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Legislation

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⁽¹⁾ Text with EEA relevance.

EN

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⁽¹⁾ Text with EEA relevance.

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

AMENDMENTS TO THE CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION 1975)

According to UN Depositary Notification C.N.91.2022.TREATIES-XI.A.16 the following amendments to the TIR Convention enter into force on 25 June 2022 for all Contracting Parties:

Article 18, line 3

For four substitute eight

Add a new paragraph to read Customs authorities may limit the maximum number of customs offices of departure (or destination) on their territory to less than seven but not less than three.

Annex 1, VERSION 1, Page 2 of cover: Model of the TIR Carnet, No. 5 of the 'règles relatives à l'utilisation du carnet TIR'

For quatre substitute huit

Annex 1, VERSION 1, Page 3 of cover: Model of the TIR Carnet Version 1, No. 5 of the rules regarding the use of the TIR Carnet

For four substitute eight

Annex 1, VERSION 1, Page 5 (white) of the model of the TIR Carnet, Voucher No. 1

For the existing Voucher No. 1 substitute ⁽¹⁾

Annex 1, VERSION 1, Page 6 (green) of the model of the TIR Carnet Version 1, Voucher No. 2

For the existing Voucher No. 2 substitute ⁽²⁾

Annex 1, VERSION 2, Page 2 of cover: Model of the TIR Carnet, No. 5 of the 'règles relatives à l'utilisation du carnet TIR'

For quatre substitute huit

Annex 1, VERSION 2, Page 3 of cover: Model of the TIR Carnet Version 1, No. 5 of the rules regarding the use of the TIR Carnet

For four substitute eight

Annex 1, VERSION 2, Page 12 (white) of the model of the TIR Carnet, Voucher No. 1

For the existing Voucher No. 1 substitute ⁽³⁾

Annex 1, VERSION 2, Page 13 (green) of the model of the TIR Carnet, Voucher No. 2

For the existing Voucher No. 2 substitute ⁽⁴⁾

Annex 6, new Explanatory Note to Article 18

Add new Explanatory Note 0.18.3 to read

⁽¹⁾ See pages 2 and 3 of this document.

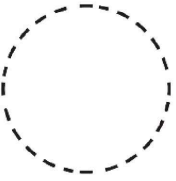
⁽²⁾ See pages 4 and 5 of this document.

⁽³⁾ See pages 6 and 7 of this document.

⁽⁴⁾ See pages 8 and 9 of this document.

0.18.3 Contracting Parties shall make information on such limitations publicly available and inform the TIR Executive Board, including by means of the proper use of electronic applications developed to this end by the TIR secretariat under the supervision of the TIR Executive Board.

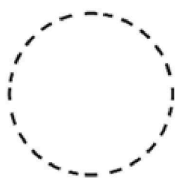
GOODS MANIFEST[illegible]

18. Certificate for goods taken under control (Customs office of departure or of entry en route)		
☐ 19. Seals or identification marks found to be intact	20. Time-limit for transit	
21. Registered by the Customs office at	under No.	
22. Miscellaneous (itinerary stipulated, Customs office at which the load must be produced, etc.)		
		
23. Customs officer's signature and Customs office date stamp		

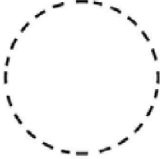
COUNTERFOIL N° 1 CARNET



of TIR

1. Accepted by the Customs office at	-----	
2. Under No	-----	
3. Seals or identification marks applied	-----	
☐ 4. Seals or identification marks found to be intact		
5. Miscellaneous (route prescribed, Customs office at which the load must be produced, etc.)		
-----		6. Customs officer's signature and Customs office date stamp

GOODS MANIFEST[illegible]

18. Certificate for goods taken under control (Customs office of departure or of entry en route)		24. Certificate of termination of the TIR operation (Customs office of exit en route or of destination)	
☐ 19. Seals or identification marks found to be intact	☐ 20. Time-limit for transit	☐ 25. Seals or identification marks found to be intact	
21. Registered by the Customs office at _____ under No _____		26. Number of packages for which the termination of the TIR operation is certified	
22. Miscellaneous (itinerary stipulated, Customs office at which the load must be produced, etc.)		27. Reservations	
			
23. Customs officer's signature and Customs office date stamp 		28. Customs officer's signature and Customs office date stamp 	

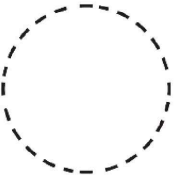
COUNTERFOIL N° 2 CARNET

of TIR

1. Accepted by the Customs office at _____		6. Customs officer's signature and Customs office date stamp 
☐ 2. Seals or identification marks found to be intact		
3. Number of packages for which the termination of the TIR operation is certified (as specified in the manifest)		
4. New seals affixed		
5. Reservations		

GOODS MANIFEST

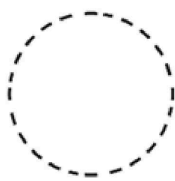
VOUCHER N°1				1. TIR CARNET	
2. Customs office(s) of departure		For official use		3. Name of the international organization	
1.				 International Road Transport Union	
2.					
3.					
4.		5. Country of departure	6. Country of destination	4. Holder of the carnet (identification number, name, address and country)	
5.		7. Registration No(s). of road vehicle(s)			
6.					
7.				8. Documents attached to the manifest	
9. a. Load compartment(s) or container(s) b. Marks and Nos. of packages or articles		10. Number and type of packages or articles; description of goods		11. Gross weight in kg	16. Seals or identification marks applied, (number, identification)
TABAC ALCOOL TOBACCO ALCOHOL		12. Total number of packages entered on the manifest		13. I declare the information in items 1-12 above to be correct and complete	
		Destination : Customs office			
		1.		14. Place and date	
		2.		15. Signature of holder or agent	
3.		7.		17. Customs office of departure Customs officer's signature and Customs office date stamp	

18. Certificate for goods taken under control (Customs office of departure or of entry en route)		
☐ 19. Seals or identification marks found to be intact	20. Time-limit for transit	
21. Registered by the Customs office at	under No.	
22. Miscellaneous (itinerary stipulated, Customs office at which the load must be produced, etc.)		
		
23. Customs officer's signature and Customs office date stamp		

COUNTERFOIL N° 1 CARNET

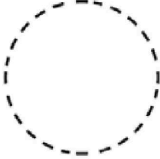


of TIR

1. Accepted by the Customs office at	-----	
2. Under No	-----	
3. Seals or identification marks applied	-----	
☐ 4. Seals or identification marks found to be intact		
5. Miscellaneous (route prescribed, Customs office at which the load must be produced, etc.)		
-----		6. Customs officer's signature and Customs office date stamp

GOODS MANIFEST

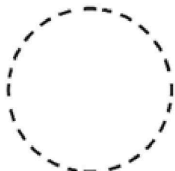
VOUCHER N°2				1. TIR CARNET	
2. Customs office(s) of departure		For official use		3. Name of the international organization	
1.				 International Road Transport Union	
2.				4. Holder of the carnet (identification number, name, address and country)	
3.		5. Country of departure	6. Country of destination		
4.					
5.		7. Registration No(s). of road vehicle(s)		8. Documents attached to the manifest	
6.					
7.					
9. a. Load compartment(s) or container(s) b. Marks and Nos. of packages or articles		10. Number and type of packages or articles; description of goods		11. Gross weight in kg	16. Seals or identification marks applied, (number, identification)
					17. Customs office of departure. Customs officer's signature and Customs office date stamp
12. Total number of packages entered on the manifest		Number	Destination : Customs office	Number	13. I declare the information in items 1-12 above to be correct and complete
Destination : Bureau de douane			4.		14. Place and date
1.			5.		15. Signature of holder or agent
2.			6.		
3.			7.		

18. Certificate for goods taken under control (Customs office of departure or of entry en route)		24. Certificate of termination of the TIR operation (Customs office of exit en route or of destination)	
☐ 19. Seals or identification marks found to be intact	☐ 20. Time-limit for transit	☐ 25. Seals or identification marks found to be intact	
21. Registered by the Customs office at _____ under No _____		26. Number of packages for which the termination of the TIR operation is certified	
22. Miscellaneous (itinerary stipulated, Customs office at which the load must be produced, etc.)		27. Reservations	
			
23. Customs officer's signature and Customs office date stamp 		28. Customs officer's signature and Customs office date stamp 	

COUNTERFOIL N° 2 CARNET



of TIR

1. Accepted by the Customs office at _____		6. Customs officer's signature and Customs office date stamp 
☐ 2. Seals or identification marks found to be intact		
3. Number of packages for which the termination of the TIR operation is certified (as specified in the manifest) _____		
4. New seals affixed _____		
5. Reservations _____ _____ _____		

REGULATIONS

COUNCIL REGULATION (EU) 2022/972

of 17 June 2022

amending Regulation (EU) 2021/2283 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In order to ensure a sufficient and uninterrupted supply of certain agricultural and industrial products which are produced in insufficient quantities in the Union and thereby avoid any disturbances on the market for those products, autonomous tariff quotas of the Union ('quotas') were opened by Council Regulation (EU) 2021/2283 ⁽¹⁾. Within those quotas, products can be imported into the Union at reduced or zero duty rates.
- (2) As it is in the Union's interest to ensure an adequate supply of certain industrial products, and having regard to the fact that identical, equivalent or substitute products are not produced in sufficient quantities within the Union, it is necessary to open new quotas with order numbers 09.2819, 09.2839, 09.2855, 09.2857 and 09.2702 at zero duty rates for appropriate quantities of those products.
- (3) As the scope of the quotas with order numbers 09.2583 and 09.2876 has become inadequate to fulfil the needs of the economic operators in the Union, the description of the products covered by those quotas should be amended. The indication of the applicable TARIC code for those products should therefore be amended.
- (4) As it is no longer in the Union's interest to maintain the quotas with order numbers 09.2637, 09.2679 and 09.2740, those quotas should be closed with effect from 1 July 2022.
- (5) Taking into account the amendments to be made and for the sake of clarity, the Annex to Regulation (EU) 2021/2283 should be replaced.
- (6) In order to avoid any interruption in the application of the quota scheme and to comply with the guidelines set out in the communication from the Commission of 13 December 2011 concerning autonomous tariff suspensions and quotas, the changes provided for in this Regulation regarding the quotas for the products concerned should apply from 1 July 2022. This Regulation should therefore enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) 2021/2283 is replaced by the text set out in the Annex to this Regulation.

⁽¹⁾ Council Regulation (EU) 2021/2283 of 20 December 2021 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products, and repealing Regulation (EU) No 1388/2013 (OJ L 458, 22.12.2021, p. 33).

Article 2

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

It shall apply from 1 July 2022.

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

Done at Luxembourg, 17 June 2022.

For the Council
The President
B. LE MAIRE

ANNEX

‘ANNEX

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty rate
09.2849	ex 0710 80 69	10	Mushrooms of the species <i>Auricularia polytricha</i> (uncooked or cooked by steaming or boiling), frozen, for the manufacture of prepared meals ⁽¹⁾ ⁽²⁾	1.1.-31.12.	700 tonnes	0 %
09.2664	ex 2008 60 39	30	Sweet cherries containing added spirit, with a sugar content of not more than 9 % by weight, of a diameter of not more than 19,9 mm, with stones, for use in chocolate products ⁽¹⁾	1.1.-31.12.	1 000 tonnes	10 %
09.2913	ex 2401 10 35 ex 2401 10 70 ex 2401 10 95 ex 2401 10 95 ex 2401 20 35 ex 2401 20 70 ex 2401 20 95 ex 2401 20 95 ex 2401 20 95	91 10 11 21 91 91 10 11 21 91	Natural unmanufactured tobacco, whether or not cut in regular size, having a custom value of not less than EUR 450 per 100 kg net weight, for use as binder or wrapper for the manufacture of goods falling within subheading 2402 10 00 ⁽¹⁾	1.1.-31.12.	6 000 tonnes	0 %
09.2828	2712 20 90		Paraffin wax containing by weight less than 0,75 % of oil	1.1.-31.12.	100 000 tonnes	0 %
09.2600	ex 2712 90 39	10	Slack wax (CAS RN 64742-61-6)	1.1.-31.12.	100 000 tonnes	0 %
09.2578	ex 2811 19 80	50	Sulphamidic acid (CAS RN 5329-14-6) with a purity by weight of 95 % or more, whether or not with not more than 5 % addition of the anti-caking agent silicon dioxide (CAS RN 112926-00-8)	1.1.-31.12.	27 000 tonnes	0 %
09.2928	ex 2811 22 00	40	Silica filler in the form of granules, with a purity by weight of 97 % or more of silicon dioxide	1.1.-31.12.	1 700 tonnes	0 %
09.2806	ex 2825 90 40	30	Tungsten trioxide, including blue tungsten oxide (CAS RN 1314-35-8 or CAS RN 39318-18-8)	1.1.-31.12.	12 000 tonnes	0 %
09.2819	ex 2833 25 00	30	Copper hydroxide sulfate (Cu ₄ (OH) ₆ (SO ₄)), hydrate (CAS RN 12527-76-3) with a purity by weight of 98 % or more	1.7.-31.12.	120 000 kilograms	0 %

09.2872	ex 2833 29 80	40	Caesium sulphate (CAS RN 10294-54-9) in solid form or as aqueous solution containing by weight 48 % or more but not more than 52 % of caesium sulphate	1.1.-31.12.	400 tonnes	0 %
09.2567	ex 2903 22 00	10	Trichloroethylene (CAS RN 79-01-6) with a purity by weight of 99 % or more	1.1.-31.12.	11 885 000 kilograms	0 %
09.2837	ex 2903 79 30	20	Bromochloromethane (CAS RN 74-97-5)	1.1.-31.12.	600 tonnes	0 %
09.2933	ex 2903 99 80	30	1,3-Dichlorobenzene (CAS RN 541-73-1)	1.1.-31.12.	2 600 tonnes	0 %
09.2700	ex 2905 12 00	10	Propan-1-ol (propyl alcohol) (CAS RN 71-23-8)	1.1.-31.12.	15 000 tonnes	0 %
09.2830	ex 2906 19 00	40	Cyclopropylmethanol (CAS RN 2516-33-8)	1.1.-31.12.	20 tonnes	0 %
09.2851	ex 2907 12 00	10	O-cresol (CAS RN 95-48-7) having a purity of not less than 98,5 % by weight	1.1.-31.12.	20 000 tonnes	0 %
09.2704	ex 2909 49 80	20	2,2,2',2'-Tetrakis (hydroxymethyl)-3,3'-oxydipropan-1-ol (CAS RN 126-58-9)	1.1.-31.12.	500 tonnes	0 %
09.2565	ex 2914 19 90	70	Calcium acetylacetonate (CAS RN 19372-44-2) with a purity by weight of 95 % or more	1.1.-31.12.	400 tonnes	0 %
09.2852	ex 2914 29 00	60	Cyclopropyl methyl ketone (CAS RN 765-43-5)	1.1.-31.12.	300 tonnes	0 %
09.2638	ex 2915 21 00	10	Acetic acid (CAS RN 64-19-7) of a purity by weight of 99 % or more	1.1.-31.12.	1 000 000 tonnes	0 %
09.2702	2915 32 00		Vinyl acetate (CAS RN 108-05-4)	1.7.-31.12.	225 000 tonnes	0 %
09.2728	ex 2915 90 70	85	Ethyl trifluoroacetate (CAS RN 383-63-1)	1.1.-31.12.	400 tonnes	0 %
09.2665	ex 2916 19 95	30	Potassium (E,E)-hexa-2,4-dienoate (CAS RN 24634-61-5)	1.1.-31.12.	8 250 tonnes	0 %
09.2684	ex 2916 39 90	28	2,5-Dimethylphenylacetyl chloride (CAS RN 55312-97-5)	1.1.-31.12.	700 tonnes	0 %
09.2599	ex 2917 11 00	40	Diethyl oxalate (CAS RN 95-92-1)	1.1.-31.12.	500 tonnes	0 %
09.2769	ex 2917 13 90	10	Dimethyl sebacate (CAS RN 106-79-6)	1.1.-31.12.	1 000 tonnes	0 %
09.2634	ex 2917 19 80	40	Dodecanedioic acid (CAS RN 693-23-2), of a purity by weight of more than 98,5 %	1.1.-31.12.	8 000 tonnes	0 %

09.2808	ex 2918 22 00	10	O-acetylsalicylic acid (CAS RN 50-78-2)	1.1.-31.12.	120 tonnes	0 %
09.2646	ex 2918 29 00	75	Octadecyl 3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate (CAS RN 2082-79-3) with: — a sieve passing fraction at a mesh width of 500 µm of more than 99 % by weight, and — a melting point of 49 °C or more, but not more than 54 °C, for use in the manufacture of PVC processing stabilizer-one packs based on powder mixtures (powders or press granulates) ⁽¹⁾	1.1.-31.12.	380 tonnes	0 %
09.2647	ex 2918 29 00	80	Pentaerythritol tetrakis(3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate) (CAS RN 6683-19-8) with: — a sieve passing fraction at a mesh width of 250 µm of more than 75 % by weight and at a mesh width of 500 µm of more than 99 % by weight, and — a melting point of 110 °C or more, but not more than 125 °C, for use in the manufacture of PVC processing stabilizer-one packs based on powder mixtures (powders or press granulates) ⁽¹⁾	1.1.-31.12.	140 tonnes	0 %
09.2975	ex 2918 30 00	10	Benzophenone-3,3',4,4'-tetracarboxylic dianhydride (CAS RN 2421-28-5)	1.1.-31.12.	1 000 tonnes	0 %
09.2688	ex 2920 29 00	70	Tris (2,4-di-tert-butylphenyl) phosphite (CAS RN 31570-04-4)	1.1.-31.12.	6 000 tonnes	0 %
09.2598	ex 2921 19 99	75	Octadecylamine (CAS RN 124-30-1)	1.1.-31.12.	400 tonnes	0 %
09.2649	ex 2921 29 00	60	Bis(2-dimethylaminoethyl) (methyl)amine (CAS RN 3030-47-5)	1.1.-31.12.	1 700 tonnes	0 %
09.2682	ex 2921 41 00	10	Aniline (CAS RN 62-53-3) with a purity by weight of 99 % or more	1.1.-31.12.	150 000 tonnes	0 %
09.2617	ex 2921 42 00	89	4-Fluoro-N-(1-methylethyl) benzeneamine (CAS RN 70441-63-3)	1.1.-31.12.	500 tonnes	0 %

