed, and the use of such material at a later stage is not.

If a rule provides that non-originating material, at a certain level of manufacture, may not be used, the use of materials at an earlier stage of manufacture is allowed, and the use of materials at a later stage is not.

Example: when the list-rule for Chapter 19 requires that 'non-originating materials of headings 1101 to 1108 cannot exceed 20 % weight', the use (i.e. importation) of cereals of Chapter 10 (materials at an earlier stage of manufacture) is not limited.

- 3.3 Without prejudice to Note 3.2, where a rule uses the expression 'Manufacture from materials of any heading', then materials of any heading(s) (even materials of the same description and heading as the product) may be used, subject, however, to any specific limitations which may also be contained in the rule.
- However, the expression 'Manufacture from materials of any heading, including other materials of heading ...' or 'Manufacture from materials of any heading, including other materials of the same heading as the product' means that materials of any heading(s) may be used, except those of the same description as the product as given in column (2) of the list.
- 3.4 When a rule in the list specifies that a product may be manufactured from more than one material, this means that one or more materials may be used. It does not require that all be used.
- 3.5 Where a rule in the list specifies that a product must be manufactured from a particular material, the condition does not prevent the use of other materials which, because of their inherent nature, cannot satisfy this.
- 3.6 Where, in a rule in the list, two percentages are given for the maximum value of non-originating materials that can be used, then those percentages may not be added together. In other words, the maximum value of all the non-originating materials used may never exceed the higher of the percentages given. Furthermore, the individual percentages shall not be exceeded, in relation to the particular materials to which they apply.

Note 4 – General provisions concerning certain agricultural goods

- 4.1 Agricultural goods falling within Chapters 6, 7, 8, 9, 10, 12 and heading 2401 which are grown or harvested in the EEA shall be treated as originating in the EEA, even if grown from imported seeds, bulbs, rootstock, cuttings, grafts, shoots, buds, or other live parts of plants.
- 4.2 In cases where the content of non-originating sugar in a given product is subject to limitations, the weight of sugars of headings 1701 (sucrose) and 1702 (e.g., fructose, glucose, lactose, maltose, isoglucose or invert sugar) used in the manufacture of the final product and used in the manufacture of the non-originating products incorporated in the final product is taken into account for the calculation of such limitations.

Note 5 – Terminology used in respect of certain textile products

- 5.1 The term 'natural fibres' is used in the list to refer to fibres other than artificial or synthetic fibres. It is restricted to the stages before spinning takes place, including waste, and, unless otherwise specified, includes fibres which have been carded, combed or otherwise processed, but not spun.
- 5.2 The term 'natural fibres' includes horsehair of heading 0511, silk of headings 5002 and 5003, as well as wool-fibres and fine or coarse animal hair of headings 5101 to 5105, cotton fibres of headings 5201 to 5203, and other vegetable fibres of headings 5301 to 5305.
- 5.3 The terms 'textile pulp', 'chemical materials' and 'paper-making materials' are used in the list to describe the materials, not classified in Chapters 50 to 63, which can be used to manufacture artificial, synthetic or paper fibres or yarns.
- 5.4 The term 'man-made staple fibres' is used in the list to refer to synthetic or artificial filament tow, staple fibres or waste, of headings 5501 to 5507.
- 5.5 Printing (when combined with Weaving, Knitting/Crocheting, Tufting or Flocking) is defined as a technique by which an objectively assessed function, like colour, design, technical performance, is given to a textile substrate with a permanent character, using screen, roller, digital or transfer techniques.
- 5.6 Printing (as standalone operation) is defined as a technique by which an objectively assessed function, like colour, design, technical performance, is given to a textile substrate with a permanent character, using screen, roller, digital or transfer techniques combined with at least two preparatory/finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatising, impregnating, mending and burling), provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product.

Note 6 – Tolerances applicable to products made of a mixture of textile materials

- 6.1 Where, for a given product in the list, reference is made to this Note, the conditions set out in column (3) shall not be applied to any basic textile materials used in the manufacture of that product and which, taken together, represent 15 % or less of the total weight of all the basic textile materials used (See also Notes 6.3 and 6.4).
- 6.2 However, the tolerance mentioned in Note 6.1 may be applied only to mixed products which have been made from two or more basic textile materials.

The following are the basic textile materials:

- silk;
- wool;
- coarse animal hair;
- fine animal hair;
- horsehair;
- cotton;

- paper-making materials and paper;
- flax;
- true hemp;
- jute and other textile bast fibres;
- sisal and other textile fibres of the genus Agave;
- coconut, abaca, ramie and other vegetable textile fibres;
- synthetic man-made filament fibres of polypropylene;
- synthetic man-made filament fibres of polyester;
- synthetic man-made filament fibres of polyamide;
- synthetic man-made filament fibres of polyacrylonitrile;
- synthetic man-made filament fibres of polyimide;
- synthetic man-made filament fibres of polytetrafluoroethylene;
- synthetic man-made filament fibres of poly(phenylene sulphide);
- synthetic man-made filament fibres of poly(vinyl chloride);
- other synthetic man-made filament fibres;
- artificial man-made filament fibres of viscose;
- other artificial man-made filament fibres;
- current-conducting filaments;
- synthetic man-made staple fibres of polypropylene;
- synthetic man-made staple fibres of polyester;
- synthetic man-made staple fibres of polyamide;
- synthetic man-made staple fibres of polyacrylonitrile;
- synthetic man-made staple fibres of polyimide;
- synthetic man-made staple fibres of polytetrafluoroethylene;
- synthetic man-made staple fibres of poly(phenylene sulphide);
- synthetic man-made staple fibres of poly(vinyl chloride);
- other synthetic man-made staple fibres;
- artificial man-made staple fibres of viscose;
- other artificial man-made staple fibres;
- yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped;
- products of heading 5605 (metallised yarn) incorporating strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of a transparent or coloured adhesive between two layers of plastic film;
- other products of heading 5605;
- glass fibres;
- metal fibres;
- mineral fibres.

- 6.3 In the case of products incorporating 'yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped', this tolerance is 20 % in respect of this yarn.
- 6.4 In the case of products incorporating 'strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of a transparent or coloured adhesive between two layers of plastic film', this tolerance is 30 % in respect of this strip.

Note 7 – Other tolerances applicable to certain textile products

- 7.1 Where, in the list, reference is made to this Note, textile materials (with the exception of linings and interlinings) which do not satisfy the rule set out in the list in column (3) for the made-up product concerned may be used, provided that they are classified in a heading other than that of the product and that their value does not exceed 15 % of the ex-works price of the product.
- 7.2 Without prejudice to Note 7.3, materials which are not classified within Chapters 50 to 63 may be used freely in the manufacture of textile products, whether or not they contain textiles.
- 7.3 Where a percentage rule applies, the value of non-originating materials which are not classified within Chapters 50 to 63 must be taken into account when calculating the value of the non-originating materials incorporated.

Note 8 – Definition of specific processes and simple operations carried out in respect of certain products of Chapter 27

- 8.1 For the purposes of headings ex 2707 and 2713, the 'specific processes' are the following:
- (a) vacuum-distillation;
 - (b) redistillation by a very thorough fractionation process;
 - (c) cracking;
 - (d) reforming;
 - (e) extraction by means of selective solvents;
 - (f) the process comprising all of the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralisation with alkaline agents; decolourisation and purification with naturally active earth, activated earth, activated charcoal or bauxite;
 - (g) polymerisation;
 - (h) alkylation;
 - (i) isomerisation.
- 8.2 For the purposes of headings 2710, 2711 and 2712, the 'specific processes' are the following:
- (a) vacuum-distillation;
 - (b) redistillation by a very thorough fractionation process;
 - (c) cracking;
 - (d) reforming;
 - (e) extraction by means of selective solvents;
 - (f) the process comprising all of the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralisation with alkaline agents; decolourisation and purification with naturally active earth, activated earth, activated charcoal or bauxite;
 - (g) polymerisation;
 - (h) alkylation;
 - (i) isomerisation;
 - (j) in respect of heavy oils of heading ex 2710 only, desulphurisation with hydrogen, resulting in a reduction of at least 85 % of the sulphur content of the products processed (ASTM D 1266-59 T method);
 - (k) in respect of products of heading 2710 only, deparaffining by a process other than filtering;

- (l) in respect of heavy oils of heading ex 2710 only, treatment with hydrogen, at a pressure of more than 20 bar and a temperature of more than 250 °C, with the use of a catalyst, other than to effect desulphurisation, when the hydrogen constitutes an active element in a chemical reaction. The further treatment, with hydrogen, of lubricating oils of heading ex 2710 (e.g. hydrofinishing or decolourisation), in order, more especially, to improve colour or stability shall not, however, be deemed to be a specific process;
 - (m) in respect of fuel oils of heading ex 2710 only, atmospheric distillation, on condition that less than 30 % of these products distils, by volume, including losses, at 300 °C, by the ASTM D 86 method;
 - (n) in respect of heavy oils other than gas oils and fuel oils of heading ex 2710 only, treatment by means of a high-frequency electrical brush discharge;
 - (o) in respect of crude products (other than petroleum jelly, ozokerite, lignite wax or peat wax, paraffin wax containing by weight less than 0.75 % of oil) of heading ex 2712 only, de-oiling by fractional crystallisation.
- 8.3 For the purposes of headings ex 2707 and 2713, simple operations, such as cleaning, decanting, desalting, water separation, filtering, colouring, marking, obtaining a sulphur content as a result of mixing products with different sulphur contents, or any combination of those operations or like operations, do not confer origin.

Note 9 – Definition of specific processes and operations carried out in respect of certain products

- 9.1 Products falling within Chapter 30 obtained in the EEA by using cell cultures, shall be considered as originating in the EEA. 'Cell culture' is defined as the cultivation of human, animal and plant cells under controlled conditions (such as defined temperatures, growth medium, gas mixture, pH) outside a living organism.
- 9.2 Products falling within Chapters 29 (except for: 2905.43-2905.44), 30, 32, 33 (except for: 3302.10, 3301), 34, 35 (except for: 35.01, 3502.11-3502.19, 3502.20, 35.05), 36, 37, 38 (except for: 3809.10, 38.23, 3824.60, 38.26) and 39 (except for: 39.16-39.26) obtained in the EEA by fermentation shall be considered as originating in the EEA. 'Fermentation' is a biotechnological process in which human, animal, plant cells, bacteria, yeasts, fungi or enzymes are used to produce products falling within Chapters 29 to 39.
- 9.3 The following processing operations are considered sufficient according to paragraph 1 of Article 4 for products falling within Chapters 28, 29 (except for: 2905.43-2905.44), 30, 32, 33 (except for: 3302.10, 3301), 34, 35 (except for: 35.01, 3502.11-3502.19, 3502.20, 35.05), 36, 37, 38 (except for: 3809.10, 38.23, 3824.60, 38.26) and 39 (except for: 39.16-39.26):
- Chemical reaction: A 'chemical reaction' is a process (including a biochemical process) which results in a molecule with a new structure by breaking intramolecular bonds and by forming new intramolecular bonds, or by altering the spatial arrangement of atoms in a molecule. A chemical reaction may be expressed by a change of the 'CAS number'.
 - The following processes should not be considered for purposes of origin: (a) dissolving in water or other solvents; (b) the elimination of solvents, including solvent water; or (c) the addition or elimination of water of crystallization. A chemical reaction as defined above is to be considered as origin conferring.
 - Mixtures and Blends: The deliberate and proportionally controlled mixing or blending (including dispersing) of materials, other than the addition of diluents, to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be as origin conferring.
 - Purification: Purification is to be considered as origin conferring provided that purification occurring in the EEA results in one of the following criteria being satisfied:
 - (a) purification of a good resulting in the elimination of at least 80 % of the content of existing impurities; or

- (b) the reduction or elimination of impurities resulting in a good suitable for one or more of the following applications:
 - (i) pharmaceutical, medicinal, cosmetic, veterinary, or food grade substances;
 - (ii) chemical products and reagents for analytical, diagnostic or laboratory uses;
 - (iii) elements and components for use in micro-electronics;
 - (iv) specialised optical uses;
 - (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
 - (vi) carriers used in a separation process; or
 - (vii) nuclear grade uses.
- Change in particle size: The deliberate and controlled modification in particle size of a good, other than by merely crushing or pressing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area which is relevant to the purposes of the resulting good and having different physical or chemical characteristics from the input materials is to be considered as origin conferring.
- Standard materials: Standard materials (including standard solutions) are preparations suitable for analytical, calibrating or referencing uses having precise degrees of purity or proportions which are certified by the manufacturer. The production of standard materials is to be considered as origin conferring.
- Isomer separation: The isolation or separation of isomers from a mixture of isomers is to be considered as origin conferring.