09.2602	ex 2921 51 19	10	O-phenylenediamine (CAS RN 95-54-5)	1.1.-31.12.	1 800 tonnes	0 %
09.2563	ex 2922 41 00	20	L-Lysine hydrochloride (CAS RN 657-27-2) or an aqueous solution of L-lysine (CAS RN 56-87-1), containing by weight 50 % or more of L-lysine	1.7.-31.12.	122 500 tonnes	0 %
09.2592	ex 2922 50 00	25	L-Threonine (CAS RN 72-19-5)	1.1.-31.12.	166 000 tonnes	0 %
09.2575	ex 2923 90 00	87	3-Chloro-2-hydroxypropyl trimethylammonium chloride (CAS RN 3327-22-8), in the form of an aqueous solution containing by weight 65 % or more but not more than 71 % 3-chloro-2-hydroxypropyl trimethylammonium chloride	1.1.-31.12.	19 000 tonnes	0 %
09.2854	ex 2924 19 00	85	3-Iodoprop-2-yn-1-yl butylcarbamate (CAS RN 55406-53-6)	1.1.-31.12.	400 tonnes	0 %
09.2874	ex 2924 29 70	87	Paracetamol (INN) (CAS RN 103-90-2)	1.1.-31.12.	20 000 tonnes	0 %
09.2742	ex 2926 10 00	10	Acrylonitrile (CAS RN 107-13-1), for use in the manufacture of goods of chapter 55 and heading 6815 ⁽¹⁾	1.1.-31.12.	60 000 tonnes	0 %
09.2583	ex 2926 10 00	30	Acrylonitrile (CAS RN 107-13-1), for use in the manufacture of goods of headings 2921, 2924, 3903, 3906, 3908, 3911 and 4002 ⁽¹⁾	1.7.-31.12.	20 000 tonnes	0 %
09.2856	ex 2926 90 70	84	2-Nitro-4(trifluoromethyl) benzonitrile (CAS RN 778-94-9)	1.1.-31.12.	900 tonnes	0 %
09.2708	ex 2928 00 90	15	Monomethylhydrazine (CAS RN 60-34-4) in the form of an aqueous solution with a content by weight of monomethylhydrazine of 40 (± 5) %	1.1.-31.12.	900 tonnes	0 %
09.2581	ex 2929 10 00	25	1,5-Naphthylene diisocyanate (CAS RN 3173-72-6) with a purity by weight of 90 % or more	1.1.-31.12.	300 tonnes	0 %
09.2685	ex 2929 90 00	30	Nitroguanidine (CAS RN 556-88-7)	1.1.-31.12.	6 500 tonnes	0 %

09.2597	ex 2930 90 98	94	Bis[3-(triethoxysilyl)propyl] disulphide (CAS RN 56706-10-6)	1.1.-31.12.	6 000 tonnes	0 %
09.2596	ex 2930 90 98	96	2-Chloro-4-(methylsulphonyl)-3-((2,2,2-trifluoroethoxy)methyl) benzoic acid (CAS RN 120100-77-8)	1.1.-31.12.	300 tonnes	0 %
09.2580	ex 2931 90 00	75	Hexadecyltrimethoxysilane (CAS RN 16415-12-6) with a purity by weight of at least 95 %, for use in the manufacture of polyethylene (1)	1.1.-31.12.	165 tonnes	0 %
09.2842	2932 12 00		2-Furaldehyde (furfuraldehyde)	1.1.-31.12.	10 000 tonnes	0 %
09.2696	ex 2932 20 90	25	Decan-5-olide (CAS RN 705-86-2)	1.1.-31.12.	6 000 kilograms	0 %
09.2697	ex 2932 20 90	30	Dodecan-5-olide (CAS RN 713-95-1)	1.1.-31.12.	6 000 kilograms	0 %
09.2812	ex 2932 20 90	77	Hexan-6-olide (CAS RN 502-44-3)	1.1.-31.12.	4 000 tonnes	0 %
09.2858	2932 93 00		Piperonal (CAS RN 120-57-0)	1.1.-31.12.	220 tonnes	0 %
09.2839	ex 2933 39 99	09	2-(2-Pyridyl)ethanol (CAS RN 103-74-2) with a purity by weight of 99 % or more	1.7.-31.12.	350 tonnes	0 %
09.2673	ex 2933 39 99	43	2,2,6,6-Tetramethylpiperidin-4-ol CAS RN 2403-88-5)	1.1.-31.12.	1 000 tonnes	0 %
09.2880	ex 2933 59 95	39	Ibrutinib (INN) (CAS RN 936563-96-1)	1.1.-31.12.	5 tonnes	0 %
09.2860	ex 2933 69 80	30	1,3,5-Tris[3-(dimethylamino) propyl]hexahydro-1,3,5-triazine (CAS RN 15875-13-5)	1.1.-31.12.	600 tonnes	0 %
09.2566	ex 2933 99 80	05	1,4,7,10-Tetraazacyclododecane (CAS RN 294-90-6) with a purity by weight of 96 % or more	1.1.-31.12.	60 tonnes	0 %
09.2658	ex 2933 99 80	73	5-(Acetoacetyl amino) benzimidazolone (CAS RN 26576-46-5)	1.1.-31.12.	400 tonnes	0 %
09.2593	ex 2934 99 90	67	5-Chlorothiophene-2-carboxylic acid (CAS RN 24065-33-6)	1.1.-31.12.	45 000 kilograms	0 %
09.2675	ex 2935 90 90	79	4-[[[2-Methoxybenzoyl]amino] sulfonyl]benzoyl chloride (CAS RN 816431-72-8)	1.1.-31.12.	1 000 tonnes	0 %

09.2710	ex 2935 90 90	91	2,4,4-Trimethylpentan-2-aminium (3R,5S,6E)-7-{2-[(ethylsulfonyl)amino]-4-(4-fluorophenyl)-6-(propan-2-yl)pyrimidin-5-yl}-3,5-dihydroxyhept-6-enoate (CAS RN 917805-85-7)	1.1.-31.12.	5 000 kilograms	0 %
09.2945	ex 2940 00 00	20	D-Xylose (CAS RN 58-86-6)	1.1.-31.12.	400 tonnes	0 %
09.2686	ex 3204 11 00	75	Colourant C.I. Disperse Yellow 54 (CAS RN 7576-65-0) and preparations based thereon with a colourant C.I. Disperse Yellow 54 content of 99 % or more by weight	1.1.-31.12.	250 tonnes	0 %
09.2676	ex 3204 17 00	14	Preparations based on Colourant C.I. Pigment Red 48:2 (CAS RN 7023-61-2) with a content thereof of 60 % or more but less than 85 % by weight	1.1.-31.12.	50 tonnes	0 %
09.2698	ex 3204 17 00	30	Colourant C.I. Pigment Red 4 (CAS RN 2814-77-9) and preparations based thereon with a colourant C.I. Pigment Red 4 content of 60 % or more by weight	1.1.-31.12.	150 tonnes	0 %
09.2659	ex 3802 90 00	19	Soda flux calcinated diatomaceous earth	1.1.-31.12.	35 000 tonnes	0 %
09.2908	ex 3804 00 00	10	Sodium lignosulphonate (CAS RN 8061-51-6)	1.1.-31.12.	40 000 tonnes	0 %
09.2889	3805 10 90		Sulphate turpentine	1.1.-31.12.	25 000 tonnes	0 %
09.2935	ex 3806 10 00	10	Rosin and resin acids obtained from fresh oleoresins	1.1.-31.12.	280 000 tonnes	0 %
09.2832	ex 3808 92 90	40	Preparation containing 38 % or more but not more than 50 % by weight of pyrithione zinc (INN) (CAS RN 13463-41-7) in an aqueous dispersion	1.1.-31.12.	500 tonnes	0 %
09.2876	ex 3811 29 00	57	Additives consisting of reaction products of diphenylamine and branched nonenes with: — more than 20 % but not more than 50 % by weight 4-monononyldiphenylamine, and — more than 50 % but not more than 80 % by weight 4,4'-dinonyldiphenylamine,	1.1.-31.12.	900 tonnes	0 %

			— a total percentage of 2,4-dinonyldiphenylamine and 2,4'-dinonyldiphenylamine of not more than 15 % by weight, used for the manufacture of lubricating oils ⁽¹⁾			
09.2814	ex 3815 90 90	76	Catalyst consisting of titanium dioxide and tungsten trioxide	1.1.-31.12.	3 000 tonnes	0 %
09.2644	ex 3824 99 92	77	Preparation containing by weight: — 55 % or more but not more than 78 % of dimethyl glutarate (CAS RN 1119-40-0), — 10 % or more but not more than 30 % of dimethyl adipate (CAS RN 627-93-0), and — not more than 35 % of dimethyl succinate (CAS RN 106-65-0)	1.1.-31.12.	10 000 tonnes	0 %
09.2681	ex 3824 99 92	85	Mixture of bis [3-(triethoxysilyl) propyl]sulphides (CAS RN 211519-85-6)	1.1.-31.12.	9 000 tonnes	0 %
09.2650	ex 3824 99 92	87	Acetophenone (CAS RN 98-86-2), with a purity by weight of 60 % or more but not more than 90 %	1.1.-31.12.	2 000 tonnes	0 %
09.2829	ex 3824 99 93	43	Solid extract of the residual, insoluble in aliphatic solvents, obtained during the extraction of rosin from wood, having the following characteristics: — a resin acid content not exceeding 30 % by weight, — an acid number not exceeding 110, and — a melting point of 100° C or more	1.1.-31.12.	1 600 tonnes	0 %
09.2907	ex 3824 99 93	67	Mixture of phytosterols, in the form of powder, containing by weight: — 75 % or more of sterols, — not more than 25 % of stanols, for use in the manufacture of stanols/sterols or stanol/sterol esters ⁽¹⁾	1.1.-31.12.	2 500 tonnes	0 %

09.2568	ex 3824 99 96	91	Mixture, in pellet form, containing by weight: — 49 % or more but not more than 50 % of bis[3-(triethoxysilyl)propyl] polysulphides (CAS RN 211519-85-6), and — 50 % or more but not more than 51 % of carbon black (CAS RN 1333-86-4), of which 75 % by weight or more pass through a sieve with an aperture of 0,60 mm, but not more than 10 % pass through a sieve with an aperture of 0,25 mm (as determined by the ASTM D1511 method)	1.1.-31.12.	1 500 tonnes	0 %
09.2820	ex 3827 90 00	10	Mixtures containing by weight: — 60 % or more but not more than 90 % of 2-chloropropene (CAS RN 557-98-2), — 8 % or more but not more than 14 % of (Z)-1-chloropropene (CAS RN 16136-84-8), — 5 % or more but not more than 23 % of 2-chloropropane (CAS RN 75-29-6), — not more than 6 % of 3-chloropropene (CAS RN 107-05-1), and — not more than 1 % of ethyl chloride (CAS RN 75-00-3)	1.1.-31.12.	6 000 tonnes	0 %
09.2671	ex 3905 99 90	81	Poly(vinyl butyral)(CAS RN 63148-65-2): — containing by weight 17,5 % or more, but not more than 20 % of hydroxyl groups, and — with a median particle size (D50) of more than 0,6 mm	1.1.-31.12.	12 500 tonnes	0 %
09.2846	ex 3907 40 00	25	Polymer blend of polycarbonate and poly(methyl methacrylate) with a polycarbonate content of not less than 98,5 % by weight, in the form of pellets or granules, with a luminous transmittance of not less than 88,5 %, measured using a test sample with a thickness of 4 mm at a wavelength of $\lambda = 400$ nm (according to ISO 13468-2)	1.1.-31.12.	2 000 tonnes	0 %

09.2585	ex 3907 99 80	70	Copolymer of poly(ethylene terephthalate) and cyclohexane dimethanol, containing more than 10 % by weight of cyclohexane dimethanol	1.1.-31.12.	60 000 tonnes	2 %
09.2855	ex 3910 00 00	10	Liquid poly (methylhydrosiloxane) with terminal trimethylsilyl groups (CAS RN 63148-57-2) with a purity by weight of 99,9 % or more	1.7.-31.12.	250 tonnes	0 %
09.2723	ex 3911 90 19	10	Poly (oxy-1,4-phenylenesulphonyl-1,4-phenyleneoxy-4,4'-biphenylene)	1.1.-31.12.	5 000 tonnes	0 %
09.2816	ex 3912 11 00	20	Cellulose acetate flakes	1.1.-31.12.	75 000 tonnes	0 %
09.2573	ex 3913 10 00	20	Sodium alginate extracted from brown seaweed (CAS RN 9005-38-3), with — a loss on drying of not more than 15 % by weight (4 h at 105 °C), — a water-insoluble fraction of not more than 2 % by weight, calculated on the dry weight	1.1.-31.12.	2 000 tonnes	0 %
09.2641	ex 3913 90 00	87	Sodium hyaluronate, non sterile, with: — a weight average molecular weight (M_w) of not more than 900 000, — an endotoxin level of not more than 0,008 Endotoxin units (EU)/mg, — an ethanol content of not more than 1 % by weight, — an isopropanol content of not more than 0,5 % by weight	1.1.-31.12.	300 kilograms	0 %
09.2661	ex 3920 51 00	50	Sheets of polymethylmethacrylate conforming to standards: — EN 4364 (MIL-P-5425E) and DTD5592A, or — EN 4365 (MIL-P-8184) and DTD5592A	1.1.-31.12.	100 tonnes	0 %

09.2645	ex 3921 14 00	20	Cellular block of regenerated cellulose, impregnated with water containing magnesium chloride and quaternary ammonium compounds, measuring 100 cm ($\pm$ 10 cm) $\times$ 100 cm ($\pm$ 10 cm) $\times$ 40 cm ($\pm$ 5 cm)	1.1.-31.12.	1 700 tonnes	0 %
09.2572	ex 5205 26 00 ex 5205 27 00	10 10	Raw white single cotton yarn — of combed fibres, — with an average fibre length of 36,5 mm or more, — produced through the compact ring spinning process with pneumatic compression, — with a tear strength of 26,5 cN/tex or more (according to ISO 2062:2009, at a speed of 5 000 mm/min)	1.1.-31.12.	50 000 tonnes	0 %
09.2576	ex 5208 12 16	20	Unbleached woven fabric in plain weave, with: — a width of not more than 145 cm, — a weight of 120 g/m ² or more, but not more than 130 g/m ² , — 30 or more, but not more than 45 wefts per cm, — a tuck-in selvedge on both sides, where from the inside out, the 15 mm ($\pm$ 2 mm) wide tuck-in selvedge consists of a 6 mm or more but not more than 9 mm wide strip of plain weave and a 6 mm or more but not more than 9 mm wide strip of panama weave	1.1.-31.12.	1 500 000 square metres	0 %
09.2577	ex 5208 12 96	20	Unbleached woven fabric in plain weave, with: — a width of not more than 145 cm, — a weight of more than 130 g/m ² , but not more than 145 g/m ² , — 30 or more, but not more than 45 wefts per cm, — a tuck-in selvedge on both sides, where from the inside out, the 15 mm ($\pm$ 2 mm wide) tuck-in selvedge consists of a 6 mm or more but not more than 9 mm wide strip of plain weave and	1.1.-31.12.	2 300 000 square metres	0 %

			a 6 mm or more but not more than 9 mm wide strip of panama weave			
09.2848	ex 5505 10 10	10	Waste of synthetic fibres (including noils, yarn waste, and garnetted stock) of nylon or other polyamides (PA6 and PA66)	1.1.-31.12.	10 000 tonnes	0 %
09.2721	ex 5906 99 90	20	Woven and laminated rubberised textile fabric with the following characteristics: — with three layers, — one outer layer consists of acrylic fabric, — the other outer layer consists of polyester fabric, — the middle layer consists of chlorobutyl rubber, — the middle layer has a weight of 452 g/m ² or more but not more than 569 g/m ² , — the textile fabric has a total weight of 952 g/m ² or more but not more than 1 159 g/m ² , and — the textile fabric has a total thickness of 0,8 mm or more but not more than 4 mm, used for the manufacture of the retractable roof of motor vehicles (¹)	1.1.-31.12.	375 000 square metres	0 %
09.2866	ex 7019 12 00 ex 7019 12 00	06 26	S glass stratifils (rovings): — composed of continuous glass filaments of 9 µm (± 0,5 µm), — measuring 200 tex or more but not more than 680 tex, — not containing any calcium oxide, and — with a breaking strength of more than 3 550 MPa determined by ASTM D2343-09, for use in the manufacture of aeronautics (¹)	1.1.-31.12.	1 000 tonnes	0 %

09.2628	ex 7019 66 00	10	Glass web woven from glass fibre coated in plastic, of a weight of 120 g/m ² (± 10 g/m ²), of a type used in rolling insect screens with fixed frames	1.1.-31.12.	3 000 000 square meters	0 %
09.2799	ex 7202 49 90	10	Ferro-chromium containing 1,5 % or more but not more than 4 % by weight of carbon and not more than 70 % of chromium	1.1.-31.12.	50 000 tonnes	0 %
09.2652	ex 7409 11 00 ex 7410 11 00	30 40	Refined copper foil and strips, electrolytically manufactured, with a thickness of 0,015 mm or more	1.1.-31.12.	1 020 tonnes	0 %
09.2734	ex 7409 19 00	20	Plates or sheets consisting of: — a layer of a silicon nitride ceramic with a thickness of 0,32 mm (± 0,1 mm) or more but not more than 1,0 mm (± 0,1 mm), — covered on both sides with a foil of refined copper with a thickness of 0,8 mm (± 0,1 mm), and — on one side partially covered with a coating of silver	1.1.-31.12.	7 000 000 pieces	0 %
09.2662	ex 7410 21 00	55	Plates: — consisting of at least one layer of fibreglass fabric impregnated with epoxide resin, — covered on one or both sides with copper foil with a thickness of not more than 0,15 mm, — with a dielectric constant (DK) of less than 5,4 at 1 MHz, as measured according to IPC-TM-650 2.5.5.2, — with a loss tangent of less than 0,035 at 1 MHz, as measured according to IPC-TM-650 2.5.5.2, — with a comparative tracking index (CTI) of 600 or more	1.1.-31.12.	80 000 square metres	0 %
09.2835	ex 7604 29 10	30	Aluminium alloy rods with a diameter of 300,1 mm or more, but not more than 533,4 mm	1.1.-31.12.	1 000 tonnes	0 %

09.2736	ex 7607 11 90	75	Aluminium and magnesium alloy strip or foil: — of an alloy conforming to standards 5182-H19 or 5052-H19, — in rolls with an outside diameter of minimum 1 250 mm but not more than 1 350 mm, — of a thickness (tolerance - 0,006 mm) of 0,15 mm, 0,16 mm, 0,18 mm or 0,20 mm, — of a width (tolerance $\pm 0,3$ mm) of 12,5 mm, 15,0 mm, 16,0 mm, 25,0 mm, 35,0 mm, 50,0 mm or 356 mm, — having a camber tolerance of not more than 0,4 mm/750 mm, — of a flatness measurement: I-unit ± 4 , — having a tensile strength of more than (5182-H19) 365 MPa or (5052-H19) 320 MPa, and — of an elongation A50 of more than (5182-H19) 3 % or (5052-H19) 2,5 %, for use in the manufacture of slats for blinds (1)	1.1.-31.12.	600 tonnes	0 %
	ex 7607 11 90	77				
	ex 7607 11 90	78				
	ex 7607 11 90	79				
09.2722	8104 11 00		Unwrought magnesium, containing at least 99,8 % by weight of magnesium	1.1.-31.12.	120 000 tonnes	0 %
09.2840	ex 8104 30 00	20	Magnesium powder: — of purity by weight of 98 % or more, but not more than 99,5 %, and — with a particle size of 0,2 mm or more but not more than 0,8 mm	1.1.-31.12.	2 000 tonnes	0 %
09.2629	ex 8302 49 00	91	Aluminium telescopic handle for use in the manufacture of luggage (1)	1.1.-31.12.	1 500 000 pieces	0 %
09.2720	ex 8413 91 00	50	Pump head for two cylinder high pressure pump made of forged steel, with: — milled threaded fittings with a diameter of 10 mm or more but not more than 36,8 mm, and	1.1.-31.12.	65 000 pieces	0 %

			— drilled fuel channels with a diameter of 3,5 mm or more but not more than 10 mm, of a kind used in diesel injection systems			
09.2569	ex 8414 90 00	80	Turbocharger wheel housing of cast aluminium alloy or cast iron: — with a heat resistance up to 400 °C, — with a hole of 30 mm or more but not more than 300 mm for the insertion of the compressor wheel, for use in the automotive industry ⁽¹⁾	1.1.-31.12.	4 000 000 pieces	0 %
09.2570	ex 8482 91 90	10	Rollers with a logarithmic profile and a diameter of 25 mm or more but not more than 70 mm or balls with a diameter of 30 mm but not more than 100 mm, — made of 100Cr6 steel or 100CrMnSi6-4 steel (ISO 3290), — with a deviation of 0,5 mm or less as determined with the FBHmethod for use in wind turbine industry ⁽¹⁾	1.1.-31.12.	600 000 pieces	0 %
09.2738	ex 8482 99 00	30	Brass cages with the following characteristics: — continuously or centrifugally cast, — turned, — containing by weight 35 % or more, but not more than 38 % of zinc, — containing by weight 0,75 % or more, but not more than 1,25 % of lead, — containing by weight 1,0 % or more, but not more than 1,4 % of aluminium, and — with a tensile strength of 415 Pa or more, of a kind used for the manufacture of ball bearings	1.1.-31.12.	50 000 pieces	0 %

09.2857	ex 8482 99 00	50	Inner and outer rings made of steel, not grinded, outer ring with an internal raceway, inner ring with an external raceway, with external diameters of: — 14 mm or more but not more than 77 mm for the inner ring, and — 26 mm or more but not more than 101 mm for the outer ring	1.7.-31.12.	10 000 000 kilograms	0 %
09.2763	ex 8501 40 20 ex 8501 40 80	40 30	Electric AC commutator motor, single-phase, with an output of 250 W or more, an input power of 700 W or more but not more than 2 700 W, an external diameter of more than 120 mm ($\pm 0,2$ mm) but not more than 135 mm ($\pm 0,2$ mm), a rated speed of more than 30 000 rpm but not more than 50 000 rpm, equipped with air-inducting ventilator, for use in the manufacture of vacuum cleaners ⁽¹⁾	1.1.-31.12.	2 000 000 pieces	0 %
09.2672	ex 8529 90 92 ex 9405 42 31	75 70	Printed circuit board with LED diodes: — whether or not equipped with prisms/lens, and — whether or not fitted with connector(s) for the manufacture of backlight units for goods of heading 8528 ⁽¹⁾	1.1.-31.12.	115 000 000 pieces	0 %
09.2574	ex 8537 10 91	73	Multifunctional device (instrument cluster) with: — curved TFT LCD display (radius 750 mm) with touch-sensitive surfaces, — microprocessors and memory chips, — acoustic module and loud-speaker, — connections for CAN, 3 x LIN bus, LVDS and Ethernet, — for operating various functions (e.g. chassis, lighting) and	1.1.-31.12.	66 900 pieces	0 %

			— for situation-related display of vehicle and navigation data (e. g. speed, odometer, charge level of the drive battery), for use in the manufacture of passenger cars powered solely by an electric motor covered by HS subheading 8703 80 ⁽¹⁾			
09.2003	ex 8543 70 90	63	Voltage controlled frequency generator, consisting of active and passive elements mounted on a printed circuit, contained in a housing with dimensions of not more than 30 mm × 30 mm	1.1.-31.12.	1 400 000 pieces	0 %
09.2910	ex 8708 99 97	75	Aluminium alloy support bracket, with mounting holes, whether or not with fixation nuts, for indirect connection of the gearbox to the car body for use in the manufacture of goods of Chapter 87 ⁽¹⁾	1.1.-31.12.	200 000 pieces	0 %
09.2694	ex 8714 10 90	30	Axle clamps, housings, fork bridges and clamping pieces, of aluminium alloy of a kind used for motor bikes	1.1.-31.12.	1 000 000 pieces	0 %
09.2668	ex 8714 91 10 ex 8714 91 10 ex 8714 91 10	21 31 75	Bicycle frame, constructed from carbon fibres and artificial resin, for use in the manufacture of bicycles (including electric bicycles) ⁽¹⁾	1.1.-31.12.	600 000 pieces	0 %
09.2564	ex 8714 91 10 ex 8714 91 10 ex 8714 91 10	25 35 77	Frame, constructed from aluminium or aluminium and carbon fibres and artificial resin, for the use in the manufacture of bicycles (including electric bicycles) ⁽¹⁾	1.1.-31.12.	9 600 000 pieces	0 %
09.2579	ex 9029 20 31 ex 9029 90 00	40 40	Clustered instrument panel with: — stepping motors, — analog pointers and dials, — or without microprocessor control board, — or without LED indicators or LCD display, — showing at least: — speed,	1.1.-31.12.	160 000 pieces	0 %

			— engine revolutions, — engine temperature, — the fuel level, — communicating via CAN-BUS and/or K-LINE protocols, for use in the manufacture of goods of Chapter 87 ⁽¹⁾			
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⁽¹⁾ Suspension of duties is subject to end-use customs supervision in accordance with Article 254 of Regulation (EU) No 952/2013.

⁽²⁾ However, the suspension of tariff duties does not apply where the processing is carried out by retail or catering undertakings.

COMMISSION DELEGATED REGULATION (EU) 2022/973**of 14 March 2022****supplementing Regulation (EU) 2019/1009 of the European Parliament and of the Council by laying down criteria on agronomic efficiency and safety for the use of by-products in EU fertilising products****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/1009 of the European Parliament and of the Council of 5 June 2019 laying down rules on the making available on the market of EU fertilising products and amending Regulations (EC) No 1069/2009 and (EC) No 1107/2009 and repealing Regulation (EC) No 2003/2003 ⁽¹⁾, and in particular Article 42(7) thereof,

Whereas:

- (1) Regulation (EU) 2019/1009 lays down rules on the making available on the market of EU fertilising products. EU fertilising products contain component materials of one or more of the categories listed in Annex II to that Regulation. In accordance with component material category ('CMC') 11 of that Annex, EU fertilising products may contain by-products within the meaning of Directive 2008/98/EC of the European Parliament and of the Council ⁽²⁾, with some exceptions, which are to be registered in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽³⁾.
- (2) Article 42(7) of Regulation (EU) 2019/1009 requires the Commission to supplement Part II, CMC 11, point 3, of Annex II, by laying down criteria for agronomic efficiency and safety for the use of by-products within the meaning of Directive 2008/98/EC in EU fertilising products. To that end, the Commission mandated its Joint Research Centre ('JRC') to provide scientific advice ⁽⁴⁾.
- (3) By-products within the meaning of Directive 2008/98/EC build a very heterogeneous category of substances. These substances have different physical and chemical nature, and may be obtained during various production processes. For the purpose of this Regulation, the by-products are divided in two categories, depending on their type of agronomic efficiency. The first category concerns by-products, which provide nutrients to plants or mushrooms or improve their nutrition efficiency. The second category concerns by-products which are used as technical additives in smaller concentrations. Even though they are not directly linked to nutrition or nutrition efficiency, they do improve the quality of the fertilising product or the safety in handling it.
- (4) For the first category, the JRC has identified by-products resulting from a variety of production processes, which contain ammonium salts, sulphate salts, phosphate salts, elemental sulphur, calcium carbonate and calcium oxide. To ensure that those by-products have a clear agronomic value and do not create adverse effects for human health and the environment, a strict purity requirement should be laid down.

⁽¹⁾ OJ L 170, 25.6.2019, p. 1.

⁽²⁾ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

⁽³⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

⁽⁴⁾ Huygens D, Saveyn HGM, *Technical proposals for by-products and high purity materials as component materials for EU Fertilising Products*, JRC128459, Publications Office of the European Union, Luxembourg, 2022.

- (5) For the second category, the JRC proposed to allow the use of by-products as technical additives, such as hardening, binding or filling agents, or anti-dusting agents to improve the health protection of users. To ensure that the use of such by-products does not jeopardise the overall agronomic efficiency of the EU fertilising product and has no adverse effect on human health or the environment, a maximum concentration in the final EU fertilising product should be laid down.
- (6) In addition, the JRC assessed the most commonly used by-products according to existing practices. Those by-products have been selected based on their market potential, available data, on their current legal situation, on their use history and on their clear agronomic value, as well as based on the straightforwardness of safety criteria development given the time constraints in performing the assessment. The by-products identified were mother liquor from the reaction of 5(β -methyl-thioethyl)-hydantoin with potassium carbonate in the methionine production process, residues from mineral and ore processing and purification, post-distillation liquid from Solvay process, carbide lime from acetylene production, ferrous slags, metal salts from ore concentrate processing and metal surface treatment, and humic and fulvic acids from drinking water discolouration. These specific by-products should be used in EU fertilising products without having to comply with restrictive purity levels for the first category of by-products or with the purpose and a maximum concentration allowed for the second category of by-products. The reason is that such by-products are clearly identified, which allowed the JRC to thoroughly assess their agronomic value and all the specific risks they may raise.
- (7) Furthermore, the corresponding supplementary safety criteria for the use of by-products should be laid down.
- (8) Some of those by-products should comply with safety criteria limiting the content of contaminants and other substances of concern, applied in addition to those that are laid down in Annex I to Regulation (EU) 2019/1009 for the corresponding product function category, and without prejudice to Regulation (EU) 2019/1021 of the European Parliament and of the Council ^(*).
- (9) Additional limit values should be laid down for the contaminants total chromium, thallium and vanadium. Some of the by-products may contain such contaminants as a result of the particularity of their production process. The proposed limit values for those contaminants should ensure that the use of EU fertilising products containing by-products with such contaminants does not lead to their accumulation in soil. The limit values for such contaminants should be determined as concentration in the final product, similar to the requirements set out in Annex I to Regulation (EU) 2019/1009. This is justified by the fact that the safety criteria introduced in reply to any particular risks identified concern, as a rule, the final product and not a component material. This should facilitate the conformity assessment and market surveillance of such products, as tests are to be carried out only on the final product.
- (10) Residues from the processing or purification of sedimentary phosphate ore are known to contain naturally occurring radionuclides. In order to ensure safe use of such by-products in EU fertilising products, it is appropriate to lay down maximum permitted levels of activity concentration values of naturally occurring radionuclides, from the uranium and thorium series in EU fertilising products containing such materials.

^(*) Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45).

- (11) Furthermore, additional safety criteria should be laid down to limit the content of 16 polycyclic aromatic hydrocarbons (PAH₁₆) ⁽⁶⁾ and of polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF) ⁽⁷⁾. Regulation (EU) 2019/1021 lays down release reductions for PAH₁₆ and PCDD/PCDF as unintentionally produced substances during manufacturing processes, but does not introduce a limit value in such cases. Given the high risks generated by the presence of such pollutants in fertilising products, it is considered appropriate to introduce more stringent requirements than those laid down in that Regulation. Such limit values should be laid down at component material level and not as concentration in the final product, to ensure coherence with Regulation (EU) 2019/1021.
- (12) The limit values for contaminants, PAH₁₆ and PCDD/PCDF may not be relevant in all cases. Therefore, manufacturers should have the possibility to presume the conformity of the fertilising product with a given requirement without verification, such as testing, whenever the compliance with the said requirement follows certainly and uncontestedly from the nature or manufacturing process of the by-products belonging to CMC 11 or of the EU fertilising product containing such a by-product.
- (13) Some of the by-products may contain selenium, which can be toxic if present in high concentration. Some may also contain chloride, which may raise concerns regarding the salinity in soil. Whenever those substances are present in concentrations exceeding a certain limit, their content should be indicated on the label so that the users of the fertilising product are properly informed.
- (14) Given that Regulation (EU) 2019/1009 will fully apply from 16 July 2022, it is necessary to defer the application of this Regulation to the same date,

HAS ADOPTED THIS REGULATION:

Article 1

1. By-products belonging to Component Material Category (CMC) 11 referred to in Part II of Annex II to Regulation (EU) 2019/1009, which provide nutrients to plants or mushrooms or improve their nutrition efficiency, shall meet the following criteria for agronomic efficiency and safety:

- (a) contain at least 95 % by dry matter of ammonium salts, sulphate salts, phosphate salts, elemental sulphur, calcium carbonate or calcium oxide, or mixtures thereof;
- (b) are produced as an integral part of a production process that uses as input materials substances and mixtures, other than animal by-products or derived products within the scope of Regulation (EC) No 1069/2009 of the European Parliament and of the Council ⁽⁸⁾;
- (c) have an organic carbon (C_{org}) content of no more than 0,5 % of the dry matter of the by-product;
- (d) contain no more than 6 mg/kg dry matter of polycyclic aromatic hydrocarbons (PAH₁₆) ⁽⁹⁾;

⁽⁶⁾ Sum of naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, indeno[1,2,3-cd]pyrene, dibenzo[a,h]anthracene and benzo[ghi]perylene.

⁽⁷⁾ Sum of 2,3,7,8-TCDD; 1,2,3,7,8-PeCDD; 1,2,3,4,7,8-HxCDD; 1,2,3,6,7,8-HxCDD; 1,2,3,7,8,9-HxCDD; 1,2,3,4,6,7,8-HpCDD; OCDD; 2,3,7,8-TCDF; 1,2,3,7,8-PeCDF; 2,3,4,7,8-PeCDF; 1,2,3,4,7,8-HxCDF; 1,2,3,6,7,8-HxCDF; 1,2,3,7,8,9-HxCDF; 2,3,4,6,7,8-HxCDF; 1,2,3,4,6,7,8-HpCDF; 1,2,3,4,7,8,9-HpCDF; and OCDF.

⁽⁸⁾ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1).

⁽⁹⁾ Sum of naphthalene, acenaphthylene, acenaphthene, fluorene, phenanthrene, anthracene, fluoranthene, pyrene, benzo[a]anthracene, chrysene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, indeno[1,2,3-cd]pyrene, dibenzo[a,h]anthracene and benzo[ghi]perylene.

- (e) contain no more than 20 ng WHO toxicity equivalents ⁽¹⁰⁾/kg dry matter of the polychlorinated dibenzo-para-dioxins and dibenzofurans (PCDD/PCDF) ⁽¹¹⁾.

An EU fertilising product containing or consisting of by-products providing nutrients to plants or mushrooms or improving their nutrition efficiency shall contain no more than:

- (a) 400 mg/kg dry matter of total chromium (Cr);
- (b) 2 mg/kg dry matter of thallium (Tl).

2. By-products belonging to CMC 11 referred to in Part II of Annex II to Regulation (EU) 2019/1009, which are used as technical additives, shall meet the following criteria for agronomic efficiency and safety:

- (a) have the role to improve the safety or agronomic efficiency of the EU fertilising product;
- (b) are present in the EU fertilising product at a total concentration of no more than 5 % by mass;
- (c) contain no more than 6 mg/kg dry matter of polycyclic aromatic hydrocarbons (PAH₁₆);
- (d) contain no more than 20 ng WHO toxicity equivalents ⁽¹²⁾/kg dry matter of the polychlorinated dibenzo-para-dioxins and dibenzofurans (PCDD/PCDF).

Article 2

1. The criteria laid down in Article 1 do not apply to by-products belonging to CMC 11 referred to in Part II of Annex II to Regulation (EU) 2019/1009, which are either of the following:

- (a) mother liquor from the reaction of 5(β-methyl-thioethyl)-hydantoin with potassium carbonate in the methionine production process;
- (b) residues from the processing and purification of minerals and ores, if they contain calcium carbonates, magnesium carbonates, calcium sulphates, magnesium oxide, phosphate salts, and/or water-soluble salts of potassium, magnesium or sodium, in a total content of more than 60 % dry matter of the residues;
- (c) post-distillation liquid from Solvay process;
- (d) carbide lime from acetylene production;
- (e) ferrous slags;
- (f) substances derived from ore concentrate processing and metal surface treatment that contain at least 2 % by mass of di- or tri-valent transition metal cations (zinc (Zn), copper (Cu), iron (Fe), manganese (Mn) or cobalt (Co)) in solution;
- (g) humic and fulvic acids from drinking water discolouration.

2. The activity concentration values of naturally occurring radionuclides from the U-238 and Th-232 series in an EU fertilising product containing or consisting of residues from the processing or purification of sedimentary phosphate ore in accordance with paragraph 1, point (b) shall not exceed 1 kBq/kg of the product.

⁽¹⁰⁾ van den Berg M., L.S. Birnbaum, M. Denison, M. De Vito, W. Farland, et al. (2006) The 2005 World Health Organization Re-evaluation of Human and Mammalian Toxic Equivalency Factors for Dioxins and Dioxin-like Compounds. Toxicological sciences: an official journal of the Society of Toxicology 93:223-241. doi:10.1093/toxsci/kfl055.