**LIST OF WORKING OR PROCESSING REQUIRED TO BE CARRIED OUT ON NON-ORIGINATING MATERIALS IN ORDER FOR THE PRODUCT
MANUFACTURED TO OBTAIN ORIGINATING STATUS**

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
Chapter 1	Live animals	All the animals of Chapter 1 shall be wholly obtained
Chapter 2	Meat and edible meat offal	Manufacture in which all the meat and edible meat offal in the products of this Chapter is wholly obtained
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates	Manufacture in which all the materials of Chapter 3 used are wholly obtained
Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included	Manufacture in which all the materials of Chapter 4 used are wholly obtained
ex Chapter 5	Products of animal origin, not elsewhere specified or included; except for:	Manufacture from materials of any heading
ex 0511 91	Inedible fish eggs and roes	All the eggs and roes are wholly obtained
Chapter 6	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage	Manufacture in which all the materials of Chapter 6 used are wholly obtained
Chapter 7	Edible vegetables and certain roots and tubers	Manufacture in which all the materials of Chapter 7 used are wholly obtained
Chapter 8	Edible fruit and nuts; peel of citrus fruits or melons	Manufacture in which all the fruit, nuts and peels of citrus fruits or melons of Chapter 8 used are wholly obtained
Chapter 9	Coffee, tea, maté and spices	Manufacture from materials of any heading
Chapter 10	Cereals	Manufacture in which all the materials of Chapter 10 used are wholly obtained
Chapter 11	Products of the milling industry; malt; starches; inulin; wheat gluten	Manufacture in which all the materials of Chapters 8, 10 and 11, headings 0701, 0714, 2302 and 2303, and subheading 0710 10 used are wholly obtained
Chapter 12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	Manufacture from materials of any heading, except that of the product
ex Chapter 13	Lac; gums, resins and other vegetable saps and extracts; except for:	Manufacture from materials of any heading
ex 1302	Pectic substances, pectinates and pectates	Manufacture from materials of any heading and in which the weight of sugar used does not exceed 40 % of the weight of the final product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
Chapter 14	Vegetable plaiting materials; vegetable products not elsewhere specified or included	Manufacture from materials of any heading
ex Chapter 15	Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes; except for:	Manufacture from materials of any heading, except that of the product
1504 to 1506	Fats and oils and their fractions, of fish or marine mammals; wool grease and fatty substances derived therefrom (including lanolin); other animal fats and oils and their fractions, whether or not refined, but not chemically modified	Manufacture from materials of any heading
1508	Groundnut oil and its fractions, whether or not refined, but not chemically modified	Manufacture from materials of any subheading, except that of the product
1509 and 1510	Olive oil and its fractions	Manufacture in which all the vegetable materials used are wholly obtained
1511	Palm oil and its fractions, whether or not refined, but not chemically modified	Manufacture from materials of any subheading, except that of the product
ex 1512	Sunflower seed oils and their fractions: — for technical or industrial uses other than the manufacture of foodstuffs for human consumption — other	Manufacture from materials of any heading, except that of the product Manufacture in which all the vegetable materials used are wholly obtained
1515	Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified	Manufacture from materials of any subheading, except that of the product
ex 1516	Fats and oils and their fractions, of fish	Manufacture from materials of any heading
1520	Glycerol, crude; glycerol waters and glycerol lyes	Manufacture from materials of any heading
Chapter 16	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates	Manufacture in which all the materials of Chapter 2, 3 and 16 used are wholly obtained
ex Chapter 17	Sugars and sugar confectionery; except for:	Manufacture from materials of any heading, except that of the product
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:	

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
	— Chemically-pure maltose and fructose — Other	Manufacture from materials of any heading, including other materials of heading 1702 Manufacture from materials of any heading, except that of the product, in which the weight of the materials of heading 1101 to 1108, 1701 and 1703 used does not exceed 30 % of the weight of the final product
1704	Sugar confectionery (including white chocolate), not containing cocoa	Manufacture from materials of any heading, except that of the product, in which: — the weight of sugar used does not exceed 40 % of the weight of the final product or — the value of sugar used does not exceed 30 % of the ex-works price of the product
ex Chapter 18	Cocoa and cocoa preparations; except for:	Manufacture from materials of any heading, except that of the product, in which the weight of sugar used does not exceed 40 % of the weight of the final product
ex 1806	Chocolate and other food preparations containing cocoa; except for:	Manufacture from materials of any heading, except that of the product, in which: — the weight of sugar used does not exceed 40 % of the weight of the final product or — the value of sugar used does not exceed 30 % of the ex-works price of the product
1806 10	Cocoa powder, containing added sugar or other sweetening matters	Manufacture from materials of any heading, except that of the product, in which the weight of sugar used does not exceed 40 % of the weight of the final product
1901	Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included: — Malt extract — Other	Manufacture from cereals of Chapter 10 Manufacture from materials of any heading, except that of the product, in which the individual weight of sugar and of the materials of Chapter 4 used does not exceed 40 % of the weight of the final product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared	Manufacture from materials of any heading, except that of the product, in which: — the weight of the materials of headings 1006 and 1101 to 1108 used does not exceed 20 % of the weight of the final product, and — the weight of the materials of Chapters 2, 3 and 16 used does not exceed 20 % of the weight of the final product
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	Manufacture from materials of any heading, except potato starch of heading 1108
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared, not elsewhere specified or included	Manufacture from materials of any heading, except that of the product, in which: — the weight of the materials of headings 1006 and 1101 to 1108 used does not exceed 20 % of the weight of the final product, and — the weight of sugar used does not exceed 40 % of the weight of the final product
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Manufacture from materials of any heading, except that of the product, in which the weight of the materials of headings 1006 and 1101 to 1108 used does not exceed 20 % of the weight of the final product
ex Chapter 20	Preparations of vegetables, fruit, nuts or other parts of plants; except for:	Manufacture from materials of any heading, except that of the product
2002 and 2003	Tomatoes, mushrooms and truffles prepared or preserved otherwise than by vinegar or acetic acid	Manufacture from materials of any heading, except that of the product, in which all the materials of Chapter 7 used are wholly obtained
2006	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture from materials of any heading, except that of the product, in which the weight of sugar used does not exceed 40 % of the weight of the final product
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter	Manufacture from materials of any heading, except that of the product, in which the weight of sugar used does not exceed 40 % of the weight of the final product
ex 2008	Products, other than: — Nuts, not containing added sugar or spirits — Peanut butter; mixtures based on cereals; palm hearts; maize (corn) — Fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen	Manufacture from materials of any heading, except that of the product, in which the weight of sugar used does not exceed 40 % of the weight of the final product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture from materials of any heading, except that of the product, in which the weight of sugar used does not exceed 40 % of the weight of the final product
ex Chapter 21	Miscellaneous edible preparations; except for:	Manufacture from materials of any heading, except that of the product
2103	— Sauces and preparations therefor; mixed condiments and mixed seasonings — Mustard flour and meal and prepared mustard	Manufacture from materials of any heading, except that of the product. However, mustard flour or meal or prepared mustard may be used Manufacture from materials of any heading
2105	Ice cream and other edible ice, whether or not containing cocoa	Manufacture from materials of any heading, except that of the product, in which: — the individual weight of sugar and of the materials of Chapter 4 used does not exceed 40 % of the weight of the final product and — the total combined weight of sugar and of the materials of Chapter 4 used does not exceed 60 % of the weight of the final product
2106	Food preparations not elsewhere specified or included	Manufacture from materials of any heading, except that of the product, in which the weight of sugar used does not exceed 40 % of the weight of the final product
ex Chapter 22	Beverages, spirits and vinegar; except for:	Manufacture from materials of any heading, except that of the product, in which all the materials of subheadings 0806 10, 2009 61, 2009 69 used are wholly obtained
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009	Manufacture from materials of any heading, except that of the product
2207 and 2208	Undenatured ethyl alcohol of an alcoholic strength by volume of higher or less than 80 % vol; spirits, liqueurs and other spirituous beverages	Manufacture from materials of any heading, except heading 2207 or 2208, in which all the materials of subheadings 0806 10, 2009 61, 2009 69 used are wholly obtained
ex Chapter 23	Residues and waste from the food industries; prepared animal fodder; except for:	Manufacture from materials of any heading, except that of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
2309	Preparations of a kind used in animal feeding	Manufacture in which: — all the materials of Chapters 2 and 3 used are wholly obtained, — the weight of materials of Chapters 10 and 11 and headings 2302 and 2303 used does not exceed 20 % of the weight of the final product, — the individual weight of sugar and the materials of Chapter 4 used does not exceed 40 % of the weight of the final product, and — the total combined weight of sugar and the materials of Chapter 4 used does not exceed 50 % of the weight of the final product
ex Chapter 24	Tobacco and manufactured tobacco substitutes; except for:	Manufacture from materials of any heading in which the weight of materials of heading 2401 does not exceed 30 % of the total weight of materials of Chapter 24 used
2401	Unmanufactured tobacco; tobacco refuse	Manufacture in which all materials of heading 2401 are wholly obtained
ex 2402	Cigarettes, of tobacco or of tobacco substitutes	Manufacture from materials of any heading, except that of the product and of smoking tobacco of subheading 2403 19, in which at least 10 % by weight of all materials of heading 2401 used is wholly obtained
ex 2403	Products intended for inhalation through heated delivery or other means, without combustion	Manufacture from materials of any heading, except that of the product, in which at least 10 % by weight of all materials of heading 2401 used is wholly obtained
ex Chapter 25	Salt; sulphur; earths and stone; plastering materials, lime and cement; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex 2519	Crushed natural magnesium carbonate (magnesite), in hermetically-sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead-burned (sintered) magnesia	Manufacture from materials of any heading, except that of the product. However, natural magnesium carbonate (magnesite) may be used
Chapter 26	Ores, slag and ash	Manufacture from materials of any heading, except that of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
ex Chapter 27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65 % by volume distils at a temperature of up to 250 °C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	Operations of refining and/or one or more specific process(es) ⁽¹⁾ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils	Operations of refining and/or one or more specific process(es) ⁽¹⁾ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2711	Petroleum gases and other gaseous hydrocarbons	Operations of refining and/or one or more specific process(es) ⁽¹⁾ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2712	Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured	Operations of refining and/or one or more specific process(es) ⁽¹⁾ or

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals	Operations of refining and/or one or more specific process(es) ⁽¹⁾ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 29	Organic chemicals; except for:	Specific process(es) ⁽⁴⁾ or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 2901	Acyclic hydrocarbons for use as power or heating fuels	Specific process(es) ⁽⁴⁾ or Operations of refining and/or one or more specific process(es) ⁽¹⁾ or