⁽¹¹⁾ Sum of 2,3,7,8-TCDD; 1,2,3,7,8-PeCDD; 1,2,3,4,7,8-HxCDD; 1,2,3,6,7,8-HxCDD; 1,2,3,7,8,9-HxCDD; 1,2,3,4,6,7,8-HpCDD; OCDD; 2,3,7,8-TCDF; 1,2,3,7,8-PeCDF; 2,3,4,7,8-PeCDF; 1,2,3,4,7,8-HxCDF; 1,2,3,6,7,8-HxCDF; 1,2,3,7,8,9-HxCDF; 2,3,4,6,7,8-HxCDF; 1,2,3,4,6,7,8-HpCDF; 1,2,3,4,7,8,9-HpCDF; and OCDF.

⁽¹²⁾ van den Berg M., L.S. Birnbaum, M. Denison, M. De Vito, W. Farland, et al. (2006) The 2005 World Health Organization Re-evaluation of Human and Mammalian Toxic Equivalency Factors for Dioxins and Dioxin-like Compounds. Toxicological sciences: an official journal of the Society of Toxicology 93:223-241. doi:10.1093/toxsci/kfl055.

3. An EU fertilising product containing or consisting of by-products referred to in points (e) and (f) of the first paragraph shall contain no more than:

- (a) 400 mg/kg dry matter of total chromium (Cr);
- (b) 2 mg/kg dry matter of thallium (Tl);
- (c) 600 mg/kg dry matter of vanadium (V).

Article 3

Where compliance with a given requirement laid down in Article 1(1), first subparagraph, points (d) and (e), Article 1(1), second subparagraph, Article 1(2), points (c) and (d), and Article 2(2) and (3), follows certainly and uncontestably from the nature or manufacturing process of the by-product or of the EU fertilising product containing such a by-product, as applicable, that compliance may be presumed in the conformity assessment procedure without verification (such as testing), at the responsibility of the manufacturer.

Article 4

1. Where an EU fertilising product contains or consists of by-products referred to in Article 1(1), first subparagraph and in Article 2, first paragraph, points (b) to (f), and has a selenium (Se) content exceeding 10 mg/kg dry matter, the selenium content shall be indicated.

2. Where an EU fertilising product contains or consists of by-products referred to in Article 1(1), first subparagraph and in Article 2, first paragraph, points (b), (c) and (g), and has a chloride (Cl-) content exceeding 30 g/kg dry matter, the chloride content shall be indicated, unless the EU fertilising product is produced through a manufacturing process where chloride containing substances or mixtures have been used with the intention of producing or including alkali metal salts or alkaline earth metal salts, and information on these salts is provided in accordance with Annex III.

3. When the content of selenium or chloride is indicated in accordance with paragraphs 1 and 2, it shall be clearly separated from nutrient declaration and it may be expressed as a range of values.

4. Where the fact that such an EU fertilising product contains selenium or chloride below the limit values in paragraphs 1 and 2 follows certainly and uncontestably from the nature or manufacturing process of the by-product or of the EU fertilising product containing such a by-product, as applicable, the label may contain no information on these parameters, without verification (such as testing), at the responsibility of the manufacturer.

Article 5

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 apply from 16 July 2022.

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

Done at Brussels, 14 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2022/974**of 16 June 2022****entering a name in the register of protected designations of origin and protected geographical indications ('Cidre du Perche/Perche' (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, France's application to register the name 'Cidre du Perche/Perche' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Cidre du Perche/Perche' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Cidre du Perche/Perche' (PDO) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.8. Other products listed in Annex I to the Treaty (spices etc.), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.

Article 2

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

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

Done at Brussels, 16 June 2022.

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 100, 1.3.2022, p. 43.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION DELEGATED REGULATION (EU) 2022/975**of 17 March 2022****amending the regulatory technical standards laid down in Delegated Regulation (EU) 2017/653 as regards the extension of the transitional arrangement laid down in Article 14(2) of that Regulation and amending the regulatory technical standards laid down in Delegated Regulation (EU) 2021/2268 as regards the date of application of that Regulation****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1286/2014 of the European Parliament and of the Council of 26 November 2014 on key information documents for packaged retail and insurance-based investment products (PRIIPs) ⁽¹⁾, and in particular Article 8(5) and Article 10(2) thereof,

Whereas:

- (1) Regulation (EU) No 1286/2014 lays down uniform rules on the format and content of the key information document to be drawn up by PRIIP manufacturers and on the provision of the key information document to retail investors in order to enable retail investors to understand and compare the key features and risks of the PRIIP. However, pursuant to Article 32(1) of that Regulation, management companies as defined in Article 2(1), point (b), of Directive 2009/65/EC of the European Parliament and of the Council ⁽²⁾, investment companies as referred to in Article 27 thereof and persons advising on, or selling, units of UCITS as referred to in Article 1(2) thereof were exempt from the obligations under that Regulation until 31 December 2021. When a Member State applies rules on the format and content of the key information document, as laid down in Articles 78 to 81 of Directive 2009/65/EC, to non-UCITS funds offered to retail investors, the transitional arrangement laid down in Article 32(1) of that Regulation applies to management companies, investment companies and persons advising on, or selling, units of such funds to retail investors. Regulation (EU) 2021/2259 of the European Parliament and of the Council ⁽³⁾ amended Regulation (EU) No 1286/2014 to extend that transitional arrangement until 31 December 2022.
- (2) Commission Delegated Regulation (EU) 2017/653 ⁽⁴⁾, which was adopted on the basis of Articles 8(5), 10(2) and 13(5) of Regulation (EU) No 1286/2014, lays down rules with regard to the presentation, content, review and revision of key information documents and the conditions for fulfilling the requirement to provide such documents. Article 14(2) of that Delegated Regulation allowed PRIIP manufacturers to use the key investor information document drawn up in accordance with Articles 78 to 81 of Directive 2009/65/EC to provide specific information for the purposes of Articles 11 to 13 of that Delegated Regulation, rather than the key information document

⁽¹⁾ OJ L 352, 9.12.2014, p. 1.

⁽²⁾ Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS) (OJ L 302, 17.11.2009, p. 32).

⁽³⁾ Regulation (EU) 2021/2259 of the European Parliament and of the Council of 15 December 2021 amending Regulation (EU) No 1286/2014 as regards the extension of the transitional arrangement for management companies, investment companies and persons advising on, or selling, units of undertakings for collective investment in transferable securities (UCITS) and non-UCITS (OJ L 455, 20.12.2021, p. 1).

⁽⁴⁾ Commission Delegated Regulation (EU) 2017/653 of 8 March 2017 supplementing Regulation (EU) No 1286/2014 of the European Parliament and of the Council on key information documents for packaged retail and insurance-based investment products (PRIIPs) by laying down regulatory technical standards with regard to the presentation, content, review and revision of key information documents and the conditions for fulfilling the requirement to provide such documents (OJ L 100, 12.4.2017, p. 1).

referred to in that Delegated Regulation (EU) 2017/653, until 31 December 2019, provided that at least one of the underlying investment options referred to in Article 14(1) of that Delegated Regulation is a UCITS or non-UCITS fund as referred to in Article 32 of Regulation (EU) No 1286/2014. Commission Delegated Regulation (EU) 2019/1866 ⁽³⁾ extended that transitional arrangement until 31 December 2021, and Commission Delegated Regulation (EU) 2021/2268 ⁽⁶⁾ amended Delegated Regulation (EU) 2017/653 to further extend that transitional arrangement until 30 June 2022.

- (3) Since Regulation (EU) 2021/2259 has now extended the transitional arrangement referred to in Article 32 of Regulation (EU) No 1286/2014 until 31 December 2022, it is necessary that that extension is also reflected in Delegated Regulation (EU) 2017/653, and that the transitional arrangement is further extended from 30 June 2022 until 31 December 2022. Delegated Regulation (EU) 2017/653 should therefore be amended accordingly.
- (4) It is necessary to ensure that Delegated Regulation (EU) 2021/2268 only applies as of the day that follows the end of the transitional arrangement laid down in Article 32 of Regulation (EU) No 1286/2014. The date laid down in Article 2, second paragraph, of Delegated Regulation (EU) 2021/2268 should therefore be replaced. Delegated Regulation (EU) 2021/2268 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Delegated Regulation (EU) 2017/653

In Article 18 of Delegated Regulation (EU) 2017/653, the third paragraph is replaced by the following:

‘Article 14(2) shall apply until 31 December 2022.’.

Article 2

Amendment to Delegated Regulation (EU) 2021/2268

In Article 2, second paragraph, of Delegated Regulation (EU) 2021/2268, ‘1 July 2022’ is replaced by ‘1 January 2023’.

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*.

⁽³⁾ Commission Delegated Regulation (EU) 2019/1866 of 3 July 2019 amending Delegated Regulation (EU) 2017/653 to align the transitional arrangement for PRIIP manufacturers offering units of funds referred to in Article 32 of Regulation (EU) No 1286/2014 of the European Parliament and of the Council as underlying investment options with the prolonged exemption period under that Article (OJ L 289, 8.11.2019, p. 4).

⁽⁶⁾ Commission Delegated Regulation (EU) 2021/2268 of 6 September 2021 amending the regulatory technical standards laid down in Commission Delegated Regulation (EU) 2017/653 as regards the underpinning methodology and presentation of performance scenarios, the presentation of costs and the methodology for the calculation of summary cost indicators, the presentation and content of information on past performance and the presentation of costs by packaged retail and insurance-based investment products (PRIIPs) offering a range of options for investment and alignment of the transitional arrangement for PRIIP manufacturers offering units of funds referred to in Article 32 of Regulation (EU) No 1286/2014 of the European Parliament and of the Council as underlying investment options with the prolonged transitional arrangement laid down in that Article (OJ L 455 I, 20.12.2021, p. 1).

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

Done at Brussels, 17 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2022/976**of 22 June 2022****amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada, the United Kingdom and the United States in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry and fresh meat of poultry and game birds****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Articles 230(1) and 232(1) and (3) thereof.

Whereas:

- (1) Regulation (EU) 2016/429 requires that consignments of animals, germinal products and products of animal origin must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation in order to enter the Union.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ lays down the animal health requirements with which consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones thereof, or compartments thereof, in the case of aquaculture animals, must comply with in order to enter the Union.
- (3) Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ establishes the lists of third countries, or territories, or zones or compartments thereof, from which the entry into the Union of the species and categories of animals, germinal products and products of animal origin falling within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (4) More particularly, Annexes V and XIV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, or territories, or zones thereof authorised for the entry into the Union, respectively, of consignments of poultry, germinal products of poultry, and of fresh meat from poultry and game birds.
- (5) Canada notified the Commission of one outbreak of highly pathogenic avian influenza in poultry located in the province of Saskatchewan, Canada, and it was confirmed on 4 May 2022 by laboratory analysis (RT-PCR).
- (6) In addition, Canada notified the Commission of two outbreaks of highly pathogenic avian influenza in poultry, both located in the province of British Columbia, Canada, and they were confirmed on 4 June 2022 by laboratory analysis (RT-PCR).
- (7) The United Kingdom notified the Commission of one outbreak of highly pathogenic avian influenza near Southwell, Newark and Sherwood, Nottinghamshire, England, United Kingdom, and it was confirmed on 19 May 2022 by laboratory analysis (RT-PCR).

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

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

- (8) In addition, the United Kingdom notified the Commission of one outbreak of highly pathogenic avian influenza near Bexhill-on-Sea, Rother, East Sussex, England, United Kingdom, and it was confirmed on 15 June 2022 by laboratory analysis (RT-PCR).
- (9) The United States notified the Commission of one outbreak of highly pathogenic avian influenza in poultry located in the state of North Dakota, United States, and it was confirmed on 6 June 2022 by laboratory analysis (RT-PCR).
- (10) In addition, the United States notified the Commission of three outbreaks of highly pathogenic avian influenza in poultry: one outbreak is located in the state of Colorado, United States, another outbreak is located in the state of Indiana, United States and a further outbreak is located in the state of Washington, United States and they were all confirmed on 7 June 2022 by laboratory analysis (RT-PCR).
- (11) Following those outbreaks of highly pathogenic avian influenza, the veterinary authorities of Canada, the United Kingdom and the United States established a 10 km control zone around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.
- (12) Canada, the United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territory and the measures they have taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation and in order to protect the animal health status of the Union, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat from poultry and game birds from the areas under restrictions established by the veterinary authorities of Canada, the United Kingdom and the United States due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.
- (13) Moreover, Canada has submitted updated information on the epidemiological situation on its territory in relation to one outbreak of highly pathogenic avian influenza in poultry establishments in the province of Nova Scotia, Canada confirmed on 8 February 2022. Canada has also submitted information on the measures it has taken to prevent the further spread of that disease. In particular, following this outbreak of highly pathogenic avian influenza, Canada has implemented a stamping out policy in order to control and limit the spread of that disease. In addition, Canada has completed the requisite cleaning and disinfection measures following the implementation of the stamping out policy on the infected poultry establishments on its territory.
- (14) Moreover, the United Kingdom has submitted updated information on the epidemiological situation on its territory in relation to ten outbreaks of highly pathogenic avian influenza in poultry establishments: one outbreak near Alford, East Lindsey, Lincolnshire, England, United Kingdom, which was confirmed on 16 December 2021, one outbreak near Washington, Sunderland, Tyne & Wear, England, United Kingdom, which was confirmed on 11 December 2021, one outbreak near Mablethorpe, East Lindsey, Lincolnshire, England, United Kingdom, which was confirmed on 31 December 2021, one outbreak near Eton, Windsor & Maidenhead, Berkshire, England, United Kingdom, which was confirmed on 2 January 2022, one outbreak near Alford, East Lindsey, Lincolnshire, England, United Kingdom which was confirmed on 3 January 2022, one outbreak near Upholland, West Lancashire, Lancashire, England, United Kingdom, which was confirmed on 7 January 2022, one outbreak near Byker, Newcastle Upon Tyne, Tyne & Wear, England, United Kingdom, which was confirmed on 25 January 2022, one outbreak near Bishop's Waltham, Winchester, Hampshire, England, which was confirmed on 4 February 2022, one outbreak near Welshpool, Montgomeryshire, Powys, Wales, United Kingdom, which was confirmed on 21 February 2022 and one outbreak near Collieston, Aberdeenshire, Scotland, United Kingdom, which was confirmed on 11 March 2022. The United Kingdom has also submitted information on the measures it has taken to prevent the further spread of that disease. In particular, following these outbreaks of highly pathogenic avian influenza, the United Kingdom has implemented a stamping out policy in order to control and limit the spread of that disease. In addition, the United Kingdom has completed the requisite cleaning and disinfection measures following the implementation of the stamping out policy on the infected poultry establishments on its territory.
- (15) The Commission has evaluated the information submitted by Canada and the United Kingdom and concluded that the highly pathogenic avian influenza outbreaks in poultry establishments have been cleared and that there is no longer any risk associated with the entry into the Union of poultry commodities from the zones of Canada and the United Kingdom from which the entry into the Union of poultry commodities were suspended due to these outbreaks.

- (16) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended to take account of the current epidemiological situation as regards highly pathogenic avian influenza in Canada, the United Kingdom and the United States. Regulation (EU) 2021/404 should therefore be amended accordingly.
- (17) Taking into account the current epidemiological situation in Canada, the United Kingdom and the United States as regards highly pathogenic avian influenza and the serious risk of its introduction into the Union, the amendments to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (18) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 22 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

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

(1) Annex V is amended as follows:

(a) Part 1 is amended as follows:

(i) in the entry for Canada, the rows for the zone CA-2.2 are replaced by the following:

‘CA Canada	CA-2.2	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		8.2.2022	11.6.2022
		Breeding ratites and productive ratites	BPR	N, P1		8.2.2022	11.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		8.2.2022	11.6.2022
		Ratites intended for slaughter	SR	N, P1		8.2.2022	11.6.2022
		Day-old chicks other than ratites	DOC	N, P1		8.2.2022	11.6.2022
		Day-old chicks of ratites	DOR	N, P1		8.2.2022	11.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		8.2.2022	11.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		8.2.2022	11.6.2022
		Hatching eggs of ratites	HER	N, P1		8.2.2022	11.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		8.2.2022	11.6.2022’

(ii) in the entry for Canada, the following rows for the zones CA-2.68 to CA-2.70 are added after the rows for the zone CA-2.67:

‘CA Canada	CA-2.68	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		4.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		4.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		4.5.2022	
		Ratites intended for slaughter	SR	N, P1		4.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		4.5.2022	
		Day-old chicks of ratites	DOR	N, P1		4.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		4.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		4.5.2022	
		Hatching eggs of ratites	HER	N, P1		4.5.2022	

		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		4.5.2022	
	CA-2.69	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		4.6.2022	
		Breeding ratites and productive ratites	BPR	N, P1		4.6.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		4.6.2022	
		Ratites intended for slaughter	SR	N, P1		4.6.2022	
		Day-old chicks other than ratites	DOC	N, P1		4.6.2022	
		Day-old chicks of ratites	DOR	N, P1		4.6.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		4.6.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		4.6.2022	
		Hatching eggs of ratites	HER	N, P1		4.6.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		4.6.2022	
	CA-2.70	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		4.6.2022	
		Breeding ratites and productive ratites	BPR	N, P1		4.6.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		4.6.2022	
		Ratites intended for slaughter	SR	N, P1		4.6.2022	
		Day-old chicks other than ratites	DOC	N, P1		4.6.2022	
		Day-old chicks of ratites	DOR	N, P1		4.6.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		4.6.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		4.6.2022	
		Hatching eggs of ratites	HER	N, P1		4.6.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		4.6.2022'	

(iii) in the entry for the United Kingdom, the rows for the zone GB-2.69 are replaced by the following:

'GB United King- dom	GB-2.69	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		16.12.2021	14.6.2022
		Breeding ratites and productive ratites	BPR	N, P1		16.12.2021	14.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		16.12.2021	14.6.2022
		Ratites intended for slaughter	SR	N, P1		16.12.2021	14.6.2022
		Day-old chicks other than ratites	DOC	N, P1		16.12.2021	14.6.2022
		Day-old chicks of ratites	DOR	N, P1		16.12.2021	14.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		16.12.2021	14.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		16.12.2021	14.6.2022
		Hatching eggs of ratites	HER	N, P1		16.12.2021	14.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		16.12.2021	14.6.2022'

(iv) in the entry for the United Kingdom, the rows for the zone GB-2.76 are replaced by the following:

'GB United King- dom	GB-2.76	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		11.12.2021	20.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		11.12.2021	20.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		11.12.2021	20.5.2022
		Ratites intended for slaughter	SR	N, P1		11.12.2021	20.5.2022
		Day-old chicks other than ratites	DOC	N, P1		11.12.2021	20.5.2022
		Day-old chicks of ratites	DOR	N, P1		11.12.2021	20.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		11.12.2021	20.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		11.12.2021	20.5.2022
		Hatching eggs of ratites	HER	N, P1		11.12.2021	20.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		11.12.2021	20.5.2022'

(v) in the entry for the United Kingdom, the rows for the zone GB-2.81 are replaced by the following:

‘GB United King- dom	GB-2.81	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		31.12.2021	14.6.2022
		Breeding ratites and productive ratites	BPR	N, P1		31.12.2021	14.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		31.12.2021	14.6.2022
		Ratites intended for slaughter	SR	N, P1		31.12.2021	14.6.2022
		Day-old chicks other than ratites	DOC	N, P1		31.12.2021	14.6.2022
		Day-old chicks of ratites	DOR	N, P1		31.12.2021	14.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		31.12.2021	14.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		31.12.2021	14.6.2022
		Hatching eggs of ratites	HER	N, P1		31.12.2021	14.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		31.12.2021	14.6.2022’

(vi) in the entry for the United Kingdom, the rows for the zones GB-2.83 and GB-2.84 are replaced by the following:

‘GB United King- dom	GB-2.83	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		2.1.2022	14.6.2022
		Breeding ratites and productive ratites	BPR	N, P1		2.1.2022	14.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		2.1.2022	14.6.2022
		Ratites intended for slaughter	SR	N, P1		2.1.2022	14.6.2022
		Day-old chicks other than ratites	DOC	N, P1		2.1.2022	14.6.2022
		Day-old chicks of ratites	DOR	N, P1		2.1.2022	14.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		2.1.2022	14.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		2.1.2022	14.6.2022
		Hatching eggs of ratites	HER	N, P1		2.1.2022	14.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		2.1.2022	14.6.2022
	GB-2.84	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		3.1.2022	14.6.2022

		Breeding ratites and productive ratites	BPR	N, P1		3.1.2022	14.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		3.1.2022	14.6.2022
		Ratites intended for slaughter	SR	N, P1		3.1.2022	14.6.2022
		Day-old chicks other than ratites	DOC	N, P1		3.1.2022	14.6.2022
		Day-old chicks of ratites	DOR	N, P1		3.1.2022	14.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		3.1.2022	14.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		3.1.2022	14.6.2022
		Hatching eggs of ratites	HER	N, P1		3.1.2022	14.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		3.1.2022	14.6.2022'

(vii) in the entry for the United Kingdom, the rows for the zone GB-2.87 are replaced by the following:

'GB United King- dom	GB-2.87	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		7.1.2022	10.6.2022
		Breeding ratites and productive ratites	BPR	N, P1		7.1.2022	10.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		7.1.2022	10.6.2022
		Ratites intended for slaughter	SR	N, P1		7.1.2022	10.6.2022
		Day-old chicks other than ratites	DOC	N, P1		7.1.2022	10.6.2022
		Day-old chicks of ratites	DOR	N, P1		7.1.2022	10.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		7.1.2022	10.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		7.1.2022	10.6.2022
		Hatching eggs of ratites	HER	N, P1		7.1.2022	10.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		7.1.2022	10.6.2022'

(viii) in the entry for the United Kingdom, the rows for the zone GB-2.93 are replaced by the following:

‘GB United King- dom	GB-2.93	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		25.1.2022	16.6.2022
		Breeding ratites and productive ratites	BPR	N, P1		25.1.2022	16.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		25.1.2022	16.6.2022
		Ratites intended for slaughter	SR	N, P1		25.1.2022	16.6.2022
		Day-old chicks other than ratites	DOC	N, P1		25.1.2022	16.6.2022
		Day-old chicks of ratites	DOR	N, P1		25.1.2022	16.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		25.1.2022	16.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		25.1.2022	16.6.2022
		Hatching eggs of ratites	HER	N, P1		25.1.2022	16.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		25.1.2022	16.6.2022’

(ix) in the entry for the United Kingdom, the rows for the zone GB-2.96 are replaced by the following:

‘GB United King- dom	GB-2.96	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		4.2.2022	15.6.2022
		Breeding ratites and productive ratites	BPR	N, P1		4.2.2022	15.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		4.2.2022	15.6.2022
		Ratites intended for slaughter	SR	N, P1		4.2.2022	15.6.2022
		Day-old chicks other than ratites	DOC	N, P1		4.2.2022	15.6.2022
		Day-old chicks of ratites	DOR	N, P1		4.2.2022	15.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		4.2.2022	15.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		4.2.2022	15.6.2022
		Hatching eggs of ratites	HER	N, P1		4.2.2022	15.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		4.2.2022	15.6.2022’

(x) in the entry for the United Kingdom, the rows for zone GB-2.100 are replaced by the following:

'GB United King- dom	GB-2.100	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		21.2.2022	26.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		21.2.2022	26.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		21.2.2022	26.5.2022
		Ratites intended for slaughter	SR	N, P1		21.2.2022	26.5.2022
		Day-old chicks other than ratites	DOC	N, P1		21.2.2022	26.5.2022
		Day-old chicks of ratites	DOR	N, P1		21.2.2022	26.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		21.2.2022	26.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		21.2.2022	26.5.2022
		Hatching eggs of ratites	HER	N, P1		21.2.2022	26.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		21.2.2022	26.5.2022'

(xi) in the entry for the United Kingdom, the rows for the zone GB-2.105 are replaced by the following:

'GB United King- dom	GB-2.105	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		11.3.2022	11.6.2022
		Breeding ratites and productive ratites	BPR	N, P1		11.3.2022	11.6.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		11.3.2022	11.6.2022
		Ratites intended for slaughter	SR	N, P1		11.3.2022	11.6.2022
		Day-old chicks other than ratites	DOC	N, P1		11.3.2022	11.6.2022
		Day-old chicks of ratites	DOR	N, P1		11.3.2022	11.6.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		11.3.2022	11.6.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		11.3.2022	11.6.2022
		Hatching eggs of ratites	HER	N, P1		11.3.2022	11.6.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		11.3.2022	11.6.2022'

(xii) in the entry for the United Kingdom, the following rows for the zones GB-2.125 and GB2.126 are added after the rows for the zone GB-2.124:

‘GB United King- dom	GB-2.125	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		19.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		19.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		19.5.2022	
		Ratites intended for slaughter	SR	N, P1		19.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		19.5.2022	
		Day-old chicks of ratites	DOR	N, P1		19.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		19.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		19.5.2022	
		Hatching eggs of ratites	HER	N, P1		19.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		19.5.2022	
	GB-2.126	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		15.6.2022	
		Breeding ratites and productive ratites	BPR	N, P1		15.6.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		15.6.2022	
		Ratites intended for slaughter	SR	N, P1		15.6.2022	
		Day-old chicks other than ratites	DOC	N, P1		15.6.2022	
		Day-old chicks of ratites	DOR	N, P1		15.6.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		15.6.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		15.6.2022	
		Hatching eggs of ratites	HER	N, P1		15.6.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		15.6.2022’	

(xiii) in the entry for the United States, the following rows for the zones US-2.225 to US-2.228 are added after the rows for the zone US-2.224:

US United States	US-2.225	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		6.6.2022	
		Breeding ratites and productive ratites	BPR	N, P1		6.6.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		6.6.2022	
		Ratites intended for slaughter	SR	N, P1		6.6.2022	
		Day-old chicks other than ratites	DOC	N, P1		6.6.2022	
		Day-old chicks of ratites	DOR	N, P1		6.6.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		6.6.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		6.6.2022	
		Hatching eggs of ratites	HER	N, P1		6.6.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		6.6.2022	
	US-2.226	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		7.6.2022	
		Breeding ratites and productive ratites	BPR	N, P1		7.6.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		7.6.2022	
		Ratites intended for slaughter	SR	N, P1		7.6.2022	
		Day-old chicks other than ratites	DOC	N, P1		7.6.2022	
		Day-old chicks of ratites	DOR	N, P1		7.6.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		7.6.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		7.6.2022	
		Hatching eggs of ratites	HER	N, P1		7.6.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		7.6.2022	
	US-2.227	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		7.6.2022	
		Breeding ratites and productive ratites	BPR	N, P1		7.6.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		7.6.2022	

		Ratites intended for slaughter	SR	N, P1		7.6.2022	
		Day-old chicks other than ratites	DOC	N, P1		7.6.2022	
		Day-old chicks of ratites	DOR	N, P1		7.6.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		7.6.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		7.6.2022	
		Hatching eggs of ratites	HER	N, P1		7.6.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		7.6.2022	
	US-2.228	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		7.6.2022	
		Breeding ratites and productive ratites	BPR	N, P1		7.6.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		7.6.2022	
		Ratites intended for slaughter	SR	N, P1		7.6.2022	
		Day-old chicks other than ratites	DOC	N, P1		7.6.2022	
		Day-old chicks of ratites	DOR	N, P1		7.6.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		7.6.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		7.6.2022	
		Hatching eggs of ratites	HER	N, P1		7.6.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		7.6.2022'	

(b) Part 2 is amended as follows:

- (i) in the entry for Canada, the following descriptions of the zones CA-2.68 to CA-2.70 are added after the description of the zone CA-2.67:

'Canada	CA-2.68	Saskatchewan - Latitude 50.23 Longitude -105.51 The municipalities involved are: 3km PZ: Leakville 10km SZ: Buttress
	CA-2.69	British Columbia - Latitude 49.47 Longitude -123.77 The municipalities involved are: 3km PZ: Sechelt 10km SZ: Halfmoon Bay, Redrooffs, Welcome Beach, Selma Park and Davis Bay

	CA-2.70	British Columbia - Latitude 49.62 Longitude -119.71 The municipalities involved are: 3km PZ: Crescent Beach, Summerland and Prairie Valley 10km SZ: Garnet Valley, Trout Creek and Naramata'
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(ii) in the entry for the United Kingdom, the following descriptions of the zone GB-2.125 is added after the description of the zone GB-2.124:

'United Kingdom	GB-2.125	Near Southwell, Newark and Sherwood, Nottinghamshire, England, United Kingdom: The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates N53.08 and W1.02.
	GB-2.126	Near Bexhill-on-Sea, Rother, East Sussex, England, United Kingdom: The area contained with a circle of a radius of 10km, centred on WGS84 dec, coordinates N50.85 and E0.48. '

(iii) in the entry for the United States, the following description of the zones US-2.225 to US-2.228 is added after the description of the zone US-2.224:

'United States	US-2.225	State of North Dakota McHenry County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 100.9582508°W 48.6336040°N).
	US-2.226	State of Colorado - Weld 02 Weld County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 104.3905872°W 40.2270488°N).
	US-2.227	State of Indiana Allen County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 85.0330293°W 41.2930932°N).
	US-2.228	State of Washington King County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 122.2801723°W 47.8554063°N).'

(2) in Annex XIV, Part 1 is amended as follows:

(i) in the entry for Canada, the rows for the zone CA-2.2 are replaced by the following:

'CA Canada	CA-2.2	Fresh meat of poultry other than ratites	POU	N, P1		8.2.2022	11.6.2022
		Fresh meat of ratites	RAT	N, P1		8.2.2022	11.6.2022
		Fresh meat of game birds	GBM	P1		8.2.2022	11.6.2022'

- (ii) in the entry for Canada, the following rows for the zones CA-2.68 to CA-2.70 are added after the rows for the zone CA-2.67:

'CA Canada	CA-2.68	Fresh meat of poultry other than ratites	POU	N, P1		4.5.2022	
		Fresh meat of ratites	RAT	N, P1		4.5.2022	
		Fresh meat of game birds	GBM	P1		4.5.2022	
	CA-2.69	Fresh meat of poultry other than ratites	POU	N, P1		4.6.2022	
		Fresh meat of ratites	RAT	N, P1		4.6.2022	
		Fresh meat of game birds	GBM	P1		4.6.2022	
	CA-2.70	Fresh meat of poultry other than ratites	POU	N, P1		4.6.2022	
		Fresh meat of ratites	RAT	N, P1		4.6.2022	
		Fresh meat of game birds	GBM	P1		4.6.2022'	

- (iii) in the entry for the United Kingdom, the rows for the zone GB-2.69 are replaced by the following:

'GB United King- dom	GB-2.69	Fresh meat of poultry other than ratites	POU	N, P1		16.12.2021	14.6.2022
		Fresh meat of ratites	RAT	N, P1		16.12.2021	14.6.2022
		Fresh meat of game birds	GBM	P1		16.12.2021	14.6.2022'

- (iv) in the entry for the United Kingdom, the rows for the zone GB-2.76 are replaced by the following:

'GB United King- dom	GB-2.76	Fresh meat of poultry other than ratites	POU	N, P1		11.12.2021	20.5.2022
		Fresh meat of ratites	RAT	N, P1		11.12.2021	20.5.2022
		Fresh meat of game birds	GBM	P1		11.12.2021	20.5.2022'

- (v) in the entry for the United Kingdom, the rows for the zone GB-2.81 are replaced by the following:

'GB United King- dom	GB-2.81	Fresh meat of poultry other than ratites	POU	N, P1		31.12.2021	14.6.2022
		Fresh meat of ratites	RAT	N, P1		31.12.2021	14.6.2022
		Fresh meat of game birds	GBM	P1		31.12.2021	14.6.2022'

(vi) in the entry for the United Kingdom, the rows for the zones GB-2.83 and GB-2.84 are replaced by the following:

'GB United King- dom	GB-2.83	Fresh meat of poultry other than ratites	POU	N, P1		2.1.2022	14.6.2022
		Fresh meat of ratites	RAT	N, P1		2.1.2022	14.6.2022
		Fresh meat of game birds	GBM	P1		2.1.2022	14.6.2022
	GB-2.84	Fresh meat of poultry other than ratites	POU	N, P1		3.1.2022	14.6.2022
		Fresh meat of ratites	RAT	N, P1		3.1.2022	14.6.2022
		Fresh meat of game birds	GBM	P1		3.1.2022	14.6.2022'

(vii) in the entry for the United Kingdom, the rows for the zone GB-2.87 are replaced by the following:

'GB United King- dom	GB-2.87	Fresh meat of poultry other than ratites	POU	N, P1		7.1.2022	10.6.2022
		Fresh meat of ratites	RAT	N, P1		7.1.2022	10.6.2022
		Fresh meat of game birds	GBM	P1		7.1.2022	10.6.2022'

(viii) in the entry for the United Kingdom, the rows for the zone GB-2.93 are replaced by the following:

'GB United King- dom	GB-2.93	Fresh meat of poultry other than ratites	POU	N, P1		25.1.2022	16.6.2022
		Fresh meat of ratites	RAT	N, P1		25.1.2022	16.6.2022
		Fresh meat of game birds	GBM	P1		25.1.2022	16.6.2022'

(ix) in the entry for the United Kingdom, the rows for the zone GB-2.96 are replaced by the following:

'GB United King- dom	GB-2.96	Fresh meat of poultry other than ratites	POU	N, P1		4.2.2022	15.6.2022
		Fresh meat of ratites	RAT	N, P1		4.2.2022	15.6.2022
		Fresh meat of game birds	GBM	P1		4.2.2022	15.6.2022'

(x) in the entry for the United Kingdom, the rows for the zone GB-2.100 are replaced by the following:

'GB United King- dom	GB-2.100	Fresh meat of poultry other than ratites	POU	N, P1		21.2.2022	26.5.2022
		Fresh meat of ratites	RAT	N, P1		21.2.2022	26.5.2022
		Fresh meat of game birds	GBM	P1		21.2.2022	26.5.2022'

(xi) in the entry for the United Kingdom, the rows for the zone GB-2.105 are replaced by the following:

'GB United King- dom	GB-2.105	Fresh meat of poultry other than ratites	POU	N, P1		11.3.2022	11.6.2022
		Fresh meat of ratites	RAT	N, P1		11.3.2022	11.6.2022
		Fresh meat of game birds	GBM	P1		11.3.2022	11.6.2022'

(xii) in the entry for the United Kingdom, the following rows for the zone GB-2.125 and GB-2.126 are added after the rows for the zone GB-2.124:

'GB United King- dom	GB-2.125	Fresh meat of poultry other than ratites	POU	N, P1		19.5.2022	
		Fresh meat of ratites	RAT	N, P1		19.5.2022	
		Fresh meat of game birds	GBM	P1		19.5.2022	
	GB-2.125	Fresh meat of poultry other than ratites	POU	N, P1		15.6.2022	
		Fresh meat of ratites	RAT	N, P1		15.6.2022	
		Fresh meat of game birds	GBM	P1		15.6.2022'	

(xiii) in the entry for the United States, the following rows for the zones US-2.225 to US-2.228 is added after the rows for the zone US-2.224:

'US United States	US-2.225	Fresh meat of poultry other than ratites	POU	N, P1		6.6.2022	
		Fresh meat of ratites	RAT	N, P1		6.6.2022	
		Fresh meat of game birds	GBM	P1		6.6.2022	
	US-2.226	Fresh meat of poultry other than ratites	POU	N, P1		7.6.2022	
		Fresh meat of ratites	RAT	N, P1		7.6.2022	
		Fresh meat of game birds	GBM	P1		7.6.2022	
	US-2.227	Fresh meat of poultry other than ratites	POU	N, P1		7.6.2022	
		Fresh meat of ratites	RAT	N, P1		7.6.2022	
		Fresh meat of game birds	GBM	P1		7.6.2022	
	US-2.228	Fresh meat of poultry other than ratites	POU	N, P1		7.6.2022	
		Fresh meat of ratites	RAT	N, P1		7.6.2022	
		Fresh meat of game birds	GBM	P1		7.6.2022'	

COMMISSION IMPLEMENTING REGULATION (EU) 2022/977**of 22 June 2022**

accepting two requests for new exporting producer treatment with regard to the definitive anti-dumping measures imposed on imports of high tenacity yarns of polyesters originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/325

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ (the 'basic Regulation'),

Having regard to Commission Implementing Regulation (EU) 2017/325 of 24 February 2017 imposing a definitive anti-dumping duty on imports of high tenacity yarns of polyesters originating in the People's Republic of China ⁽²⁾, and, in particular, Article 2 thereof,

Whereas,

A. MEASURES IN FORCE

- (1) On 29 November 2010, the Council imposed a definitive anti-dumping duty on imports of high tenacity yarns of polyesters ('the product concerned') originating in the People's Republic of China (the PRC) by Council Implementing Regulation (EU) No 1105/2010 ⁽³⁾ ('the original Regulation').
- (2) On 26 February 2017, following an expiry review pursuant to Article 11(2) of the basic Regulation, the Commission extended the measures of the original Regulation for another 5 years by Implementing Regulation (EU) 2017/325.
- (3) In the investigation resulting in the imposition of anti-dumping duties ('original investigation'), sampling was applied for investigating the exporting producers in the PRC in accordance with Article 17 of the basic Regulation. The cooperating exporting producers not included in the sample are listed in the Annex to Implementing Regulation (EU) 2017/325.
- (4) The Commission imposed individual anti-dumping duty rates ranging from 0 % to 9,8 % on imports of the product concerned for the sampled exporting producers from PRC. For the cooperating exporting producers that were not included in the sample, a duty rate of 5,3 % was imposed.
- (5) Pursuant to Article 4 of the original Regulation, the Commission may amend the annex to that Regulation, by granting a new exporting producer the duty rate applicable to the cooperating companies not included in the sample, where any new exporting producer in the PRC provides sufficient evidence to the Commission that:
 - (a) it did not export to the Union the product concerned during the period of investigation on which the measures are based, that is from 1 July 2008 to 30 June 2009 ('the original investigation period') ('first NEPT condition');
 - (b) it is not related to any of the exporters or producers in the PRC which are subject to the anti-dumping measures imposed by the original Regulation ('second NEPT condition'); and
 - (c) it has actually exported to the Union the product concerned after the end of the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity to the Union ('third NEPT condition').