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels	Specific process(es) (*) or Operations of refining and/or one or more specific process(es) (!) or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
ex 2905	Metal alcoholates of alcohols of this heading and of ethanol	Specific process(es) (*) or Manufacture from materials of any heading, including other materials of heading 2905. However, metal alcoholates of this heading may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 30	Pharmaceutical products	Specific process(es) (*) or Manufacture from materials of any heading
Chapter 31	Fertilizers	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks	Specific process(es) (*) or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations	Specific process(es) (*) or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster	Specific process(es) (*) or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 35	Albuminoidal substances; modified starches; glues; enzymes	Specific process(es) (*) or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations	Specific process(es) (*) or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 37	Photographic or cinematographic goods	Specific process(es) (*) or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 38	Miscellaneous chemical products; except for:	Specific process(es) (*) or Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
ex 3811	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and other prepared additives, for mineral oils (including gasoline) or for other liquids used for the same purposes as mineral oils: — Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals	Specific process(es) (*) or Manufacture in which the value of all the materials of heading 3811 used does not exceed 50 % of the ex-works price of the product
ex 3824 99 and ex 3826 00	Biodiesel	Manufacture in which biodiesel is obtained through transesterification and/or esterification or through hydro-treatment
Chapter 39	Plastics and articles thereof	Specific process(es) (*) or Manufacture from materials of any heading, except that of the product. However, materials of the same subheading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 40	Rubber and articles thereof; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 4012	Retreaded pneumatic, solid or cushion tyres, of rubber	Retreading of used tyres
ex Chapter 41	Raw hides and skins (other than furskins) and leather; except for:	Manufacture from materials of any heading, except that of the product
4104 to 4106	Tanned or crust hides and skins, without wool or hair on, whether or not split, but not further prepared	Re-tanning of tanned leather or Manufacture from materials of any heading, except that of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 43	Furskins and artificial fur; manufactures thereof; except for:	Manufacture from materials of any heading, except that of the product
ex 4302	Tanned or dressed furskins, assembled: — Plates, crosses and similar forms. — Other	Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins Manufacture from non-assembled, tanned or dressed furskins
4303	Articles of apparel, clothing accessories and other articles of fur skin	Manufacture from non-assembled tanned or dressed furskins of heading 4302
ex Chapter 44	Wood and articles of wood; wood charcoal; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or end-jointed	Planing, sanding or end-jointing
ex 4408	Sheets for veneering (including those obtained by slicing laminated wood) and for plywood, of a thickness not exceeding 6 mm, spliced, and other wood sawn lengthwise, sliced or peeled of a thickness not exceeding 6 mm, planed, sanded or end-jointed	Splicing, planing, sanding or end-jointing
ex 4410 to ex 4413	Beadings and mouldings, including moulded skirting and other moulded boards	Beading or moulding
ex 4415	Packing cases, boxes, crates, drums and similar packings, of wood	Manufacture from boards not cut to size
ex 4418	— Builders' joinery and carpentry of wood — Beadings and mouldings	Manufacture from materials of any heading, except that of the product. However, cellular wood panels, shingles and shakes may be used Beading or moulding

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
ex 4421	Match splints; wooden pegs or pins for footwear	Manufacture from wood of any heading, except drawn wood of heading 4409
Chapter 45	Cork and articles of cork	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 46	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 47	Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 48	Paper and paperboard; articles of paper pulp, of paper or of paperboard	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 49	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans	Manufacture from materials of any heading except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 50	Silk; except for:	Manufacture from materials of any heading, except that of the product
ex 5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock), carded or combed	Carding or combing of silk waste
5004 to ex 5006	Silk yarn and yarn spun from silk waste	(²) Spinning of natural fibres or Extrusion of man-made continuous filament combined with spinning or

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		Extrusion of man-made continuous filament combined with twisting or Twisting combined with any mechanical operation
5007	Woven fabrics of silk or of silk waste	(²) Spinning of natural and/or man-made staple fibres combined with weaving or Extrusion of man-made filament yarn combined with weaving or Twisting or any mechanical operation combined with weaving or Weaving combined with dyeing or Yarn dyeing combined with weaving or Weaving combined with printing or Printing (as standalone operation)
ex Chapter 51	Wool, fine or coarse animal hair; horsehair yarn and woven fabric; except for:	Manufacture from materials of any heading, except that of the product
5106 to 5110	Yarn of wool, of fine or coarse animal hair or of horsehair	(²) Spinning of natural fibres or Extrusion of man-made fibres combined with spinning or Twisting combined with any mechanical operation

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
5111 to 5113	Woven fabrics of wool, of fine or coarse animal hair or of horsehair:	(²) Spinning of natural and/or man-made staple fibres combined with weaving or Extrusion of man-made filament yarn combined with weaving or Weaving combined with dyeing or Yarn dyeing combined with weaving or Weaving combined with printing or Printing (as standalone operation)
ex Chapter 52	Cotton; except for:	Manufacture from materials of any heading, except that of the product
5204 to 5207	Yarn and thread of cotton	(²) Spinning of natural fibres or Extrusion of man-made fibres combined with spinning or Twisting combined with any mechanical operation
5208 to 5212	Woven fabrics of cotton	(²) Spinning of natural and/or man-made staple fibres combined with weaving or Extrusion of man-made filament yarn combined with weaving or Twisting or any mechanical operation combined with weaving

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		or Weaving combined with dyeing or with coating or with laminating or Yarn dyeing combined with weaving or Weaving combined with printing or Printing (as standalone operation)
ex Chapter 53	Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn; except for:	Manufacture from materials of any heading, except that of the product
5306 to 5308	Yarn of other vegetable textile fibres; paper yarn	⁽²⁾ Spinning of natural fibres or Extrusion of man-made fibres combined with spinning or Twisting combined with any mechanical operation
5309 to 5311	Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn:	⁽²⁾ Spinning of natural and/or man-made staple fibres combined with weaving or Extrusion of man-made filament yarn combined with weaving or Weaving combined with dyeing or with coating or with laminating or Yarn dyeing combined with weaving or

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		Weaving combined with printing or Printing (as standalone operation)
5401 to 5406	Yarn, monofilament and thread of man-made filaments	(²) Spinning of natural fibres or Extrusion of man-made fibres combined with spinning or Twisting combined with any mechanical operation
5407 and 5408	Woven fabrics of man-made filament yarn	(²) Spinning of natural and/or man-made staple fibres combined with weaving or Extrusion of man-made filament yarn combined with weaving or Twisting or any mechanical operation combined with weaving or Yarn dyeing combined with weaving or Weaving combined with dyeing or with coating or with laminating or Weaving combined with printing or Printing (as standalone operation)
5501 to 5507	Man-made staple fibres	Extrusion of man-made fibres

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
5508 to 5511	Yarn and sewing thread of man-made staple fibres	(²) Spinning of natural fibres or Extrusion of man-made fibres combined with spinning or Twisting combined with any mechanical operation
5512 to 5516	Woven fabrics of man-made staple fibres:	(²) Spinning of natural and/or man-made staple fibres combined with weaving or Extrusion of man-made filament yarn combined with weaving or Twisting or any mechanical operation combined with weaving or Weaving combined with dyeing or with coating or with laminating or Yarn dyeing combined with weaving or Weaving combined with printing or Printing (as standalone operation)
ex Chapter 56	Wadding, felt and non-wovens; special yarns; twine, cordage, ropes and cables and articles thereof; except for:	(²) Spinning of natural fibres or Extrusion of man-made fibres combined with spinning

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
5601	Wadding of textile materials and articles thereof; textile fibres, not exceeding 5 mm in length (flock), textile dust and mill neps	Spinning of natural fibres or Extrusion of man-made fibres combined with spinning or Flocking combined with dyeing or printing or Coating, flocking, laminating, or metalizing combined with at least two other main preparatory or finishing operations (such as calendering, shrink-resistance processes, heat setting, permanent finishing) provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product
5602	Felt, whether or not impregnated, coated, covered or laminated: — Needleloom felt	(²) Extrusion of man-made fibres combined with fabric formation. However: — polypropylene filament of heading 5402, — polypropylene fibres of heading 5503 or 5506, or — polypropylene filament tow of heading 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used, provided that their total value does not exceed 40 % of the ex-works price of the product or Non-woven fabric formation alone in the case of felt made from natural fibres
	— Other	(²) Extrusion of man-made fibres combined with fabric formation or Non-woven fabric formation alone in the case of other felt made from natural fibres

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
5603	Nonwovens whether or not impregnated, coated, covered or laminated	
5603 11 to 5603 14	Nonwovens whether or not impregnated, coated, covered or laminated of man-made filaments	Manufacture from — directionally or randomly oriented filaments or — substances or polymers of natural or man-made origin, followed in both cases by bonding into a nonwoven
5603 91 to 5603 94	Nonwovens whether or not impregnated, coated, covered or laminated, other than of man-made filaments	Manufacture from — directionally or randomly oriented staple fibres and/or — chopped yarns, of natural or man-made origin, followed in both by bonding into a nonwoven
5604	Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics: — Rubber thread and cord, textile covered — Other	Manufacture from rubber thread or cord, not textile covered (²) Spinning of natural fibres or Extrusion of man-made fibres combined with spinning or Twisting combined with any mechanical operation
5605	Metallised yarn, whether or not gimped, being textile yarn, or strip or the like of heading 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal	(²) Spinning of natural and/or man-made staple fibres or Extrusion of man-made fibres combined with spinning or Twisting combined with any mechanical operation

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
5606	Gimped yarn, and strip and the like of heading 5404 or 5405, gimped (other than those of heading 5605 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn	(²) Extrusion of man-made fibres combined with spinning or Twisting combined with gimping or Spinning of natural and/or man-made staple fibres or Flocking combined with dyeing
Chapter 57	Carpets and other textile floor coverings:	(²) Spinning of natural and/or man-made staple fibres combined with weaving or with tufting or Extrusion of man-made filament yarn combined with weaving or with tufting or Manufacture from coir yarn or sisal yarn or jute yarn or classical ring spun viscose yarn or Tufting combined with dyeing or with printing or Flocking combined with dyeing or with printing or Extrusion of man-made fibres combined with non-woven techniques including needle punching Jute fabric may be used as a backing
ex Chapter 58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery; except for:	(²) Spinning of natural and/or man-made staple fibres combined with weaving or tufting or

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		Extrusion of man-made filament yarn combined with weaving or with tufting or Weaving combined with dyeing or with flocking or with coating or with laminating or with metalizing or Tufting combined with dyeing or with printing or Flocking combined with dyeing or with printing or Yarn dyeing combined with weaving or Weaving combined with printing or Printing (as standalone operation)
5805	Hand-woven tapestries of the types Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up	Manufacture from materials of any heading, except that of the product
5810	Embroidery in the piece, in strips or in motifs	Embroidering in which the value of all the materials of any heading, except that of the product, used does not exceed 50 % of the ex-works price of the product
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Weaving combined with dyeing or with flocking or with coating or with laminating or with metalizing or Flocking combined with dyeing or with printing
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon: — Containing not more than 90 % by weight of textile materials	Weaving

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
	— Other	Extrusion of man-made fibres combined with weaving
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading 5902	Weaving combined with impregnating or with coating or with covering or with laminating or with metalizing or Weaving combined with printing or Printing (as standalone operation)
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	(²) Weaving combined with dyeing or with coating or with laminating or with metalizing Jute fabric may be used as a backing.
5905	Textile wall coverings: — Impregnated, coated, covered or laminated with rubber, plastics or other materials — Other	Weaving, knitting or non-woven fabric formation combined with impregnating or with coating or with covering or with laminating or with metalizing (²) Spinning of natural and/or man-made staple fibres combined with weaving or Extrusion of man-made filament yarn combined with weaving or Weaving, knitting or non-woven fabric formation combined with dyeing or with coating or with laminating or Weaving combined with printing or Printing (as standalone operation)

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
5906	Rubberised textile fabrics, other than those of heading 5902: — Knitted or crocheted fabrics — Other fabrics made of synthetic filament yarn, containing more than 90 % by weight of textile materials — Other	(²) Spinning of natural and/or man-made staple fibres combined with knitting/crocheting or Extrusion of man-made filament yarn combined with knitting/crocheting or Knitting or crocheting combined with rubberising or Rubberising combined with at least two other main preparatory or finishing operations (such as calendering, shrink-resistance processes, heat setting, permanent finishing) provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product Extrusion of man-made fibres combined with weaving Weaving, knitting or non-woven process combined with dyeing or with coating/rubberising or Yarn dyeing combined with weaving, knitting or non-woven process or Rubberising combined with at least two other main preparatory or finishing operations (such as calendering, shrink-resistance processes, heat setting, permanent finishing) provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio back-cloths or the like	Weaving or knitting or non-woven fabric formation combined with dyeing or with printing or with coating or with impregnating or with covering or Flocking combined with dyeing or with printing

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		or Printing (as standalone operation)
5908	Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles or the like; incandescent gas mantles and tubular knitted gas mantle fabric therefore, whether or not impregnated: — Incandescent gas mantles, impregnated — Other	Manufacture from tubular knitted/crocheted gas mantle fabric Manufacture from materials of any heading, except that of the product
5909 to 5911	Textile articles of a kind suitable for industrial use:	(²) Spinning of natural and/or of man-made staple fibres combined with weaving or Extrusion of man-made fibres combined with weaving or Weaving combined with dyeing or with coating or with laminating or Coating, flocking, laminating or metalizing combined with at least two other main preparatory or finishing operations (such as calendering, shrink-resistance processes, heat setting, permanent finishing) provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 60	Knitted or crocheted fabrics	(²) Spinning of natural and/or man-made staple fibres combined with knitting/crocheting or Extrusion of man-made filament yarn combined with knitting/crocheting