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ OJ L 49, 25.2.2017, p. 6.

⁽³⁾ OJ L 315, 1.12.2010, p. 1.

B. REQUESTS FOR NEW EXPORTING PRODUCER TREATMENT

- (6) The companies Fujian Billion Polymerization Fiber Technology Industrial Co., Ltd. and Zhejiang Sanwei Material Technology Co., Ltd. (the ‘applicants’) submitted a request to the Commission to be granted new exporting producer treatment (‘NEPT’) The applicants claimed that they met all three conditions set out in Article 4 of the original Regulation (‘the NEPT conditions’).
- (7) In order to determine whether the applicants fulfilled the conditions for being granted NEPT, the Commission first sent a questionnaire to the applicants requesting evidence showing that it met the NEPT conditions.
- (8) Following the analysis of the questionnaire replies, the Commission requested further information and supporting evidence, which was submitted by the applicants.
- (9) The Commission sought to verify all information it deemed necessary for the purpose of determining whether the applicants met the NEPT conditions. To this end, the Commission analysed the evidence submitted by the applicants in its questionnaire reply, consulting various online databases including Orbis ⁽⁴⁾ and cross-checking company information against publicly available information on the internet. In parallel, the Commission also informed the Union industry about the applicants’ request and invited it to provide any comments if deemed necessary. The Union industry did not submit comments with regard to the applicants’ compliance with the NEPT conditions.

C. ANALYSIS OF THE REQUESTS

Fujian Billion Polymerization Fiber Technology Industrial Co., Ltd. (‘Billion’)

- (10) With regard to the first NEPT condition, during the original investigation period Billion had no industrial yarn production capacity and thus did not export to the Union. Billion invested in such production capacity as from 2019 ⁽⁵⁾. Therefore, and in the absence of any evidence to the contrary, the applicant fulfils this condition.
- (11) With regard to the second NEPT condition, the Commission established that Billion is not related to any of the Chinese exporting producers subject to the original anti-dumping measures. Moreover, the Commission examined Billion’s shareholders and none of them are subject to the anti-dumping measures imposed by the original Regulation. Therefore, the applicant fulfils this condition.
- (12) With regard to the third NEPT condition, the Commission established that the applicant exported to the Union in 2021, therefore after the original investigation period. Billion submitted invoices, a packing list, a bill of lading and a receipt of payment for an order placed in 2021 by companies located in Belgium and the Netherlands. Therefore, Billion fulfils this condition.
- (13) Accordingly, Billion fulfils all three conditions to be granted NEPT and the request should be accepted. Consequently, the applicant should be subject to an anti-dumping duty for cooperating companies not included in the sample of the original investigation.

Zhejiang Sanwei Material Technology Co., Ltd. (‘Sanwei’)

- (14) With regard to the first NEPT condition, the Commission established that the applicant indeed did not export to the Union during the original investigation period as Sanwei was founded in October 2017. Therefore, and in the absence of any evidence to the contrary, the applicant fulfils this condition.
- (15) With regard to the second NEPT condition, the Commission established that Sanwei is not related to any of the Chinese exporting producers which are subject to the original anti-dumping measures. Moreover, the Commission examined Sanwei’s shareholders and none of them are subject to the anti-dumping measures imposed by the original Regulation. Therefore, the applicant fulfils this condition.

⁽⁴⁾ Orbis is a global data provider of corporate information covering more than 220 million companies across the globe. It mainly provides standardised information on private companies and corporate structures.

⁽⁵⁾ https://www.oerlikon.com › ecoma › files › 2020-07_OBA_Billion_IDY_en.pdf.

- (16) With regard to the third NEPT condition, the Commission established that the applicant exported to the Union in 2021, after the original investigation period. Sanwei submitted invoices, a packing list, a bill of lading and a receipt of payment for an order placed in 2021 by a German company. Therefore, Sanwei fulfils this condition.
- (17) Accordingly, Sanwei fulfils all three conditions to be granted NEPT and the request should be accepted. Consequently, the applicant should be subject to an anti-dumping duty for cooperating companies not included in the sample of the original investigation.

D. DISCLOSURE

- (18) The applicants and the Union industry were informed of the essential facts and considerations based on which it was considered appropriate to grant the anti-dumping duty rate applicable to the cooperating companies not included in the sample of the original investigation to Fujian Billion Polymerization Fiber Technology Industrial Co., Ltd. and Zhejiang Sanwei Material Technology Co., Ltd.
- (19) The parties were granted the possibility to submit comments. No comments were received.
- (20) The Regulation is in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036.

HAS ADOPTED THIS REGULATION:

Article 1

The following companies shall be added to the list of exporting producers from the People's Republic of China in the Annex to Implementing Regulation (EU) 2017/325:

Company	TARIC additional code
Fujian Billion Polymerization Fiber Technology Industrial Co., Ltd.	A977
Zhejiang Sanwei Material Technology Co., Ltd.	A977

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, 22 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2022/978**of 23 June 2022****amending Implementing Regulation (EU) 2019/159 imposing a definitive safeguard measure on imports of certain steel products**

THE EUROPEAN COMMISSION,

Having regard to Regulation (EU) 2015/478 of the European Parliament and of the Council of 11 March 2015 on common rules for imports ⁽¹⁾ and in particular Articles 16 and 20 thereof,

Having regard to Regulation (EU) 2015/755 of the European Parliament and of the Council of 29 April 2015 on common rules for imports from certain third countries ⁽²⁾, and in particular Articles 13 and 16 thereof,

Whereas:

1. BACKGROUND

- (1) By Commission Implementing Regulation (EU) 2019/159 ⁽³⁾, the European Commission imposed a definitive safeguard measure on certain steel products ('the safeguard measure'), which consists of tariff-rate quotas ('TRQs') with respect to certain steel products ('the product concerned') encompassing 26 steel product categories, set at levels preserving traditional trade flows on a per-product-category basis. A 25 % tariff duty applies only if the quantitative thresholds of these TRQs are exceeded. The safeguard measure was imposed for an initial period of three years, that is to say, until 30 June 2021 ('the Definitive Regulation').
- (2) By Commission Implementing Regulation (EU) 2021/1029 ⁽⁴⁾ ('the Prolongation Regulation'), the Commission prolonged the safeguard measure until 30 June 2024.
- (3) In recital (161) of the Definitive Regulation, the Commission committed to "carry out an assessment of the situation on a regular basis, and consider a review at least at the end of each year of imposition of measures". In this spirit, the Commission conducted two functioning review investigations in 2019 and 2020 respectively.
- (4) In recital (85) of the Prolongation Regulation, the Commission stated "in order to keep in the meantime the operation of the safeguard adapted to market evolution and in line with the interest of all stakeholders, the Commission will undertake a functioning review, like those conducted in 2019 and 2020. Such functioning review will be initiated sufficiently in advance to introduce any needed changes from 1 July 2022, after the first year of prolongation".
- (5) Accordingly, the Commission initiated a functioning review investigation by means of a Notice of Initiation ('NOI') published in the *Official Journal of the European Union* on 17 December 2021 ⁽⁵⁾ inviting interested parties to make their views known and submit evidence concerning in particular the following grounds of review:
 - (a) Allocation and management of quotas;
 - (b) Crowding out of traditional trade flows;
 - (c) Update of the list of developing countries subject to the measure;
 - (d) Level of liberalisation;
 - (e) Impact on the measure due to the changes in the US Section 232 measure.

⁽¹⁾ OJ L 83, 27.3.2015, p. 16.

⁽²⁾ OJ L 123, 19.5.2015, p. 33.

⁽³⁾ Commission Implementing Regulation (EU) 2019/159 of 31 January 2019 imposing definitive safeguard measures against imports of certain steel products, (OJ L 31, 1.2.2019, p. 27).

⁽⁴⁾ Commission Implementing Regulation (EU) 2021/1029 of 24 June 2021 amending Commission Implementing Regulation (EU) 2019/159 to prolong the safeguard measure on imports of certain steel products (OJ L 225 I, 25.6.2021, p. 1).

⁽⁵⁾ Notice of Initiation concerning a review of the safeguard measure applicable to imports of certain steel products (2021/C 509/10) (OJ C 509, 17.12.2021, p. 12).

2. PROCEDURE

- (6) Due process took place under a two-stage written procedure, where parties first submitted their comments and supporting evidence, and subsequently, had the opportunity to rebut other parties' initial submissions. Overall, the Commission received more than one hundred submissions and rebuttals.
- (7) While the functioning review investigation was ongoing and before its conclusion, a series of amendments to the safeguard measure took place. In March 2022, by Regulation (EU) 2022/428 ⁽⁶⁾ the EU imposed an import ban on certain steel products from Russia and Belarus ⁽⁷⁾ as part of the fourth sanctions package in response to the Russian invasion of Ukraine. To avoid any potential shortage of supply in the Union steel market resulting from this ban, by Regulation (EU) 2022/434 ⁽⁸⁾, the Commission amended the safeguard measure by redistributing the country-specific quotas of Russia and Belarus proportionally among other supplying countries in each product category affected.
- (8) In addition, by Regulation (EU) 2022/664 ⁽⁹⁾ the Commission made South Africa and other Southern African Development Community (SADC) Economic Partnership Agreement (EPA) countries subject to the safeguard measure as of 1 May 2022 following the expiry of the exemption they had been benefitting from under a bilateral EPA.
- (9) Lastly, the Commission suspended temporarily the application of the safeguard measure vis-a-vis Ukraine ⁽¹⁰⁾. The effect of this suspension is that as long as it remains in place, imports from Ukraine are not accounted for in any quota, either country-specific or residual ⁽¹¹⁾. Similarly, the volumes of imports by Ukraine during the reference period of the original investigation (2015-2017) ⁽¹²⁾ are not accounted for the calculation of the residual quotas.

3. FINDINGS OF THE INVESTIGATION

- (10) Following an in-depth analysis of all the submissions received and the data available to it, the Commission arrived at the following conclusions. These conclusions are organized in the following sub-sections, as per the structure in the NOI.

3.1. Allocation and management of quotas

Comments from interested parties

- (11) Some interested parties (certain third countries and users) requested to replace the quarterly administration of quotas by a yearly administration, while others (Union industry) requested to introduce a monthly administration. Some parties (Union industry) also requested to limit the carry-over of unused quotas to 4%, while others (certain third countries and users) requested to redistribute the share of certain unused country-specific quotas ('CSQ'). In addition, other parties (certain third countries and users) requested to remove the system of CSQ and have the

⁽⁶⁾ Council Regulation (EU) 2022/428 of 15 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 87 I, 15.3.2022, p. 13).

⁽⁷⁾ For Belarus all steel products were subject to the import ban (i.e. all those subject to the safeguard measure were thus included), while for Russia the ban applied only to those steel products subject to the steel safeguard measure.

⁽⁸⁾ Commission Implementing Regulation (EU) 2022/434 of 15 March 2022 amending Regulation (EU) 2019/159 imposing a definitive safeguard measure against imports of certain steel products (OJ L 88, 16.3.2022, p. 181).

⁽⁹⁾ Commission Implementing Regulation (EU) 2022/664 of 21 April 2022 amending Implementing Regulation (EU) 2019/159 imposing a definitive safeguard measure against imports of certain steel products (OJ L 121, 22.4.2022, p. 12).

⁽¹⁰⁾ Regulation (EU) 2022/870 of the European Parliament and of the Council of 30 May 2022 on temporary trade-liberalisation measures supplementing trade concessions applicable to Ukrainian products under the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part (OJ L 152, 3.6.2022, p. 103).

⁽¹¹⁾ For this reason, even if in certain categories Ukraine appears listed in the Annex, those country-specific quotas having an order number linked to them are not applicable.

⁽¹²⁾ Including the subsequent increases on account of liberalisation.

quotas administered globally instead. Lastly, other interested parties requested to remove the quotas of certain countries and to redistribute these quotas among other origins, and that certain countries exporting under the residual quota be allocated a CSQ.

Assessment

- (12) The quotas, whether country-specific or residual, were allocated based on the export performance in the reference period of the original investigation ⁽¹³⁾. The system of quarterly administration of quotas has proven to be effective in bringing about stability to the Union market, avoiding sudden surges of imports that would destabilise the market ⁽¹⁴⁾ and ensuring an orderly and predictable flow of imports throughout the year. This system also allows that traditional trade flows in terms of volumes and origins are permitted without any additional duty.
- (13) This system strikes a balance among the opposing interests at stake. First, it works to the benefit of the Union industry because it avoids a flood of imports in a short period with the ensuing negative effects on the market. Second, it is also beneficial for certain third countries and certain Union users, which would otherwise be unduly crowded out from the market by other larger suppliers and would not be able to supply Union users, which would be in turn prevented from buying the material they need from these specific origins. Lastly, it allows larger exporting countries to exceed their traditional trade flows in most product categories by accessing the residual quota in the last quarter of a period when the incumbent suppliers were not able to fully use the quotas.
- (14) Accepting any of the claims brought forward by interested parties, as summarised in recital (11), would upset this balance and would risk undermining the effectiveness of the measure. Furthermore, in their submissions, parties have not proven by any evidence how the current system would not be appropriate and how the different adjustments they proposed would be in the overall Union interest (and not just in their individual interest) and compatible with the logic and a proper functioning of the measure.
- (15) For these reasons, the Commission considered that maintaining the current system of quota administration (quarterly administration and a combination of country-specific and residual quota), preserving the carry-over of unused quotas and the access to the residual quota in Q4 continues to be appropriate, and that is fair *vis-a-vis* all interested parties.

3.1.1. Adjustment to product categories 7 and 17

- (16) While the current system of quota allocation and administration is appropriate, the Commission nevertheless considered that it requires some technical adjustments to improve its functioning in light of changed circumstances. These concern product categories 7 (quarto plates) and 17 (angles, shapes and sections).
- (17) In these two product categories, Ukraine has been historically an important exporter ⁽¹⁵⁾ (representing around 33% of total quotas in each of these categories) and it has consistently used its quotas at rather high levels. However, the Commission observed ⁽¹⁶⁾ that since the unprovoked and unjustified military aggression of Russia against Ukraine, there have been virtually no imports of these two categories from Ukraine into the Union. This suggests that Ukraine is currently unable to produce and/or export these product categories in any meaningful volumes to the Union market. Under these circumstances, and having analysed the quota use by other exporting countries subject to the measure, the Commission considered that there would be a risk of potential shortage of supply for Union users in these categories if it did not take any action.

⁽¹³⁾ See recital (33) of Commission Implementing Regulation (EU) 2020/894 of 29 June 2020 amending Implementing Regulation (EU) 2019/159 imposing definitive safeguard measures against imports of certain steel products (OJ L 206, 30.6.2020, p. 27): “Lastly, the Commission also notes that the reference period used to calculate the TRQs constitutes one of the pillars in the design of the measures set ab initio by the definitive Regulation, and that the scope of the Review does not cover the substantial modification of the basic structure of the measures”.

⁽¹⁴⁾ *Ibid* at Section 3.2.1.

⁽¹⁵⁾ Category 7 is also affected by the import ban on a historically important supplier: Russia.

⁽¹⁶⁾ Source: Tariff Quota Consultation, accessible at:
https://ec.europa.eu/taxation_customs/dds2/taric/quota_consultation.jsp

- (18) For this reason, in the Union interest, the Commission considered it necessary to globalise the administration of the quotas that remain under the measure ⁽¹⁷⁾ in categories 7 and 17. In other words, the existing country specific quotas will be removed in order to make instead a single quota available for all origins, hence substantially increasing the flexibility for users to import the steel they may need from any source available within the quota volume in these categories.
- (19) The Commission concluded that given the past track of import volumes (quota use) and origins, this adjustment does not risk undermining the effectiveness of the measure *vis-a-vis* Union producers and it is unlikely that any crowding out would take place and traditional trade flows will be preserved. This adjustment will be reassessed in view of the development of trade flows in these categories and of the suspension of the application of the safeguard *vis-a-vis* Ukraine, or if undue crowding out effects are identified.

3.2. Crowding out of traditional trade flows

- (20) In the definitive measure, the Commission introduced a mechanism whereby countries having exhausted their CSQ could also access (free-of-duty until its exhaustion) the residual quota initially available in the last quarter (April-June) of every annual period of the measure.
- (21) The Commission justified this mechanism in the interest of Union importers and users as this would not only ensure the maintenance of traditional trade flows but also avoid that, as the case may be, parts of the residual tariff-rate quota would remain unused.
- (22) Under the first functioning review in 2019, the Commission observed that in two product categories, countries benefiting from a country-specific TRQ had used almost exclusively the full amount of the residual quota in Q4 in a matter of two days. As a result, historical – smaller – suppliers could not export free-of-duty during the last quarter of a period. This negatively affected traditional trade flows in terms of origin to the detriment of certain third countries and certain Union users. To offset this unintended negative effect, the Commission introduced a cap of 30% per country accessing the residual quota Q4 in Category 13 (Rebars) and Category 16 (Wire rod).
- (23) Under the second functioning review in 2020, and after identifying more cases of crowding out in several product categories, the Commission devised a system whereby the access to Q4 would depend on the import trends observed and actual use of the residual quota by the smaller suppliers that are the natural beneficiaries of this section of the TRQ ⁽¹⁸⁾.
- (24) In order to minimize the displacement of traditional origins in the residual quota, while continue allowing additional access in those categories where it is necessary to ensure the maximum use of the quota, the Commission created a system whereby each product category would fall within one of the following three different groups, corresponding to three different access scenarios. This system fulfils one the key principles and objectives of the safeguard measure, namely to ensure that traditional trade flows in terms of origins are preserved.
- (25) These three regimes currently in place are:
- No access – where incumbent suppliers under the residual were able to use the residual quotas by themselves, and crowding out effects had been identified;
 - Limited access – where incumbent suppliers were able to use only part of the residual quota available to them, and additional origins were needed, in limited amounts, to exhaust quotas;
 - No limitation – in those categories where the residual quotas were not highly used and no crowding out effects were identified.