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		or Knitting/crocheting combined with dyeing or with flocking or with coating or with laminating or with printing or Flocking combined with dyeing or with printing or Yarn dyeing combined with knitting/crocheting or Twisting or texturing combined with knitting/crocheting provided that the value of the non-twisted/non-textured yarns used does not exceed 50 % of the ex-works price of the product
Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted: — Obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form — Other	⁽²⁾ ⁽³⁾ Knitting or crocheting combined with making-up including cutting of fabric ⁽²⁾ Spinning of natural and/or man-made staple fibres combined with knitting or crocheting or Extrusion of man-made filament yarn combined with knitting or crocheting or Knitting and making-up in one operation
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted; except for:	⁽²⁾ ⁽³⁾ Weaving combined with making-up including cutting of fabric or Making-up including cutting of fabric preceded by printing (as standalone operation)

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
ex 6202, ex 6204, ex 6206, ex 6209 and ex 6211	Women's, girls' and babies' clothing and clothing accessories for babies, embroidered	(²) Weaving combined with making-up including cutting of fabric or Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product
ex 6210 and ex 6216	Fire-resistant equipment of fabric covered with foil of aluminised polyester	(²) (³) Weaving combined with making-up including cutting of fabric or Coating or laminating provided that the value of the uncoated or unlaminated fabric used does not exceed 40 % of the ex-works price of the product, combined with making-up including cutting of fabric
ex 6212	Brassieres, girdles, corsets, braces, suspenders, garters and similar articles and parts thereof, knitted or crocheted, obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form	(²) (³) Knitting combined with making-up including cutting of fabric or Making-up including cutting of fabric preceded by printing (as standalone operation)
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like:	
	— Embroidered	(²) (³) Weaving combined with making-up including cutting of fabric or Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product or Making-up including cutting of fabric preceded by printing (as standalone operation)
	— Other	(²) (³) Weaving combined with making-up including cutting of fabric

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		or Making-up preceded by printing (as standalone operation)
6217	Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading 6212: — Embroidered — Fire-resistant equipment of fabric covered with foil of aluminised polyester — Interlinings for collars and cuffs, cut out — Other	(³) Weaving combined with making-up including cutting of fabric or Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product or Making-up preceded by printing (as standalone operation) (³) Weaving combined with making-up including cutting of fabric or Coating or laminating provided that the value of the uncoated or unlaminated fabric used does not exceed 40 % of the ex-works price of the product combined with making-up including cutting of fabric Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product (³) Weaving combined with making-up including cutting of fabric
ex Chapter 63	Other made-up textile articles; sets; worn clothing and worn textile articles; rags; except for:	Manufacture from materials of any heading, except that of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
6301 to 6304	Blankets, travelling rugs, bed linen etc.; curtains etc.; other furnishing articles: — Of felt, of nonwovens — Other: – bestickt – andere	(²) Non-woven fabric formation combined with making-up including cutting of fabric (²) (³) Weaving or knitting/crocheting combined with making-up including cutting of fabric or Manufacture from unembroidered fabric (other than knitted or crocheted), provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product (²) (³) Weaving or knitting/crocheting combined with making-up including cutting of fabric
6305	Sacks and bags, of a kind used for the packing of goods	(²) Extrusion of man-made fibres or spinning of natural and/or man-made staple fibres, combined with weaving or with knitting and making-up including cutting of fabric
6306	Tarpaulins, awnings and sunblinds; tents; sails for boats, sailboards or landcraft; camping goods: — Of nonwovens — Other	(²) (³) Non-woven fabric formation combined with making-up including cutting of fabric (²) (³) Weaving combined with making-up including cutting of fabric
6307	Other made-up articles, including dress patterns	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non originating articles may be incorporated, provided that their total value does not exceed 15 % of the ex-works price of the set
ex Chapter 64	Footwear, gaiters and the like; parts of such articles; except for:	Manufacture from materials of any heading, except from assemblies of uppers affixed to inner soles or to other sole components of heading 6406
6406	Parts of footwear (including uppers whether or not attached to soles other than outer soles); removable in-soles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof	Manufacture from materials of any heading, except that of the product
Chapter 65	Headgear and parts thereof	Manufacture from materials of any heading, except that of the product
Chapter 66	Umbrellas, sun umbrellas, walking-sticks, seat-sticks, whips, riding-crops, and parts thereof:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 68	Articles of stone, plaster, cement, asbestos, mica or similar materials	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
Chapter 69	Ceramic products	Manufacture from materials of any heading, except that of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
ex Chapter 70	Glass and glassware	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass	Manufacture from materials of any heading, except that of the product or Cutting of glassware, provided that the total value of the uncut glassware used does not exceed 50 % of the ex-works price of the product
7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading 7010 or 7018)	Manufacture from materials of any heading, except that of the product
ex Chapter 71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 70 % of the ex-works price of the product
ex 7102, ex 7103 and ex 7104	Worked precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture of materials of any subheading except that of the product
7106, 7108 and 7110	Precious metals: — Unwrought — Semi-manufactured or in powder form	Manufacture from materials of any heading, except those of headings 7106, 7108 and 7110, or electrolytic, thermal or chemical separation of precious metals of heading 7106, 7108 or 7110, or fusion and/or alloying of precious metals of heading 7106, 7108 or 7110 with each other or with base metals or purification Manufacture from unwrought precious metals
ex 7107, ex 7109 and ex 7111	Metals clad with precious metals, semi-manufactured	Manufacture from metals clad with precious metals, unwrought

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
ex Chapter 72	Iron and steel; except for:	Manufacture from materials of any heading, except that of the product
7207	Semi-finished products of iron or non-alloy steel	Manufacture from materials of heading 7201, 7202, 7203, 7204 or 7205
7208 to 7212	Flat-rolled products of iron or non-alloy steel	Manufacture from semi-finished materials of heading 7207
7213 to 7216	Bars and sections bars and rods, angles, shapes and sections of iron or non-alloy steel	Manufacture from ingots or other primary forms of heading 7206
7217	Wire of iron or non-alloy steel	Manufacture from semi-finished materials of heading 7207
7218 91 and 7218 99	Semi-finished products	Manufacture from materials of heading 7201, 7202, 7203, 7204 or 7205
7219 to 7222	Flat-rolled products, bars and rods, angles, shapes and sections of stainless steel	Manufacture from ingots or other primary forms of heading 7218
7223	Wire of stainless steel	Manufacture from semi-finished materials of heading 7218
7224 90	Semi-finished products	Manufacture from materials of heading 7201, 7202, 7203, 7204 or 7205
7225 to 7228	Flat-rolled products, hot-rolled bars and rods, in irregularly wound coils; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel	Manufacture from ingots or other primary forms of heading 7206, 7218 or 7224
7229	Wire of other alloy steel	Manufacture from semi-finished materials of heading 7224
ex Chapter 73	Articles of iron or steel; except for:	Manufacture from materials of any heading, except that of the product
ex 7301	Sheet piling	Manufacture from materials of heading 7207
7302	Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialised for jointing or fixing rails	Manufacture from materials of heading 7206
7304, 7305 and 7306	Tubes, pipes and hollow profiles, of iron or steel	Manufacture from materials of heading 7206 to 7212 and 7218 or 7224

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
ex 7307	Tube or pipe fittings of stainless steel (ISO No X5CrNiMo 1712), consisting of several parts	Turning, drilling, reaming, threading, deburring and sandblasting of forged blanks, provided that the total value of the forged blanks used does not exceed 35 % of the ex-works price of the product
7308	Structures (excluding prefabricated buildings of heading 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	Manufacture from materials of any heading, except that of the product. However, welded angles, shapes and sections of heading 7301 may not be used
ex 7315	Skid chain	Manufacture in which the value of all the materials of heading 7315 used does not exceed 50 % of the ex-works price of the product
ex Chapter 74	Copper and articles thereof; except for:	Manufacture from materials of any heading, except that of the product
7403	Refined copper and copper alloys, unwrought	Manufacture from materials of any heading
7408	Copper wire	Manufacture: — From materials of any heading, except that of the product, and — In which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 75	Nickel and articles thereof	Manufacture from materials of any heading, except that of the product
ex Chapter 76	Aluminium and articles thereof; except for:	Manufacture: — From materials of any heading, except that of the product, and — In which the value of all the materials used does not exceed 50 % of the ex-works price of the product
7601	Unwrought aluminium	Manufacture: — From materials of any heading, except that of the product, and — In which the value of all the materials used does not exceed 50 % of the ex-works price of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		or Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium
7602	Aluminium waste or scrap	Manufacture from materials of any heading, except that of the product
ex 7616	Aluminium articles other than gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, and expanded metal of aluminium	Manufacture: — From materials of any heading, except that of the product. However, gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium may be used; and — In which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 78	Lead and articles thereof	Manufacture from materials of any heading, except that of the product
Chapter 79	Zinc and articles thereof	Manufacture from materials of any heading, except that of the product
Chapter 80	Tin and articles thereof	Manufacture from materials of any heading, except that of the product
Chapter 81	Other base metals; cermets; articles thereof	Manufacture from materials of any heading
ex Chapter 82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8206	Tools of two or more of the headings 8202 to 8205, put up in sets for retail sale	Manufacture from materials of any heading, except those of headings 8202 to 8205. However, tools of headings 8202 to 8205 may be incorporated into the set, provided that their total value does not exceed 15 % of the ex-works price of the set
Chapter 83	Miscellaneous articles of base metal	Manufacture from materials of any heading, except that of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8407	Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8425 to 8430	Pulley tackle and hoists other than skip hoists; winches and capstans; jacks: Ships' derricks; cranes, including cable cranes; mobile lifting frames, straddle carriers and works trucks fitted with a crane Fork-lift trucks; other works trucks fitted with lifting or handling equipment Other lifting, handling, loading or unloading machinery (for example, lifts, escalators, conveyors, teleferics) Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and roadrollers Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; piledrivers and pile extractors; snowploughs and snowblowers	Manufacture from materials of any heading, except that of the product and heading 8431 or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8444 to 8447	Machines for extruding, drawing, texturing or cutting man-made textile materials:	Manufacture from materials of any heading, except that of the product and heading 8448 or

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
	Machines for preparing textile fibres; spinning, doubling or twisting machines and other machinery for producing textile yarns; textile reeling or winding (including weft-winding) machines and machines for preparing textile yarns for use on the machines of heading 8446 or 8447 Weaving machines (looms): Knitting machines, stitch-bonding machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net and machines for tufting	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8456 to 8465	Machine tools for working any material by removal of material Machining centres, unit construction machines (single station) and multi-station transfer machines, for working metal Lathes for removing metal Machine tools	Manufacture from materials of any heading, except that of the product and heading 8466 or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8470 to 8472	Calculating machines and pocket-size data-recording, reproducing and displaying machines with calculating functions; accounting machines, postage- franking machines, ticket-issuing machines and similar machines, incorporating a calculating device; cash registers Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data Other office machines	Manufacture from materials of any heading, except that of the product and heading 8473 or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8501 to 8502	Electric motors and generators Electric generating sets and rotary converters	Manufacture from materials of any heading, except that of the product and heading 8503

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8519, 8521	Sound recording or sound reproducing apparatus Video recording or reproducing apparatus, whether or not incorporating a video tuner	Manufacture from materials of any heading, except that of the product and heading 8522 or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8525 to 8528	Transmission apparatus for radio-broadcasting or television, television cameras, digital cameras and video camera recorders Radar apparatus, radio navigational aid apparatus and radio remote control apparatus Reception apparatus for radio-broadcasting Monitors and projectors, not incorporating television reception apparatus; reception apparatus for television, or video recording or reproducing apparatus	Manufacture from materials of any heading, except that of the product and heading 8529 or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8535 to 8537	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits; connectors for optical fibres, optical fibre bundles or cables; boards, panels, consoles, desks, cabinets and other bases, for electric control or the distribution of electricity:	Manufacture from materials of any heading, except that of the product and heading 8538 or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8542 31 to 8542 39	Monolithic integrated circuits	Diffusion in which integrated circuits are formed on a semi-conductor substrate by the selective introduction of an appropriate dopant assembled or not and/or tested in a non-party or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
8544 to 8548	Insulated wire, cable (and other insulated electric conductors, optical fibre cables) Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, of a kind used for electrical purposes Electrical insulators of any material Insulating fittings for electrical machines, appliances or equipment, electrical conduit tubing and joints therefor, of base metal lined with insulating material Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 86	Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 87	Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof; except for:	Manufacture in which the value of all the materials used does not exceed 45 % of the ex-works price of the product
8708	Parts and accessories for vehicles of headings 8701 to 8705	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 88	Aircraft, spacecraft, and parts thereof	Manufacture from materials of any heading, except that of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
		or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 89	Ships, boats and floating structures	Manufacture from materials of any heading, except that of the product; however, hulls of heading 8906 may not be used or Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof; except for:	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
9001 50	Spectacle lenses of other materials than glass	Manufacture from materials of any heading, except that of the product or Manufacture in which one of the following operations is made: — surfacing of the semi-finished lens into a finished ophthalmic lens with optical corrective power meant to be mounted on a pair of spectacles — coating of the lens through appropriated treatments to improve vision and ensure protection of the wearer or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 91	Clocks and watches and parts thereof	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
Chapter 92	Musical instruments; parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

Heading (1)	Description of product (2)	Working or processing, carried out on non-originating materials, which confers originating status (3)
Chapter 93	Arms and ammunition; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 95	Toys, games and sports requisites; parts and accessories thereof	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 96	Miscellaneous manufactured articles	Manufacture from materials of any heading, except that of the product or Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 97	Works of art, collectors' pieces and antiques	Manufacture from materials of any heading, except that of the product

(¹) For the special conditions relating to 'specific process(es)', see Introductory Notes 8.1 to 8.3.

(²) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 6.

(³) See Introductory Note 7.

(⁴) See Introductory Note 9.

ANNEX III

TEXT OF THE ORIGIN DECLARATION

The origin declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

Albanian version

Eksportuesi i produkteve të mbuluara nga ky dokument (autorizim doganor Nr.⁽¹⁾) deklaroi që përveç rasteve kur tregohet qartësisht ndryshe, këto produkte janë me origjinë preferenciale⁽²⁾ në përputhje me Rregullat kalimtare të origjinës.

Arabic version

يصرح مصدر المنتجات التي تشملها هذه الوثيقة (التصريح الجمركي رقم⁽¹⁾) باستثناء ما ينص بوضوح على خلاف ذلك، بأن هذه المنتجات من منشأ تفضيلي من⁽²⁾ طبقاً لقواعد المنشأ الانتقالية.

Bosnian version

Izvoznik proizvoda obuhvaćenih ovom ispravom (carinsko ovlaštenje br.⁽¹⁾) izjavljuje da su, osim ako je to drugačije izričito navedeno, ovi proizvodi⁽²⁾ preferencijalnog porijekla u skladu sa prijelaznim pravilima porijekla.

Bulgarian version

Износителят на продуктите, обхванати от този документ (митническо разрешение №⁽¹⁾), декларира, че освен където ясно е отбелязано друго, тези продукти са с⁽²⁾ преференциален произход съгласно преходните правила за произход.

Croatian version

Izvoznik proizvoda obuhvaćenih ovom ispravom (carinsko ovlaštenje br.⁽¹⁾) izjavljuje da su, osim ako je drukčije izričito navedeno, ovi proizvodi⁽²⁾ preferencijalnog podrijetla prema prijelaznim pravilima o podrijetlu.

Czech version

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení⁽¹⁾) prohlašuje, že podle přechodných pravidel původu mají tyto výrobky kromě zřetelně označených preferenční původ v⁽²⁾.

Danish version

Eksportøren af varer, der er omfattet af nærværende dokument (toldmyndighedernes tilladelse nr.⁽¹⁾) erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i⁽²⁾ i henhold til overgangsreglerne for oprindelse.

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr.⁽¹⁾), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële⁽²⁾ oorsprong zijn in overeenstemming met de overgangsregels van oorsprong.

English version

The exporter of the products covered by this document (customs authorization No⁽¹⁾) declares that, except where otherwise clearly indicated, these products are of⁽²⁾ preferential origin according to the transitional rules of origin.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolli kinnitus nr.⁽¹⁾) deklareerib, et need tooted on päritolureeglite üleminekueeskirjade kohaselt⁽²⁾ sooduspäritoluga, välja arvatud juhul, kui on selgelt näidatud teisiti.

Faeroese version

Útflytarin av vørunum, sum hetta skjal fevnir um (tollvaldsins loyvi nr. ...⁽¹⁾) váttað, át um ikki nakað annað er tilskilað, eru hesar vørur upprunavørur ...⁽²⁾ sambært skiftisreglunum um uppruna.

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupa n:o⁽¹⁾) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohdeltuun oikeutettuja⁽²⁾ alkuperätuotteita siirtymäkauden alkuperäsääntöjen nojalla.

French version

L'exportateur des produits couverts par le présent document (autorisation douanière n°⁽¹⁾) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle⁽²⁾ selon les règles d'origine transitoires.

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr.⁽¹⁾) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, dass diese Waren, soweit nicht anders angegeben, präferenzbegünstigte⁽²⁾ Ursprungswaren gemäß den Übergangsregeln für den Ursprung sind.

Georgian version

ამ დოკუმენტით წარმოდგენილი საქონლის ექსპორტიორი (საბაჟო ორგანოს მიერ მინიჭებული ავტორიზაციის №.....¹⁾ აცხადებს, რომეს საქონელი არის² შეღავათიანი წარმოშობის, გარდამავალი წარმოშობის წესების შესაბამისად, თუ სხვარ ამ არ არის პირდაპირ მითითებული.

Greek version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ' αριθ.⁽¹⁾) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής⁽²⁾ σύμφωνα με τους μεταβατικούς κανόνες καταγωγής.

Hebrew version

היצואן של הטובין המכוסים במסמך זה (אישור מכס מס'.....¹⁾) מצהיר כי מקורם של הטובין הללו המועדף
ב. _____²⁾ בהתאם לכללי המעבר, אלא אם כן צוין אחרת במפורש

Hungarian version

A jelen okmányban szereplő termékek exportőre (vámfelhatalmazási szám:⁽¹⁾) kijelentem, hogy eltérő egyértelmű jelzés hiányában a termékek az átmeneti származási szabályok szerint preferenciális⁽²⁾ származásúak.

Icelandic version

Útflytjandi framleiðsluvara sem skjal þetta tekur til (leyfi tollyfirvalda nr.⁽¹⁾), lýsir því yfir að vörunar séu, ef annars er ekki greinilega getið, af⁽²⁾ uppruna samkvæmt upprunareglum á umbreytingartímabili.

Italian version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n.⁽¹⁾) dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale⁽²⁾ conformemente alle norme di origine transitorie.

Latvian version

To produktu eksportētājs, kuri ietverti šajā dokumentā (muitas atļauja Nr.⁽¹⁾), deklarē, ka, izņemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir⁽²⁾ preferenciāla izcelsme saskaņā ar pārejas noteikumiem par izcelsmi.

Lithuanian version

Šiame dokumente nurodytų produktų eksportuotojas (muitinės leidimo Nr.⁽¹⁾) deklaruoja, kad, jeigu aiškiai nenurodyta kitaip, šie produktai turi⁽²⁾ lengvatinės kilmės statusą pagal pereinamojo laikotarpio kilmės taisyklės.

Macedonian version

Извозникот на производите што ги покрива овој документ (царинско одобрение бр.⁽¹⁾) изјавува дека, освен ако тоа не е јасно поинаку назначено, овие производи се со⁽²⁾ преференцијално потекло, во согласност со предните правила за потекло.

Maltese version

L-esportatur tal-prodotti koperti minn dan id-dokument (awtorizzazzjoni tad-dwana nru⁽¹⁾) jiddikjara li, hlief fejn indikat mod ieħor b'mod ċar, dawn il-prodotti huma ta' oriġini preferenzjali⁽²⁾ skont ir-regoli ta' oriġini tranżitorji.

Montenegrin version

Извозник производа обухваћених овом исправом (царинско овлашћење бр.⁽¹⁾) изјављује да су, осим ако је другачије изричито наведено, ови производи⁽²⁾ преференцијалног поријекла, у складу са транзиционим правилима поријекла.

Izvoznik proizvoda obuhvaćenih ovom ispravom (carinsko ovlaštenje br.⁽¹⁾) izjavljuje da su, osim ako je drugačije izričito navedeno, ovi proizvodi⁽²⁾ preferencijalnog porijekla u skladu sa tranzicionim pravilima porijekla.

Norwegian version

Eksportøren av produktene omfattet av dette dokument (tollmyndighetenes autorisasjonsnr.⁽¹⁾) erklærer at disse produktene, unntatt hvor annet er tydelig angitt, har ... preferanseopprinnelse i henhold til overgangsreglene for opprinnelse⁽²⁾.

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych nr⁽¹⁾) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają⁽²⁾ preferencyjne pochodzenie zgodnie z przejściowymi regulami pochodzenia.

Portuguese version

O exportador dos produtos cobertos pelo presente documento (autorização aduaneira n.º⁽¹⁾) declara que, salvo expressamente indicado em contrário, estes produtos são de origem preferencial⁽²⁾ de acordo com as regras de origem transitórias.

Romanian version

Exportatorul produselor care fac obiectul prezentului document (autorizația vamală nr.⁽¹⁾) declară că, exceptând cazul în care se indică altfel în mod clar, aceste produse sunt de origine preferențială⁽²⁾ în conformitate cu regulile de origine tranzitorii.

Serbian version

Извозник производа обухваћених овом исправом (царинско овлашћење бр.⁽¹⁾) изјављује да су, осим ако је другачије изричито наведено, ови производи⁽²⁾ преференцијалног порекла, у складу са прелазним правилима о пореклу.

Izvoznik proizvoda obuhvaćenih ovom ispravom (carinsko ovlaštenje br.⁽¹⁾) izjavljuje da su, osim ako je drugačije izričito navedeno, ovi proizvodi⁽²⁾ preferencijalnog porekla, u skladu sa prelaznim pravilima o poreklu.

Slovak version

Vývozca výrobkov uvedených v tomto dokumente (číslo povolenia⁽¹⁾) vyhlasuje, že pokiaľ nie je zreteľne uvedené inak, tieto výrobky majú v súlade s prechodnými pravidlami pôvodu preferenčný pôvod v⁽²⁾.

Slovenian version

Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št⁽¹⁾), izjavlja, da, razen če ni drugače jasno navedeno, ima to blago preferencialno⁽²⁾ poreklo v skladu s prehodnimi pravili o poreklu.

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera n.º⁽¹⁾) declara que, excepto donde se indique claramente lo contrario, estos productos son de origen preferencial⁽²⁾ con arreglo a las normas de origen transitorias.

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr.⁽¹⁾) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande⁽²⁾ ursprung i enlighet med övergångsreglerna om ursprung.

Turkish version

Bu belge kapsamındaki ürünlerin ihracatçısı (gümrük yetki No:⁽¹⁾), aksi açıkça belirtilmedikçe, bu ürünlerin geçiş menşei kurallarına göre⁽²⁾ tercihli menşeli olduğunu beyan eder.

Ukrainian version

Експортер продукції, на яку поширюється цей документ (митний дозвіл №⁽¹⁾) заявляє, що, за винятком випадків, де це явно зазначено, ця продукція має⁽²⁾ преференційне походження згідно з перехідними правилами походження.

(Place and date)⁽³⁾

(Signature of the exporter, in addition the name of the person signing the declaration has to be indicated in clear script)⁽⁴⁾

⁽¹⁾ When the origin declaration is made out by an approved exporter, the authorisation number of the approved exporter must be entered in this space. When the origin declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

⁽²⁾ Origin of products to be indicated. When the origin declaration relates in whole or in part, to products originating in Ceuta and Melilla, the exporter must clearly indicate them in the document on which the declaration is made out, by means of the symbol 'CM'.

⁽³⁾ These indications may be omitted if the information is contained on the document itself.

⁽⁴⁾ In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory.