⁽¹⁷⁾ Quotas corresponding to Ukraine are not part of the safeguard measure, and hence, not available to any other country as long as the temporary suspension referred to in recital (9) remains in place.

⁽¹⁸⁾ See Section 3.2.3 of Implementing Regulation (EU) 2020/894.

Comments from interested parties

- (26) Some interested parties (some third countries and users) requested that access to the residual quota in Q4 be completely removed. Others requested that certain changes be made specific to certain product categories, while others (including some third countries and users, as well as the Union industry) requested the prohibition to larger exporting countries in a given category to access the residual quota altogether or to implement a more restrictive approach.

Assessment

- (27) The Commission considered, having examined the submissions received and the functioning of the measure, that the current system continued to be the most appropriate insofar as it ensured that users maximise their chances of using up the residual quota, but also that traditional trade flows in terms of origins are respected (which is equally in the interest of users). The system of allowing access to the residual quota was the rule in all product categories but four.
- (28) Accepting the requests from interested parties would amount to either preventing certain users from increasing their imports free of duty where there may be demand for it in the Union market, or it would prevent other Union users from purchasing products from certain origins also necessary for the Union market due to crowding out effects. At the same time, the system ensures that the additional volumes that some countries may export under this system remain within the boundaries that ensure that they do not undermine the effectiveness of the measure as far as Union producers are concerned. Therefore, the current system is the most suitable in the overall Union interest.

Adjustment

- (29) In the ongoing review, the Commission assessed whether crowding out effects had taken place. To do so the Commission, based on the same type of analysis undertaken in the second review, updated the different regimes based on the data available since then. This means that the Commission analysed import data and quota use per origin and category from 1 April 2020 until 31 March 2022.
- (30) On the basis of the same methodology applied in the second functioning review, but with updated data, the access regimes per product category are updated as follows (for specific volumes see Annex II):
- No access: 5, 9, 21
 - Limited access: 12, 13, 14, 16, 20, 27
 - No limitation: 2, 3A, 3B, 4A, 6, 10, 15, 18, 19, 22, 24, 25B, 26, 28.
- (31) In line with the principles applied in the previous functioning review, the following categories will be subject to a special regime:
- 1 and 4B.
- (32) In the case of categories 7, 8, 17 and 25A, they will be administered globally. Therefore, the possibility to access Q4 is not applicable, as there are no countries exporting under a country-specific quota.
- (33) For categories 1 and 4B, the current regime whereby access is granted in Q4 with a 30% cap per exporting country continues to be deemed appropriate in order to ensure sufficient variety of sources of supply while avoiding crowding out effects through an excessive flow of additional imports beyond traditional trade flows.
- (34) Overall, by this feature the measure would continue allowing access to the residual quota in Q4 in the large majority of product categories (in all but three categories).

3.3. Update of the list of developing countries subject to the measure

- (35) Any developing country member of the WTO was excluded from the application of the definitive measure, as long as its share of imports remains below 3% of the total imports for each product category. The Commission committed to monitoring the development of imports after the adoption of the measure and to reviewing the list of excluded countries on a regular basis.

- (36) The last update took place in the framework of the review investigation following to the Withdrawal Agreement between the Union and the United Kingdom ('UK'), as of 1 January 2021, and it remained unchanged since 1 January 2021. Thus, to adapt the list of developing countries subject to, and excluded from, the measure the Commission re-run the calculations based on the most recently available consolidated import data, i.e. year 2021 import statistics ⁽¹⁹⁾.

Adjustment

- (37) The changes resulting from this update are the following (The updated table is available in Annex I).
- All developing countries are included in category 4A, because the sum of all imports in 2021 that were below 3% is higher than 9%;
 - Brazil is excluded in categories 2 and 3A and included in category 6;
 - China is excluded in category 25A and included in categories 2, 3A, 9 and 14;
 - Egypt is included in category 1 and 24;
 - India is excluded in category 3B and included in category 8;
 - Kazakhstan is included in category 19 and 24;
 - Malaysia is excluded in category 9;
 - Moldova is included in category 12;
 - North Macedonia is excluded in category 5;
 - Thailand is excluded in category 9;
 - Turkey is included in category 8;
 - Ukraine is included in categories 1, 4B and 26 ⁽²⁰⁾;
 - United Arab Emirates are included in category 16;
 - Vietnam is excluded in category 2 and included in categories 1, 3A, 3B, 4B.

3.4. Level of Liberalisation

- (38) The current liberalisation rate of the safeguard was set at an annual rate of 3%. The Commission assessed in this investigation whether this level of liberalisation continued to be appropriate.

Comments from interested parties

- (39) Some interested parties (notably exporting producers and Union users) requested that the Commission increased the level of liberalisation beyond 3% (many of them requested a liberalisation rate of 5%), while the Union industry requested that the liberalisation pace was reduced to 1% instead.

Assessment

- (40) The safeguard instrument is intended to be of a temporary nature. As of 1 July 2022, the measure will enter into its fifth year of application. The objective of liberalisation (which is a legal obligation under WTO ⁽²¹⁾ and EU ⁽²²⁾ rules) is to progressively allow more import competition into the market while the domestic industry is adjusting to the increased level of imports. This is to avoid a measure that would not incentivise adjustments for domestic industry while it is in place, and which would create problems of competitiveness when the domestic industry will be exposed to greater foreign competition in a post-safeguard measure scenario.
- (41) With this logic in mind, the Commission considered that at this point in time (after four years of measure) a slightly higher level of liberalisation year-on-year should be envisaged in order to encourage the domestic industry to continue its adjustments, while being mindful not to undermine the effectiveness of the measure.

⁽¹⁹⁾ Source: Eurostat.

⁽²⁰⁾ This will not apply as long as the safeguard measure is suspended *vis-a-vis* Ukraine.

⁽²¹⁾ Article 7.4 of the WTO Agreement on Safeguards.

⁽²²⁾ Article 19(4) of Regulation (EU) 2015/478.

Adjustment

- (42) The Commission considered that setting the yearly level of liberalisation at 4% as of 1 July 2022 would be appropriate.
- (43) This increase should also contribute to alleviating any tension for Union users in certain product categories, in a context characterised by a high degree of uncertainty in the market. On the other hand, the limited additional increase would not pose a threat to the Union industry and would not undermine the effectiveness of the measure.

3.5. Impact of changes to the US Section 232 measure

- (44) In March 2018, the US imposed a 25% duty on imports of certain steel products under the US Section 232 measure. The measure currently remains in place although certain changes have taken place. In this review investigation, the Commission has assessed these changes in order to determine whether they have any impact on the EU safeguard measure, in particular as regards the risk of trade diversion into the Union market.

Comments from interested parties

- (45) The requests received in this respect can be split into three types. Under the first two, certain users and third countries claimed that the risk of trade diversion is small (-er) because of the different adjustments to the Section 232 measure. Then, some parties claimed that because of the TRQs allocated to Union exporters, the Union industry would divert sales to the US market at the expense of domestic sales creating a shortage domestically.
- (46) On the other hand, the Union steel industry asserted that the risk of trade diversion remains and EU's improved access to the US market will not affect their ability to supply to the domestic (Union) market.

Assessment

Changes vis-a-vis the EU

- (47) In October 2021, the US decided to subject EU imports under the Section 232 measure to a TRQ system. Under this new regime, the EU would be able to export free-of-duty up to a certain level (based on historical export volumes) ⁽²³⁾, and only when this level is exhausted, the 25% duty would become applicable. This action aimed to improve the EU exporters' position in the US market, which until then were subject to a 25% duty on every tonne exported. This new system is applicable as of 1 January 2022.
- (48) Some interested parties claimed that because prices in the US are usually higher than in the Union, EU producers would have an incentive to export to the US at the expense of domestic sales, thereby risking creating a shortage in the Union market in some categories.
- (49) For a number of reasons, the Commission considered that these claims should be rejected. In the first place, the notion of trade diversion into the Union market cannot encompass the limitation of exports to the US of the EU industry itself. In other words, the Union industry can never be at risk of trade diversion of its own sales. This defies the logic of trade diversion. Therefore, the fact that the EU may be able to improve its presence in the US market is neutral with respect to the risk of trade diversion from exporting countries to the Union market.
- (50) Second, the claims that the Union industry would use up its TRQs at the expense (mainly or even exclusively) of domestic sales is not substantiated by evidence. These claims did not consider that, also theoretically, the Union industry could increase its production volume ⁽²⁴⁾, thus not sacrificing domestic sales and creating additional revenue through increased export sales to the US, and that it could also redirect volumes to the US from exports to other markets that may be less attractive for a number of reasons, including price levels ⁽²⁵⁾.

⁽²³⁾ The level of TRQ allocated to the EU is around 3.3 million tonnes per year, which amounts to around 2.5% of Union industry's average volume of domestic sales in the Union market (years 2018-2019).

⁽²⁴⁾ Both the Definitive and the Prolongation Regulations showed that in overall terms the Union industry had certain additional capacity available.

⁽²⁵⁾ Several interested parties argued that the US tends to have generally the highest level of prices.

- (51) Irrespective of all these theoretical possibilities, the reality has shown that in the first quarter since the entry into force of the TRQ system, the EU has been far from using up its quotas. In fact, over the first quarter it only used around 42% of the quota ⁽²⁶⁾.
- (52) Therefore, the key assumption made by some interested parties, and the premise underpinning their argumentation, namely that the EU exporting producers would be able to use up all of its quotas in the US, has proven to be wrong in the first place.
- (53) The Commission concluded that the fact that the EU is subject to a TRQ system under the US Section 232 measures does not have any impact on the functioning of the safeguard measure with respect to the risk of trade diversion. Nor has any party demonstrated to any extent that exporting under a TRQ regime under Section 232 would as such create a risk of shortage of supply in the Union market.

Changes vis-a-vis some third countries (excluding the EU)

- (54) With regards to the claims pertaining to changes to the US Section 232 *vis-a-vis* other third countries, the data available to the Commission showed that the following changes to the US Section 232 measure had taken place:
- Since March 2018, Australia is exempted from the measure.
 - Since May 2018, Korea, Argentina and Brazil are subject to absolute quotas (out of which no exports are permitted).
 - Since May 2019, Mexico and Canada announced separate agreements with the U.S., which led to a lifting of the measure for the two countries. The agreements are subject to a monitoring mechanism.
 - As of 1 April 2022, the U.S. established tariff rate quotas ('TRQs') for Japan. A certain amount of in-quota imports are exempted from the measure, while out of quota imports are subject to the additional 25% duty.
 - In March 2022, the U.S. announced its intention to establish a TRQ for UK whereby certain amount of in-quota imports will be exempted from the measure, while out of quota imports will remain subject to the additional 25% duty. The TRQ for UK was scheduled to enter into force as of 1 June 2022.
- (55) The investigation concluded that these adjustments to the US Section 232 have in overall terms little impact on the functioning and rationale of our safeguard measure for a number of reasons. First, to put these changes into perspective, most of these countries barely export currently any steel to the Union (if at all) ⁽²⁷⁾, and they are not historical suppliers either ⁽²⁸⁾. Amongst the few countries with more meaningful export volumes to the Union, namely UK, Japan and Korea, the three of them continue to be subject to the US Section 232 measure, i.e. they are constrained to export free-of-duty to the US market. In fact, Korea is allowed to export only under a quota (quantitative restriction), without the possibility to export beyond that volume, and the UK and Japan are subject to a TRQ out of which a 25% duty applies. In addition, having a TRQ in place does not necessarily mean that these countries will be able to use effectively the volumes allocated to it, as shown by the example of the TRQ allocated to the EU. Lastly, most of the origins representing the bulk of imports to the Union continue to be subject to a 25% duty on their exports to the US.

⁽²⁶⁾ US Report on TRQ consumption.

⁽²⁷⁾ In 2021, the import share of Canada, Mexico, Brazil, Australia and Argentina in the Union market was 0.9%.

⁽²⁸⁾ The combined share of imports into the Union from Canada, Mexico, Brazil, Australia and Argentina in the period 2013-2021 was 2.25% of total imports (and reaching a peak of only 3.7% in 2016).

- (56) In this respect, the risk of trade diversion stems, primarily, from the main steel supplying countries to the Union, which have (in some cases rather large) spare capacities and thus are able to increase quickly ⁽²⁹⁾ their presence in the Union market ⁽³⁰⁾, which as demonstrated in previous investigations is an attractive market in terms of prices and size. ⁽³¹⁾
- (57) In addition, parties have not shown (or even mentioned) in their submissions how the findings made by the Commission in previous investigations ⁽³²⁾ would have changed substantially. Notably the global overcapacity in the steel sector that continues to persist ⁽³³⁾, the substantial reduction of imports into the US market as compared to the period prior to the imposition of the US Section 232 measure ⁽³⁴⁾ or the lack of substitute markets for the lost volumes ⁽³⁵⁾, among others.
- (58) In any event, the improvement in the access to the US market from certain third countries shown in recital (54) would, if anything, make it even more difficult to the rest of countries to export to the US market as they are comparatively in a worse competitive position by having to pay a 25% duty. In fact, the pace of reduction of imports of the countries not subject to any preferential access under the US Section 232 measure was substantially higher than the average ⁽³⁶⁾. Therefore, the adjustments to the US measure could even further increase the likelihood of trade diversion from those third countries not benefitting from any kind of preferential treatment under the Section 232 measure, some of which are in turn the countries more liable to cause a surge in imports to the Union market.

Conclusion

- (59) For the reasons set out in this subsection, the Commission concluded that the changes to the US Section 232 measure do not affect the functioning of the EU steel safeguard and do not alter the basis underpinning its assessment regarding the risk of trade diversion.

4. COMMENTS FROM INTERESTED PARTIES

- (60) In addition to the issues addressed in Section 3, interested parties made other claims that are addressed in this section.

⁽²⁹⁾ In past functioning reviews it was shown that certain countries were able to substantially and rapidly increase their presence in the Union market, e.g. with very quick exhaustions of quotas, including additional quotas in Q4.

⁽³⁰⁾ It is relevant to point out that the largest exporting countries to the Union have consistently claimed (including in the submissions of this review) that the existing quotas would be severely constraining their ability to export to the Union, thus suggesting that they would be able to increase their presence in the Union market in the absence of a safeguard measure.

⁽³¹⁾ See Section 3.1.2.g of Prolongation Regulation for a more detailed assessment. In terms of volumes, the Union market continues to be the main steel importing market worldwide. See *OECD's Steel Market Developments – Q2 2022*, (DSTI/SC(2022)1), table 8.

⁽³²⁾ See, for instance, the Commission's findings in Section 3.1.2 and 3.1.3 of the Prolongation Regulation.

⁽³³⁾ See, for instance, the Chair's Statement at the 91st Session of the OECD Steel Committee (29-31 March 2022): "excess capacity, which stood at 544 million tonnes in 2021 and has remained at persistently elevated levels since 2018, highlighting the need for further capacity reductions in the relevant jurisdictions". Accessible at: 91st Session of the OECD Steel Committee - Chair's Statement - OECD;

See also *OECD's Latest Developments in Steelmaking Capacity*, p.4 and 6 (DSTI/SC(2022)3: "Global excess capacity in steel continues to grow. Global crude steelmaking capacity increased by 6.0 million metric tonnes (mmt), or 0.2%, to 2 454,3 mmt in 2021";

See also G7's Trade Ministers' Joint Communiqué of 21 October 2021: "We reaffirmed the importance of the Global Forum on Steel Excess Capacity (GFSEC) as a forum that can help address the issue of global steel excess capacity in a multilateral framework. We will continue to support and work with the OECD to build on their excellent work undertaken to date, including a continued focus on the analysis of the incidence and magnitude of market-distorting practices and the impacts these may have on issues such as creating and maintaining overcapacity"; available at: <https://www.g7uk.org/g7-trade-ministers-communique-2/>

⁽³⁴⁾ Imports into the US in 2021 were in overall terms 21% lower than in the year 2017, i.e. pre-US Section 232 measure.

⁽³⁵⁾ Volumes of exports lost, inter alia, to US and Union markets, as well as to other third markets. For more details see Section 3.1.2 of Prolongation Regulation.

⁽³⁶⁾ The reduction of imports among countries with relevant exports to the Union which are not benefitting from any preferential treatment under the US Section 232 measure, including inter alia China, India, Russia, Taiwan, Turkey, Ukraine and the UK was of -48% as opposed to an overall reduction in imports of -21% (see footnote 34). Source: United States International Trade Commission - <https://dataweb.usitc.gov>

4.1. Claims to terminate or suspend the measure due to steel price developments in the Union

- (61) In the course of the investigation and after the written stage of the proceeding finished, several interested parties reached out to the Commission spontaneously claiming that the safeguard measure should be suspended or terminated due to an increase of steel prices in the Union. These parties argued that terminating or suspending the safeguard would be the solution to bring steel prices to lower levels.
- (62) In the first place, the scope of the review did not include a potential termination or suspension of the measure. Therefore, the type of evidence gathered and the analysis undertaken during the investigation was not of the same kind that a potential termination of a safeguard measure would have required. Thus, the termination of the safeguard measure was out of the scope of the present review.
- (63) Nevertheless, and for the sake of completeness, the Commission considered it appropriate to put these claims into context and to provide a factual analysis of recent market developments in the present regulation. In this regard, the Commission established that the evolution of steel prices in the Union showed an upwards trend in the early months of 2022, peaking just following the unprovoked and unjustified military aggression of Russia against Ukraine, and that they showed signs of a continuous decline (with a 21% decrease as compared to the peak reached in 2022 ⁽³⁷⁾) as of end-April 2022 ⁽³⁸⁾.
- (64) This trend in prices took place in an overall inflationary context, affecting also steelmaking raw materials and energy. In its Short Range Outlook ⁽³⁹⁾ for 2022 and 2023, the World Steel Association (WSA) noted that the unprovoked and unjustified military aggression of Russia against Ukraine will increase further the inflationary pressure, on the one hand, via higher energy and raw materials prices for steel production and, on the other hand, via continued supply chain disruptions. This was further confirmed by the most recent information available on steelmaking raw materials' price evolution (including energy) from sources such as the OECD ⁽⁴⁰⁾, World Bank ⁽⁴¹⁾ and S&P Platts ⁽⁴²⁾, showing a price surge and an overall upwards trend with levels substantially higher than in previous periods.
- (65) The Commission's own statistical assessment ⁽⁴³⁾ also confirmed that the price trends in the main steel market worldwide had shown a similar trend to that of the Union, and thus, the price trend observed in the Union market was fully consistent with that prevailing in the main markets across the world. Against this background, the Commission concluded that in any event, the safeguard measure could not have been the cause behind the evolution of prices in the Union.