ANNEX IV

**SPECIMENS OF MOVEMENT CERTIFICATE EUR.1 AND APPLICATION FOR A MOVEMENT
CERTIFICATE EUR.1**

PRINTING INSTRUCTIONS

1. Each form shall measure 210 x 297 mm; a tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.
2. The competent authorities of the Contracting Parties to the EEA Agreement may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case, each form must include a reference to such approval. Each form must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR.1 No A 000.000		
	See notes overleaf before completing this form.		
3. Consignee (Name, full address, country) (Optional)	2. Certificate used in preferential trade between and (Insert appropriate countries, groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾; Description of goods		9. Gross mass (kg) or other measure (litres, m3, etc.)	10. Invoices (Optional)
11. CUSTOMS ENDORSEMENT <i>Declaration certified</i> Export document ⁽²⁾ Form No Of Customs office Issuing country or territory Place and date (Signature)	Stamp	12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date (Signature)	
⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk', as appropriate. ⁽²⁾ Complete only where the regulations of the exporting country or territory require.			

13. REQUEST FOR VERIFICATION, to	14. RESULT OF VERIFICATION Verification carried out shows that this certificate ⁽¹⁾ ☐ was issued by the customs office indicated and that the information contained therein is accurate. ☐ does not meet the requirements as to authenticity and accuracy (see remarks appended).
Verification of the authenticity and accuracy of this certificate is requested. (Place and date) Stamp (Signature)	 (Place and date) Stamp (Signature) ⁽¹⁾ Insert X in the appropriate box.

NOTES

1. Certificate must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the Customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR.1 No A 000.000		
3. Consignee (Name, full address, country) (Optional)	See notes overleaf before completing this form.		
	2. Application for a certificate to be used in preferential trade between and (Insert appropriate countries or groups of countries or territories)		
	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾; Description of goods	9. Gross mass (kg) or other measure (litres, m³, etc.)	10. Invoices (Optional)	
⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk', as appropriate.			

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enable these goods to meet the above conditions:

.....
.....
.....
.....

SUBMIT the following supporting documents⁽¹⁾:

.....
.....
.....
.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which those authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for those goods.

.....

(Place and date)

.....

(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX V

SPECIAL CONDITIONS CONCERNING PRODUCTS ORIGINATING IN CEUTA AND MELILLA*Sole Article*

1. Providing they comply with the non-alteration rule of Article 14 of this Appendix, the following shall be considered as:
 - (1) products originating in Ceuta and Melilla:
 - (a) products wholly obtained in Ceuta and Melilla;
 - (b) products obtained in Ceuta and Melilla in the manufacture of which products other than products wholly obtained in Ceuta and Melilla are used, provided that:
 - (i) the said products have undergone sufficient working or processing within the meaning of Article 4 of this Appendix; or
 - (ii) those products originate in the EEA, provided that they have been submitted to working or processing which goes beyond the operations referred to in Article 6 of this Appendix;
 - (2) products originating in the EEA;
 - (a) products wholly obtained in the EEA;
 - (b) products obtained in the EEA in the manufacture of which products other than products wholly obtained in the EEA are used, provided that:
 - (i) those products have undergone sufficient working or processing within the meaning of Article 4 of this Appendix; or
 - (ii) those products originate in Ceuta and Melilla or in the EEA, and they have been submitted to working or processing which goes beyond the operations referred to in Article 6 of this Appendix.
 2. Ceuta and Melilla shall be considered as a single territory.
 3. The exporter or his authorised representative shall enter the name of the exporting Party and 'Ceuta and Melilla' in Box 2 of movement certificates EUR.1 or on origin declarations. In addition, in the case of products originating in Ceuta and Melilla, this shall be indicated in Box 4 of movement certificates EUR.1 or on origin declarations.
 4. The Spanish customs authorities shall be responsible for the application of these Rules in Ceuta and Melilla.
-

ANNEX VI

SUPPLIER'S DECLARATION

The supplier's declaration, the text of which is provided below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

SUPPLIER'S DECLARATION

for goods which have undergone working or processing in the EEA or applying Contracting Parties without having obtained preferential origin status

I, the undersigned, supplier of the goods covered by the annexed document, declare that:

1. The following materials which do not originate in the EEA or [indicate the name of the relevant applying Contracting Party(ies)] have been used in the EEA or [indicate the name of the relevant applying Contracting Party(ies)] to produce these goods:

Description of the goods supplied ⁽¹⁾	Description of non-originating materials used	Heading of non-originating materials used ⁽²⁾	Value of non-originating materials used ⁽²⁾ ⁽³⁾
Total value			

2. All the other materials used in the EEA or [indicate the name of the relevant applying Contracting Party(ies)] to produce those goods originate in the EEA or [indicate the name of the relevant applying Contracting Party(ies)];
3. The following goods have undergone working or processing outside the EEA or [indicate the name of the relevant applying Contracting Party(ies)] in accordance with Article 13 of this Appendix and have acquired the following total added value there:

Description of the goods supplied	Total added value acquired outside the EEA or [indicate the name of the relevant applying Contracting Party(ies)] ⁽⁴⁾
	(Place and date)
	(Address and signature of the supplier; in addition the name of the person signing the declaration has to be indicated in clear script)

- (¹) When the invoice, delivery note or other commercial document to which the declaration is annexed relates to different kinds of goods, or to goods which do not incorporate non-originating materials to the same extent, the supplier must clearly differentiate them.

Example:

The document relates to different models of electric motor of heading 8501 to be used in the manufacture of washing machines of heading 8450. The nature and value of the non-originating materials used in the manufacture of those motors differ from one model to another. The models must therefore be differentiated in the first column and the indications in the other columns must be provided separately for each of the models to make it possible for the manufacturer of washing machines to make a correct assessment of the originating status of his products depending on which model of electrical motor he uses.

- (²) The indications requested in those columns should only be given if they are necessary.

Examples:

The rule for garments of ex Chapter 62 says Weaving combined with making-up including cutting of fabric may be used. If a manufacturer of such garments in an applying Contracting Party uses fabric imported from the European Union which has been obtained there by weaving non-originating yarn, it is sufficient for the European Union supplier to describe in his declaration the non-originating material used as yarn, without it being necessary to indicate the heading and value of such yarn.

A producer of iron of heading 7217 who has produced it from non-originating iron bars should indicate in the second column 'bars of iron'. Where this wire is to be used in the production of a machine, for which the rule contains a limitation for all non-originating materials used to a certain percentage value, it is necessary to indicate in the third column the value of non-originating bars.

- (³) 'Value of materials' means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the EEA or [indicate the name of the relevant applying Contracting Party(ies)].

The exact value for each non-originating material used must be given per unit of the goods specified in the first column.

- (⁴) 'Total added value' shall mean all costs accumulated outside the EEA and [indicate the name of the relevant applying Contracting Party(ies)], including the value of all materials added there. The exact total added value acquired outside the EEA and [indicate the name of the relevant applying Contracting Party(ies)] must be given per unit of the goods specified in the first column.
-

ANNEX VII

LONG-TERM SUPPLIER'S DECLARATION

The long-term supplier's declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

LONG-TERM SUPPLIER'S DECLARATION

for goods which have undergone working or processing in the EEA or an applying Contracting Party without having obtained preferential origin status

I, the undersigned, supplier of the goods covered by the annexed document, which are regularly supplied to ⁽¹⁾, declare that:

1. The following materials which do not originate in the EEA or [indicate the name of the relevant applying Contracting Party(ies)] have been used in the EEA or [indicate the name of the relevant applying Contracting Party(ies)] to produce these goods:

Description of the goods supplied ⁽²⁾	Description of non-originating materials used	Heading of non-originating materials used ⁽³⁾	Value of non-originating materials used ⁽³⁾ ⁽⁴⁾
Total value			

2. All the other materials used in the EEA or [indicate the name of the relevant applying Contracting Party(ies)] to produce those goods originate in the EEA or [indicate the name of the relevant applying Contracting Party(ies)];
3. The following goods have undergone working or processing outside the EEA or [indicate the name of the relevant applying Contracting Party(ies)] in accordance with Article 13 of this Appendix and have acquired the following total added value there:

Description of the goods supplied	Total added value acquired outside the EEA or [indicate the name of the relevant applying Contracting Party(ies)] ⁽⁵⁾

This declaration is valid for all subsequent consignments of those goods dispatched from.....

to ⁽⁶⁾

I undertake to inform ⁽¹⁾ immediately if this declaration is no longer valid.

(Place and date)

(Address and signature of the supplier; in addition the name of the person signing the declaration has to be indicated in clear script)

⁽¹⁾ Name and address of the customer.

⁽²⁾ When the invoice, delivery note or other commercial document to which the declaration is annexed relates to different kinds of goods, or to goods which do not incorporate non-originating materials to the same extent, the supplier must clearly differentiate them.

Example:

The document relates to different models of electric motor of heading 8501 to be used in the manufacture of washing machines of heading 8450. The nature and value of the non-originating materials used in the manufacture of those motors differ from one model to another. The models must therefore be differentiated in the first column and the indications in the other columns must be provided separately for each of the models to make it possible for the manufacturer of washing machines to make a correct assessment of the originating status of his products depending on which model of electrical motor he uses.

⁽³⁾ The indications requested in these columns should only be given if they are necessary.

Examples:

The rule for garments of ex Chapter 62 says Weaving combined with making-up including cutting of fabric may be used. If a manufacturer of such garments in an applying Contracting Party uses fabric imported from the European Union which has been obtained there by weaving non-originating yarn, it is sufficient for the European Union supplier to describe in his declaration the non-originating material used as yarn, without it being necessary to indicate the heading and value of such yarn.

A producer of iron of heading 7217 who has produced it from non-originating iron bars should indicate in the second column 'bars of iron'. Where this wire is to be used in the production of a machine, for which the rule contains a limitation for all non-originating materials used to a certain percentage value, it is necessary to indicate in the third column the value of non-originating bars.

⁽⁴⁾ 'Value of materials' means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the EEA or [indicate the name of the relevant applying Contracting Party(ies)].

The exact value for each non-originating material used must be given per unit of the goods specified in the first column.

⁽⁵⁾ 'Total added value' shall mean all costs accumulated outside the EEA and [indicate the name of the relevant applying Contracting Party(ies)], including the value of all materials added there. The exact total added value acquired outside the EEA and [indicate the name of the relevant applying Contracting Party(ies)] must be given per unit of the goods specified in the first column.

⁽⁶⁾ Insert dates. The period of validity of the long-term supplier's declaration should not normally exceed 24 months, subject to the conditions laid down by the customs authorities of the applying Contracting Party where the long-term supplier's declaration is made out."

COMMISSION IMPLEMENTING DECISION (EU) 2022/599**of 8 April 2022****on the recognition of the Biomass Biofuels Sustainability voluntary scheme (2BSvs) for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on some renewable fuels and recycled carbon fuels

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof of or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the Biomass Biofuels Sustainability voluntary scheme (2BSvs) was first submitted to the Commission on 16 November 2020. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 22 June 2021, the scheme correctly addressed these issues. The scheme covers all feedstocks, including wastes and residues and the entire chain of custody (for bio methane up to the production unit).
- (6) In assessing the Biomass Biofuels Sustainability voluntary scheme (2BSvs), the Commission found that it covers adequately the sustainability criteria laid down in Article 29(2) to (5) of Directive (EU) 2018/2001, while it also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with Article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria as well as the delegated acts to be adopted in accordance with Article 28(5) of Directive (EU) 2018/2001. The '2BSvs' will therefore be re-assessed when such implementing and delegated acts will be adopted.
- (7) The assessment of the Biomass Biofuels Sustainability voluntary scheme (2BSvs) found that it meets adequate standards of reliability, transparency and independent auditing and complies with the methodological requirements set out in Annexes V and VI to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's Europa website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The Biomass Biofuels Sustainability voluntary scheme (2BSvs) ('the scheme'), submitted for recognition to the Commission on 22 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(2) to (5) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001;

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 22 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/600**of 8 April 2022****on the recognition of the ‘Bonsucro EU’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of some renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

enter accurate information into the Union or national database on some renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'Bonsucro EU' voluntary scheme was first submitted to the Commission on 18 February 2021. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 23 June 2021, the scheme correctly addressed these issues. The scheme covers sugar cane biomass feedstock as well as first generation bioethanol and cellulosic ethanol produced from sugar cane and its residues and biomass fuels produced from sugar cane bagasse.
- (6) In assessing the 'Bonsucro EU' voluntary scheme, the Commission found that it covers adequately the sustainability criteria laid down in Article 29(2) to (5) of Directive (EU) 2018/2001, while it also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria. The 'Bonsucro EU' voluntary scheme will therefore be re-assessed when such an implementing act will be adopted.
- (7) The assessment of the 'Bonsucro EU' voluntary scheme, found that it meets adequate standards of reliability, transparency and independent auditing and complies with the methodological requirements set out in Annexes V and VI to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels.

HAS ADOPTED THIS DECISION:

Article 1

The 'Bonsucro EU' voluntary scheme ('the scheme'), submitted for recognition to the Commission on 23 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(2) to (5) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001;
- (c) compliance of the consignments of biofuels, bioliquids and biomass fuels with the low indirect land-use change-risk criteria set in Delegated Regulation (EU) 2019/807.

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 23 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/601**of 8 April 2022****on the recognition of the ‘Better Biomass’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof of or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'Better Biomass' voluntary scheme was first submitted to the Commission on 19 December 2020. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 2 July 2021, the scheme correctly addressed these issues. The scheme covers all feedstocks, including wastes and residues and the entire chain of custody.
- (6) In assessing the 'Better Biomass' voluntary scheme, the Commission found that it covers adequately the sustainability criteria laid down in Article 29(2) to (5) while it also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria as well as the delegated acts to be adopted in accordance with article 28(5) of Directive (EU) 2018/2001. The 'Better Biomass' voluntary scheme will therefore be re-assessed when such implementing and delegated acts will be adopted.
- (7) The assessment of the 'Better Biomass' voluntary scheme, found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements set out in Annexes V and VI to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'Better Biomass' voluntary scheme ('the scheme'), submitted for recognition to the Commission on 2 July 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(2) to (5) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001.

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 2 July 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/602**of 8 April 2022****on the recognition of the ‘International Sustainability & Carbon Certification – ISCC EU’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of some renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'International Sustainability & Carbon Certification' voluntary scheme was first submitted to the Commission on 17 December 2020. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 23 June 2021, the scheme correctly addressed these issues. The scheme covers all feedstocks including wastes and residues and the entire chain of custody.
- (6) In assessing the 'International Sustainability & Carbon Certification – ISCC EU' voluntary scheme, the Commission found that it covers adequately the sustainability criteria laid down in Articles 29(2) to (5), while it contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with Article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria as well as the delegated acts to be adopted in accordance with Article 28(5) of Directive (EU) 2018/2001. The 'ISCC' will therefore be re-assessed when such implementing and delegated acts will be adopted.
- (7) The assessment of the 'International Sustainability & Carbon Certification' voluntary scheme, found that it meets adequate standards of reliability and also complies with the methodological requirements set out in Annexes V and VI to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'International Sustainability & Carbon Certification' voluntary scheme ('the scheme'), submitted for recognition to the Commission on 14 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(2) to (5) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001;
- (c) compliance of the consignments of biofuels, bioliquids and biomass fuels with the low indirect land-use change-risk criteria set in Delegated Regulation (EU) 2019/807.

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 14 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/603**of 8 April 2022****on the recognition of the 'KZR INiG' scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of some renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof of or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'KZR INiG' voluntary scheme was submitted to the Commission on 28 August 2020. This request led to an assessment of the scheme from the Commission, in which some issues requiring modification were identified. In its resubmission of 25 June 2021, the scheme correctly addressed these issues. The scheme covers all feedstocks, including wastes and residues and the entire chain of custody (for bio methane up to the production unit).
- (6) it covers adequately the sustainability criteria laid down in Article 29(2) to (5) of Directive (EU) 2018/2001, while it also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria as well as the delegated acts to be adopted in accordance with article 28(5) of Directive (EU) 2018/2001. The 'KZR INiG' voluntary scheme will therefore be re-assessed when such implementing and delegated acts will be adopted.
- (7) The assessment of the 'KZR INiG' voluntary scheme, found that it meets adequate standards of reliability, transparency and independent auditing and complies with the methodological requirements set out in Annexes V and VI to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels.

HAS ADOPTED THIS DECISION:

Article 1

The 'KZR INiG' voluntary scheme ("the scheme"), submitted for recognition to the Commission on 25 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(2) to (5) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001.

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 25 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/604**of 8 April 2022****on the recognition of the ‘Red Tractor Farm Assurance Crops and Sugar Beet Scheme’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on some renewable fuels and recycled carbon fuels

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof of or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'Red Tractor Farm Assurance Crops and Sugar Beet Scheme' voluntary scheme was first submitted to the Commission on 24 February 2021. This request led to an assessment of the scheme from the Commission, in which some issues requiring modification were identified. In its resubmission of 23 June 2021, the scheme correctly addressed these issues. The scheme covers biofuels derived from combinable crops and sugar beet (excluding wastes and residues) produced in the United Kingdom from farm up to the first point of delivery of the agricultural biomass.
- (6) In assessing the 'Red Tractor Farm Assurance Crops and Sugar Beet Scheme' voluntary scheme, the Commission found that it covers adequately the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. Verification of the compliance of economic operators with the greenhouse gas emission savings criteria for the purposes of Article 29(10) of Directive (EU) 2018/2001 is not in the scope of certification by the 'Red Tractor Farm Assurance Crops and Sugar Beet Scheme'. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with Article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria. The 'Red Tractor Farm Assurance Crops and Sugar Beet Scheme' will therefore be re-assessed when such an implementing act will be adopted.
- (7) The assessment of the 'Red Tractor Farm Assurance Crops and Sugar Beet Scheme' voluntary scheme, found that it meets adequate standards of reliability, transparency and independent auditing in accordance with Article 30(8) of Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'Red Tractor' voluntary scheme ('the scheme'), submitted for recognition to the Commission on 23 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels with the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001;

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 23 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, inter alia, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/605**of 8 April 2022****on the recognition of the ‘REDcert-EU’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

enter accurate information into the Union or national database on some renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'REDcert-EU' voluntary scheme was first submitted to the Commission on 15 December 2020. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 18 June 2021, the scheme correctly addressed these issues. The scheme covers all feedstocks including wastes and residues and the entire chain of custody (for bio methane from the production unit up to the point of consumption).
- (6) In assessing the 'REDcert-EU' voluntary scheme, the Commission found that it covers adequately the sustainability criteria laid down in Article 29(2) to (5) of Directive (EU) 2018/2001, while it also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria as well as the delegated acts to be adopted in accordance with article 28(5) of Directive (EU) 2018/2001. The 'REDcert-EU' voluntary scheme will therefore be re-assessed when such implementing and delegated acts will be adopted.
- (7) The assessment of the 'REDcert-EU' voluntary scheme, found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements set out in Annexes V and VI to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'REDcert-EU' voluntary scheme ('the scheme'), submitted for recognition to the Commission on 18 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(2) to (5) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001.

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 18 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, inter alia, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/606**of 8 April 2022****on the recognition of the “Round Table on Responsible Soy with EU RED Requirements (RTRS EU RED)” voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules established for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

operators enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the “RTRS EU RED” voluntary scheme was first submitted to the Commission on 22 November 2020. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 24 June 2021, the scheme correctly addressed these issues. The scheme covers soy biomass feedstock, excluding wastes and residues and the entire chain of custody.
- (6) In assessing the “RTRS EU RED” voluntary scheme, the Commission found that it covers adequately the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001, while it also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria as well as the delegated acts to be adopted in accordance with article 28(5) of Directive (EU) 2018/2001. The “RTRS EU RED” voluntary scheme will therefore be re-assessed when such implementing and delegated acts will be adopted.
- (7) The assessment of the “RTRS EU RED” found that it meets adequate standards of reliability, transparency and independent auditing and complies with the methodological requirements set out in Annexes V to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission’s EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The “RTRS EU RED” (‘the scheme’), submitted for recognition to the Commission on 24 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels with the sustainability criteria laid down in Article 29(3) to (5) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001.

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 24 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, inter alia, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/607**of 8 April 2022****on the recognition of the ‘Roundtable on Sustainable Biomaterials (RSB) EU RED’ voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has a high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on some renewable fuels and recycled carbon fuels

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof of or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'Roundtable on Sustainable Biomaterials (RSB) EU RED' voluntary scheme was first submitted to the Commission on 27 August 2020. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 24 June 2021, the scheme correctly addressed these issues. The scheme covers all feedstocks including wastes and residues and the entire chain of custody.
- (6) In assessing the 'Roundtable on Sustainable Biomaterials (RSB) EU RED' voluntary scheme, the Commission found that it covers adequately the sustainability criteria laid down in Article 29(2) to (5) of Directive (EU) 2018/2001, while it also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria as well as the delegated acts to be adopted in accordance with article 28(5) of Directive (EU) 2018/2001. The 'RSB EU RED' voluntary scheme will therefore be re-assessed when such implementing and delegated acts will be adopted.
- (7) The assessment of the 'Roundtable on Sustainable Biomaterials (RSB) EU RED' found that it meets adequate standards of reliability, transparency and independent auditing and also complies with the methodological requirements set out in Annexes V and VI to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'Roundtable on Sustainable Biomaterials (RSB) EU RED' ('the scheme'), submitted for recognition to the Commission on 24 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(2) to (5) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001;
- (c) compliance of the consignments of biofuels, bioliquids and biomass fuels with the low indirect land-use change-risk criteria set in Delegated Regulation (EU) 2019/807.

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 24 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/608**of 8 April 2022****on the recognition of the ‘Scottish Quality Crops Farm Assurance Scheme (SQC)’ for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on some renewable fuels and recycled carbon fuels

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof of or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'Scottish Quality Crops Farm Assurance Scheme (SQC)' was first submitted to the Commission on 30 April 2021. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 7 June 2021, the scheme correctly addressed these issues. The scheme covers biofuels derived from combinable crops (excluding waste and residues) produced by farmers in the United Kingdom, up to the first point of delivery of these crops.
- (6) In assessing the 'Scottish Quality Crops Farm Assurance Scheme', the Commission found that it covers adequately the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. Verification of the compliance of economic operators with the greenhouse gas emission savings criteria for the purposes of Article 29(10) of Directive (EU) 2018/2001 is not in the scope of certification by the SQC. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria. The 'SQC' will therefore be re-assessed when such an implementing act will be adopted.
- (7) The assessment of the 'Scottish Quality Crops Farm Assurance Scheme' found that it meets adequate standards of reliability, transparency and independent auditing in accordance with Article 30(8) of Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's Europa website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'Scottish Quality Crops Farm Assurance Scheme' ('the scheme'), submitted for recognition to the Commission on 30 April 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels with the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 7 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, inter alia, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/609**of 8 April 2022****on the recognition of the 'SURE' voluntary scheme for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of some renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on some renewable fuels and recycled carbon fuels

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof of or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'SURE' was first submitted to the Commission on 15 October 2020. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 29 June 2021, the scheme correctly addressed these issues. The scheme covers all feedstocks including wastes and residues, biomass fuels and the entire chain of custody.
- (6) In assessing the 'SURE', the Commission found that it covers adequately the sustainability criteria laid down in Article 29(2) to (7) of Directive (EU) 2018/2001, while it also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001. This assessment does not take into account the forthcoming implementing acts, to be adopted in accordance with article 29(8) and article 30(8) of Directive (EU) 2018/2001, on providing guidance for demonstrating compliance with the sustainability criteria laid down in Article 29(6) and (7) of Directive (EU) 2018/2001 and on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria. The 'SURE' will therefore be re-assessed when such implementing acts will be adopted.
- (7) The assessment of the 'SURE' found that it meets adequate standards of reliability, transparency and independent auditing and complies with the methodological requirements set out in Annex VI to Directive (EU) 2018/2001.
- (8) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'SURE' ('the scheme'), submitted for recognition to the Commission on 29 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biomass fuels with the sustainability criteria laid down in Article 29(2) to (7) and (10) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001.

The scheme also contains accurate data on greenhouse gas emission savings for the purpose of Article 29(10) of Directive (EU) 2018/2001 in as far as it ensures that all relevant information from economic operators upstream the chain of custody is transferred to the economic operators downstream the chain of custody.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 29 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 29(8) or Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/610**of 8 April 2022****on the recognition of the ‘Trade Assurance Scheme for Combinable Crops (TASCC)’ for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of some renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'Trade Assurance Scheme for Combinable Crops (TASCC)' was first submitted to the Commission on 7 January 2021. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 25 June 2021, the scheme correctly addressed these issues. The scheme covers biofuels derived from combinable crops and sugar beet (excluding wastes, residues, ligno-cellulosic and non-food cellulosic materials), produced in the United Kingdom. It covers the trading, transport and storage stages from farm gate to first processor with specific modules covering merchanting, haulage, storage and testing.
- (6) This scheme does not directly cover the audit and certification of farmers in line with the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001. For these aspects, the scheme relies on other voluntary schemes recognised by the Commission. Therefore, it is the responsibility of the 'Trade Assurance Scheme for Combinable Crops (TASCC)' to ensure that the recognition issued by the Commission on those schemes with which it jointly operates remains valid during the length of cooperation. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria. The 'TASCC' will therefore be re-assessed when such an implementing act will be adopted.
- (7) In assessing the 'Trade Assurance Scheme for Combinable Crops (TASCC)', the Commission found that it covers adequately the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001.
- (8) The assessment of the 'Trade Assurance Scheme for Combinable Crops (TASCC)' found that it meets adequate standards of reliability, transparency and independent auditing in accordance with Article 30(8) of Directive (EU) 2018/2001.
- (9) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'Trade Assurance Scheme for Combinable Crops (TASCC)' ('the scheme'), submitted for recognition to the Commission on 25 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 25 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/611**of 8 April 2022****on the recognition of the ‘Universal Feed Assurance Scheme (UFAS)’ for demonstrating compliance with the requirements set in Directive (EU) 2018/2001 of the European Parliament and of the Council for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard 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 ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Directive (EU) 2018/2001 establishes requirements for certain fuels, namely biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels, in order to ensure that they can only be counted towards the targets set in the Directive if they have been sustainably produced and save significant greenhouse gas emissions in comparison to fossil fuels. First, Article 29 of the Directive lays down sustainability and greenhouse gas emissions saving criteria for biofuels, bioliquids, and biomass fuels, and Article 26 of the Directive and Commission Delegated Regulation (EU) 2019/807 ⁽²⁾ establish the criteria to determine which feedstock for biofuels, bioliquids or biomass fuels has high indirect land-use change risk, on the one hand, and which high indirect land-use change-risk biofuels, bioliquids or biomass fuels that meet certain conditions can be certified as having low indirect land-use change risk, on the other hand. Second, Article 25(2) of the Directive lays down greenhouse gas emissions saving criteria for renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels used in transport. Third, Article 28(2) of the Directive requires economic operators to enter information in a Union database on the transactions made and the sustainability characteristics of some renewable fuels (biofuels, biogas and renewable liquid and gaseous fuels of non-biological origin) and of recycled carbon fuels used in transport.
- (2) The Directive also provides for rules on how to calculate the contribution of renewable electricity to the transport targets. In particular, Article 27(3) of the Directive provides rules to make such calculation, both when the electricity is directly used to power electric vehicles and when is used to produce renewable liquid and gaseous fuels of non-biological origin that are used in transport.
- (3) In order to check that compliance with the rules for biofuels, bioliquids, biomass fuels, renewable liquid and gaseous fuels of non-biological origin and recycled carbon fuels is achieved, Member States may use voluntary schemes. Voluntary schemes have played an important role in providing evidence of compliance with the sustainability and greenhouse gas emissions saving criteria for biofuels and bioliquids under Directive 2009/28/EC of the European Parliament and of the Council ⁽³⁾. Under Directive (EU) 2018/2001, the role of voluntary schemes has been expanded. First, they can now serve to certify compliance of all fuels produced from biomass, including gaseous and solid fuels, with the sustainability criteria set in Directive (EU) 2018/2001, and provide accurate data on their greenhouse gas emissions saving. Second, they can serve to certify compliance of renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels with their greenhouse gas emissions saving criteria. Third, they can serve to prove compliance with the rules, which Article 27(3) of Directive (EU) 2018/2001 establishes to calculate renewable electricity in transport. Fourth, they can serve to prove that economic operators enter accurate information into the Union or national database on renewable fuels and recycled carbon fuels used in

⁽¹⁾ OJ L 328, 21.12.2018, p. 82.

⁽²⁾ Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (OJ L 133, 21.5.2019, p. 1).

⁽³⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

transport in accordance with Article 28(4) of Directive (EU) 2018/2001. Fifth, they can be used to certify biofuels, bioliquids and biomass fuels with low indirect land-use change-risk. The Commission may decide that voluntary national or international schemes can serve all or some of these purposes.

- (4) Where an economic operator provides proof or data on compliance with the sustainability and greenhouse gas emissions saving criteria, obtained in accordance with a voluntary scheme that has been recognised by the Commission, to the extent covered by the recognition decision, a Member State should not require the supplier to provide further evidence.
- (5) The request to the Commission for recognition under Article 30(4) of the Directive from the 'Universal Feed Assurance Scheme' was firstly submitted to the Commission on 20 January 2021. This request led to an assessment of the scheme by the Commission, in which some issues requiring modification were identified. In its resubmission of 25 June 2021, the scheme correctly addressed these issues.
- (6) The scheme covers biofuels derived from combinable crops and sugar beet (excluding wastes, residues, ligno-cellulosic and non-food cellulosic materials), produced in the United Kingdom and Ireland. It covers the trading, transport and storage stages from farm gate to first processor with specific modules covering merchanting and compound feed manufacturers. This assessment does not take into account the forthcoming implementing act to be adopted in accordance with article 30(8) of Directive (EU) 2018/2001, on rules to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria. The 'Universal Feed Assurance Scheme' will therefore be re-assessed when such an implementing act will be adopted.
- (7) This scheme does not cover directly the audit and certification of farmers in line with the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001. For these aspects, the scheme relies on other voluntary schemes recognised by the Commission. Therefore, it is the responsibility of the 'Universal Feed Assurance Scheme' to ensure that the recognition issued by the Commission on those schemes with which it jointly operates remains valid during the length of cooperation.
- (8) In assessing the 'Universal Feed Assurance Scheme', the Commission found that it covers adequately the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001 and applies a mass balance methodology in accordance with the requirements of Article 30(1) and (2) of Directive (EU) 2018/2001.
- (9) The assessment of the 'Universal Feed Assurance Scheme' found that it meets adequate standards of reliability, transparency and independent auditing in accordance with Article 30(8) of Directive (EU) 2018/2001.
- (10) The recognised scheme should be made available in the section devoted to voluntary schemes on the Commission's EUROPA website.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Committee on the Sustainability of Biofuels, Bioliquids and Biomass fuels,

HAS ADOPTED THIS DECISION:

Article 1

The 'Universal Feed Assurance Scheme' ("the scheme"), firstly submitted for recognition to the Commission on 25 June 2021, demonstrates, for the fuels audited under the scheme, the following elements:

- (a) compliance of the consignments of biofuels, bioliquids and biomass fuels with the sustainability criteria laid down in Article 29(3) to (5) of Directive (EU) 2018/2001;
- (b) compliance of economic operators with the obligation to enter accurate information into the Union or national database on biofuels, bioliquids, biomass fuels, renewable liquid and gaseous transport fuels of non-biological origin and recycled carbon fuels used in transport in accordance with Article 28(4) of Directive (EU) 2018/2001.

Article 2

The Decision is valid for a period of 5 years after it enters into force. In the event that the contents of the scheme, as submitted for recognition to the Commission on 25 June 2021, change in a way that might affect the basis of this Decision, such changes shall be notified to the Commission without delay. The Commission shall assess the notified changes with a view to establishing whether the scheme still adequately covers the sustainability criteria for which it is recognised.

Article 3

The Commission may repeal this Decision, *inter alia*, under the following circumstances:

- (a) if it has been clearly demonstrated that the scheme has not implemented elements considered to be important for this Decision or if a severe and structural breach of those elements has occurred;
- (b) if the scheme fails to submit annual reports to the Commission pursuant to Article 30(5) of Directive (EU) 2018/2001;
- (c) if the scheme fails to implement standards of independent auditing and other requirements specified in implementing acts referred to in Article 30(8) of Directive (EU) 2018/2001 or improvements to other elements of the scheme considered to be important for a continued recognition.

Article 4

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

Done at Brussels, 8 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

CORRIGENDA**to Council Regulation (EU) 2022/328 of 25 February 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

(Official Journal of the European Union L 49 of 25 February 2022)

On page 47, in Annex I,

for: 'ITALY

https://www.esteri.it/mae/it/politica_estera/politica_europea/misure_deroghe,

read: 'ITALY

https://www.esteri.it/it/politica-estera-e-cooperazione-allo-sviluppo/politica_europea/misure_deroghe/'.

Corrigendum to Commission Implementing Regulation (EU) 2022/558 of 6 April 2022 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain graphite electrode systems originating in the People's Republic of China

(Official Journal of the European Union L 108 of 7 April 2022)

On page 50, after the signature of 'The President Ursula VON DER LEYEN', add the text:

'ANNEX

Cooperating exporting producers not sampled

Country	Name	TARIC additional code
People's Republic of China	ANSHAN CARBON CO., LTD	C735
People's Republic of China	ASAHI FINE CARBON DALIAN CO., LTD	C736
People's Republic of China	DALIAN JINGYI CARBON CO., LTD	C738
People's Republic of China	DATONG YU LIN DE GRAPHITE NEW MATERIAL CO., LTD	C739
People's Republic of China	DECHANG SHIDA CARBON CO., LTD	C740
People's Republic of China	Fushun Jinly Petrochemical Carbon Co., Ltd	C741
People's Republic of China	FUSHUN ORIENTAL CARBON CO., LTD	C742
People's Republic of China	Fushun Xinxinda Furnace Charge Factory	C743
People's Republic of China	Henan Sangraf Carbon Technologies Co., Limited	C744
People's Republic of China	Jiangsu Jianglong New Energy Technology Co., Ltd	C746
People's Republic of China	JILIN CARBON CO., LTD	C747
People's Republic of China	Jilin City Chengxin Carbon Co., Ltd	C748
People's Republic of China	JILIN CITY ZHAOCHEN CARBON CO., LTD	C749
People's Republic of China	Kaifeng Pingmei New Carbon Materials Technology Co., Ltd	C750
People's Republic of China	LIAONING SINCERE CARBON NEW MATERIAL CO., LTD	C751
People's Republic of China	LIAOYANG CARBON CO., LTD	C752
People's Republic of China	LIAOYANG SHOUSHAN CARBON FACTORY	C753
People's Republic of China	LINGHAI HONGFENG CARBON PRODUCTS CO., LTD	C754
People's Republic of China	MEISHAN SHIDA NEW MATERIAL CO., LTD	C755
People's Republic of China	SHANDONG ASAHI GRAPHITE NEW MATERIAL TECHNOLOGY CO., LTD	C756
People's Republic of China	SHANDONG BASAN GRAPHITE NEW MATERIAL PLANT	C757
People's Republic of China	SHANXI JUXIAN GRAPHITE NEW MATERIALS CO., LTD	C758
People's Republic of China	SHANXI SINSAGE CARBON MATERIAL TECHNOLOGY CO., LTD	C759
People's Republic of China	TIANJIN KIMWAN CARBON TECHNOLOGY AND DEVELOPMENT CO., LTD	C760
People's Republic of China	XINGHE COUNTY MUZI CARBON CO., LTD	C762'

**to Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of
Russia's actions destabilising the situation in Ukraine**

(Official Journal of the European Union L 229 of 31 July 2014)

On page 7, in Annex I, point 1,

for: 'ITALY

http://www.esteri.it/MAE/IT/Politica_Europea/Deroghe.htm'

read: 'ITALY

https://www.esteri.it/it/politica-estera-e-cooperazione-allo-sviluppo/politica_europea/misure_deroghe/'.

Corrigendum to Council Regulation (EU) No 692/2014 of 23 June 2014 concerning restrictions on the import into the Union of goods originating in Crimea or Sevastopol, in response to the illegal annexation of Crimea and Sevastopol

(Official Journal of the European Union L 183 of 24 June 2014)

On page 13, in the Annex,

for: ITALY

http://www.esteri.it/MAE/IT/Politica_Europea/Deroghe.htm,

read: ITALY

https://www.esteri.it/it/politica-estera-e-cooperazione-allo-sviluppo/politica_europea/misure_deroghe/.

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