⁽³⁷⁾ Taking Hot-Rolled Flat price in the Union as a reference (comparing the peak reached in mid-March with data in mid-May 2022).

⁽³⁸⁾ Source: S&P Platts Global and Steel Business Briefing (SBB) (available upon subscription).

For evidence from publicly available sources on the evolution of prices in the Union, see, inter alia: MEPS International - <https://mepsinternational.com/gb/en/news/buying-panic-subsides-in-european-steel-market> (20 April 2022); EUROMETAL - Lower import offers, poor demand drags down EU HRC prices - EUROMETAL (2 May 2022); Metal Bulletin - <https://www.metalbulletin.com/Article/5097739/HRC-prices-across-Europe-continue-to-slide-on-weak-demand.html> (10 May 2022) and <https://www.metalbulletin.com/Article/5098015/hot-rolled-coil/European-HRC-buyers-continue-to-be-held-back-by-sufficient-stocks-weak-demand.html> (12 May 2022).

⁽³⁹⁾ See WorldSteel Association, Short Range Outlook, April 2022, available at: worldsteel.org Short Range Outlook April 2022 - worldsteel.org

⁽⁴⁰⁾ See OECD's Economic and Social Impacts and Policy Implications of the War in Ukraine, 29 March 2022, pages 7 and 8, available at: https://www.oecd.org/industry/ind/Item_3.1_Economic_and_financial_market_Impacts.pdf

See also 91st Session of the OECD Steel Committee - Chair's Statement, available at: <https://www.oecd.org/sti/ind/91-oecd-steel-chair-statement.htm>; "Increased stress on global supply chains, including semiconductor chip shortages, rising energy costs and the prospects for higher interest rates due to accelerating inflation were dampening industrial activity and global demand for steel. (...) The impacts are being felt directly as a significant negative supply shock on steel and raw materials from Russia and Ukraine, affecting the European steel industry in particular, leading to surging steel and raw material prices. The global steel industry is also suffering from indirect impacts such as higher energy and production costs as well as a slowdown in global economic growth that will dampen steel demand considerably going forward."

⁽⁴¹⁾ See World Bank's Commodity Prices, May 2022, at: [worldbank.org](https://www.worldbank.org) CMO-Pink-Sheet-May-2022.pdf (worldbank.org)

⁽⁴²⁾ See price evolution of steel products at S&P Platts Global, April 2022 Global Market Outlook (available upon subscription).

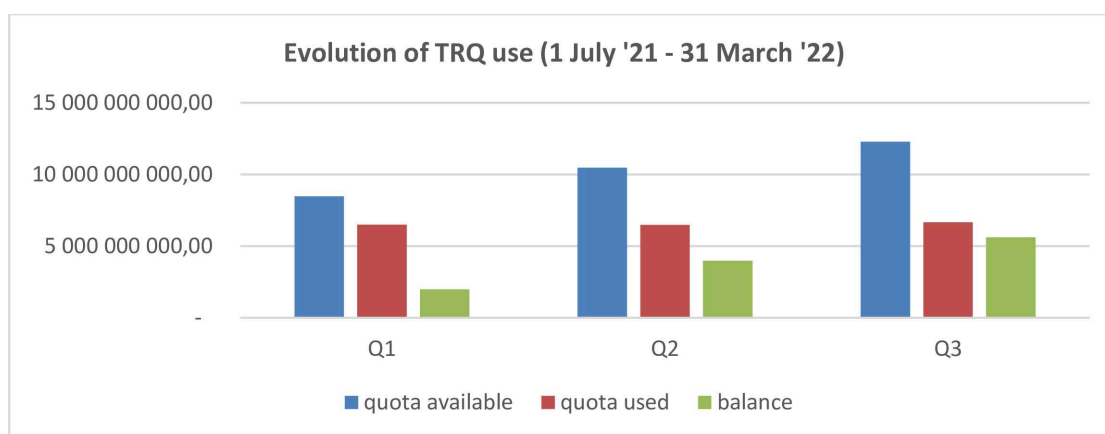
⁽⁴³⁾ Source: Global Trade Atlas – analysis focused on the comparison (year 2021 v. 2019) of the level of export prices by some of the main steel-producing worldwide for the categories subject to the EU steel safeguard measure. The analysis showed the following evolution of export prices from some of the main steel-producing countries in the world of the product subject to the EU Safeguard measure: China (+43%), India (+32%), Japan (+14%), Russia (+28%), South Korea (+27%), Turkey (+43%), and the UK (+21%).

4.2. Alleged shortage of steel in the Union

- (66) Some interested parties claimed that there was a shortage of steel in the Union market and that the steel safeguard measure was aggravating it as certain quotas were exhausted. Thus, in the context of increased steel prices, they claimed that the measure should be suspended or terminated.
- (67) The Commission noted that the TRQ use in the first three quarters of the fourth year of the measure (1 July 2021 – 31 March 2022) was at 77%, i.e. more than 5.6 million tonnes of quota remained unused, as shown in the table below. Thus, showing that Union users had generally the possibility to further increase the imports of free-of-duty steel during each period. While this did not preclude that there may have been more tensions in the quota use in certain categories as compared to others, the majority of product categories have had free-of-duty quota available in every quarter.

Table 1

Evolution of TRQ use in the first three quarters of year 4 ⁽⁴⁴⁾



- (68) The Commission also observed that the level of imports in 2021 was very close to the peak of imports reached 2018 ⁽⁴⁵⁾. In addition, the World Steel Association (WSA) Short Range Outlook ⁽⁴⁶⁾ for 2022 and 2023 highlighted the uncertainty in the economic outlook. The steel market outlook for 2022 has weakened notably as a result of the war and steel demand is expected to grow by 0.4% in 2022 and by 2.2% in 2023.
- (69) Against this background, and considering that the level of quotas will be increased further by 4% as of 1 July 2022, as explained in Section 3.4, the Commission considered that any of the alleged pressure in certain segments of the market should in any event be alleviated, while preserving the effectiveness of the measure.

4.3. Claims to suspend the measure due to the impact of the import ban on imports from Russia and Belarus on certain users

- (70) Some interested parties argued that the import ban on Russia and Belarus was affecting substantially their ability to import, claiming that the Commission should terminate the measure on these grounds.
- (71) In this regard the Commission observed that the instability caused by the unprovoked and unjustified military aggression of Russia against Ukraine and by the ensuing sanctions on steel imposed by the EU are unavoidable factors present in the market and to which all stakeholders need to adjust progressively.

⁽⁴⁴⁾ Source: https://ec.europa.eu/taxation_customs/dds2/taric/quota_consultation.jsp

⁽⁴⁵⁾ The volume of imports in 2021 was only 1.5% lower than that in 2018.

⁽⁴⁶⁾ See World Steel Short Range Outlook, accessible at: worldsteel Short Range Outlook of 14 April 2022 - worldsteel.org

- (72) The Commission nevertheless took immediate action under the safeguard measure to minimise as much as possible the collateral damage of the import ban by redistributing the quotas effective since April 2022. This adjustment to the measure will alleviate largely the disturbances caused to certain users by the import ban on Russia and Belarus, by allowing them to access those free-of-duty volumes from other origins. However, inevitably it will necessarily take some time for Union users to adapt to this situation and switch to suppliers of other origin ⁽⁴⁷⁾. In particular, the Commission acknowledged that in some instances, certain users would require a virtually complete change of suppliers, as their dependence on Russian and/or Belarussian steel imports was very high. However, the existence of these sanctions in the field of steel cannot by themselves question the validity or necessity of the safeguard measure.

4.4. Requests to redistribute quotas from Ukraine

- (73) Some interested parties requested the Commission to redistribute the country-specific quotas allocated to Ukraine because due to the unprovoked and unjustified military aggression of Russia against Ukraine, Ukraine would not be in a position to export to the Union in meaningful volumes. Some of these parties suggested the Commission to follow the same approach used when redistributing the quotas from Russia and Belarus.
- (74) The Commission's analysis of Ukraine's quota use prior to the suspension of the safeguard regulation as explained in recital (9) showed that in the majority of product categories where it had a country-specific quota, it had continued making use of the quotas. For those categories where it did not record exports, the Commission globalized the quotas from all other origins subject to the measure in each of those product categories, as explained in Section 3.1.1 above. The Commission recalled that quotas that would belong Ukraine (in the absence of a suspension), would not be available as long as the suspension of the measure *vis-a-vis* this country remains in place.

4.5. Requests for differential treatment among certain product categories

- (75) Several interested parties made requests pertaining to specific product categories (these categories varied depending on the party making the request). These requests included the exclusion of a given product category from the measure, a differential treatment of a given origin within a certain product category, and the application of different level of liberalisation depending on the product category.
- (76) As the Commission explained in previous regulations, the scope of the measure concerns a single product, namely certain steel products. As such, the Commission cannot treat the product categories comprising the product concerned as if they were individually a product concerned in themselves. The Commission, in the management and quota administration, and where it was in the Union interest, adjusted the measure to ensure that the objectives of the safeguard could be met. However, the Commission cannot change the basic architecture of the measure, e.g. definition of the product scope, to accommodate requests from interested parties that would lead to a discriminatory treatment *vis-a-vis* other product categories and interested parties, and more importantly, would be inconsistent with the design of the measure and the product scope defined by the Definitive Regulation.

4.6. Requests to remove the safeguard in those categories subject to anti-dumping and/or countervailing measures

- (77) Some interested parties claimed that the Commission lifted the safeguard measure for those product categories that are subject to anti-dumping and/or countervailing duties as, they claimed, they would grant the Union industry sufficient protection.
- (78) The Commission recalled that the rationale and objective of the safeguard instrument and that of other trade defence instruments is different, as they do not address the same issues. While safeguards deal with increase imports being the result of unforeseen developments, anti-dumping and countervailing instruments deal with unfair trading practices. One can consider a situation where a country is found to be dumping in a given product category at a point in time, and that later on, a surge of imports resulting from unforeseen developments nevertheless takes place

⁽⁴⁷⁾ In this respect, Article 3.g of Regulation (EU) 2022/428 allowed to continue importing from Russia and Belarus, under the residual quota, as long as contracts concluded before 16 March 2022, or ancillary contracts necessary for the execution of such contracts, were executed by 17 June 2022.

from a combination of origins. In addition, the scope of both instruments in terms of the origins covered is usually substantially different, as so are the types of investigations conducted, including procedural rules. Applying both instruments on a given product category simultaneously is thus fully compatible under both WTO and EU rules ⁽⁴⁸⁾.

4.7. Request to increase UK TRQs to include Great Britain-Northern Ireland trade

- (79) Some interested parties argued that the quotas allocated to the UK should increase to take into account the historical trade between Great Britain and Northern Ireland.
- (80) In this respect, the Commission recalled that the Protocol on Ireland/Northern Ireland ('the Protocol') ⁽⁴⁹⁾ is the relevant legal act governing the status of Northern Ireland vis-a-vis EU trade and customs rules. Therefore, and in line with the provisions of the Protocol, sales of steel into Northern Ireland (whether from Great Britain or any other third country) were not counted as historical imports into the Union and hence were not part of the quota calculation ⁽⁵⁰⁾. This approach ensured that the EU implementing legislation in the field of safeguards remains fully consistent with the Protocol. Therefore, this claim was rejected.

4.8. Claims on alleged circumvention

- (81) Some parties pointed to possible cases of circumvention of the measure. In particular, some parties pointed to alleged circumvention from Russia in categories 12 and 13, and in general, in category 28.
- (82) In this respect, the Commission notes that Russia is currently subject to an import ban. Thus, any attempts to circumvent the current measures are monitored by the EU and national customs authorities.
- (83) Finally, the Commission notes that the present review amending the ongoing safeguard measure also complies with the obligations arising from the bilateral Agreements signed with certain third countries.
- (84) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Safeguards established under Article 3(3) of Regulation (EU) 2015/478 and Article 22(3) of Regulation (EU) 2015/755 respectively,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2019/159 is amended as follows:

- (1) paragraph 5 of Article 1 is amended as follows:

'5. Where the relevant tariff-rate quota under paragraph 2 is exhausted for one specific country, imports from that country for some product categories can be made under the remaining part of the tariff-rate quota for the same product category. This provision shall only apply during the last quarter of each year of application of the definitive tariff-rate quota. For product categories 5, 9, and 21 no further access to the remaining part of the tariff-rate quota will be allowed. For product categories 12, 13, 14, 16, 20 and 27 only access to a specific volume within the tariff-rate quota volume initially available in the last quarter, will be allowed. In product categories 1 and 4B no exporting country

⁽⁴⁸⁾ In this respect, the Commission recalled that Regulation (EU) 2015/477 of the European Parliament and of the Council of 11 March 2015 on measures that the Union may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures (OJ L 83, 27.3.2015, p. 11), properly deals with the interaction of safeguard and anti-dumping and countervailing measures. See also judgment of 20 October 2021, *Novolipetsk Steel PAO v. Commission*, T-790/19, ECLI:EU:T:2021:706.

⁽⁴⁹⁾ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ('Withdrawal Agreement'), OJ L 63, 31.1.2020, p. 7.

⁽⁵⁰⁾ See Commission Implementing Regulation (EU) 2020/2037 of 10 December 2020 amending Implementing Regulation (EU) 2019/159 imposing a definitive safeguard measure against imports of certain steel products (OJ L 416, 11.12.2020, p. 32).

shall be allowed to use, on its own, more than 30 % of the residual tariff-rate quota volume initially available in the last quarter of each year of application of measures. For product categories 2, 3A, 3B, 4A, 6, 10, 15, 18, 19, 22, 24, 25B, 26 and 28 the access will be allowed over the total tariff-rate quota volume initially available in the last quarter in the respective product categories’;

- (2) point III.2 in Annex III is replaced by the text of Annex I to this Regulation;
- (3) Annex IV is replaced by the text of 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*.

It shall apply as of 1 July 2022.

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

Done at Brussels, 23 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

“III.2 — List of product categories originating in developing countries to which the definitive measures apply

List of product categories originating in developing countries to which the definitive measures apply																													
Country / Product group	1	2	3A	3B	4A	4B	5	6	7	8	9	10	12	13	14	15	16	17	18	19	20	21	22	24	25A	25B	26	27	28
Brazil					X			X																X					
China		X	X	X	X	X		X		X	X	X	X		X	X			X	X		X	X	X		X	X	X	X
Egypt	X				X																			X					
India	X	X			X	X	X	X	X	X	X	X			X	X					X		X	X			X		
Indonesia					X				X	X	X													X					
Kazakhstan					X															X				X					
Moldova					X								X	X			X							X					
North Macedonia					X				X				X									X	X		X				
South Africa					X					X	X	X												X					
Tunisia					X																			X					
Turkey	X	X			X	X	X	X		X	X		X	X			X	X		X	X	X		X		X	X	X	X
Ukraine	X	X			X	X			X					X	X		X	X			X	X	X	X			X	X	X"
United Arab Emirates					X												X	X	X		X			X					
Vietnam	X		X	X	X	X	X				X													X					
All other developing countries					X																			X					

IV.1 – Volumes of tariff-rate quotas

Product Number	Product category	CN Codes	Allocation by country (Where Applicable)	Year 5				Year 6				Addi- tional duty rate	Order numbers
				From 1.7.2022 to 30.9.2022	From 1.10.2022 to 31.12.2022	From 1.1.2023 to 31.3.2023	From 1.4.2023 to 30.6.2023	From 1.7.2023 to 30.9.2023	From 1.10.2023 to 31.12.2023	From 1.1.2024 to 31.3.2024	From 1.4.2024 to 30.6.2024		
				Volume of tariff quota (net tonnes)				Volume of tariff quota (net tonnes)					
1	Non Alloy and Other Alloy Hot Rolled Sheets and Strips	7208 10 00, 7208 25 00, 7208 26 00, 7208 27 00, 7208 36 00, 7208 37 00, 7208 38 00, 7208 39 00, 7208 40 00, 7208 52 10, 7208 52 99, 7208 53 10, 7208 53 90, 7208 54 00, 7211 13 00, 7211 14 00, 7211 19 00, 7212 60 00, 7225 19 10, 7225 30 10, 7225 30 30, 7225 30 90, 7225 40 15, 7225 40 90, 7226 19 10, 7226 91 20, 7226 91 91, 7226 91 99	Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8966
		Turkey	452 373,88	452 373,88	442 539,66	447 456,77	469 183,40	469 183,40	464 083,58	464 083,58	25%	09.8967	
		India	287 227,31	287 227,31	280 983,24	284 105,28	297 900,24	297 900,24	294 662,20	294 662,20	25%	09.8968	
		Korea, Republic of	179 365,46	179 365,46	175 466,21	177 415,83	186 030,40	186 030,40	184 008,33	184 008,33	25%	09.8969	
		United Kingdom	150 045,49	150 045,49	146 783,63	148 414,56	155 620,95	155 620,95	153 929,42	153 929,42	25%	09.8976	
		Serbia	159 231,56	159 231,56	155 770,01	157 500,79	165 148,37	165 148,37	163 353,27	163 353,27	25%	09.8970	

		7209 90 20, 7209 90 80, 7211 23 20, 7211 23 30, 7211 23 80, 7211 29 00, 7211 90 20, 7211 90 80, 7225 50 20, 7225 50 80, 7226 20 00, 7226 92 00	Serbia	39 631,71	39 631,71	38 770,15	39 200,93	41 104,37	41 104,37	40 657,58	40 657,58	25%	09.8805
			Other countries	321 824,43	321 824,43	314 828,25	318 326,34	333 782,94	333 782,94	330 154,85	330 154,85	25%	(³)
3.A	Electrical Sheets (other than GOES)	7209 16 10, 7209 17 10, 7209 18 10, 7209 26 10, 7209 27 10, 7209 28 10	Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8808
			United Kingdom	532,59	532,59	521,01	526,80	552,38	552,38	546,38	546,38	25%	09.8978
			Iran, Islamic Republic of	159,72	159,72	156,25	157,98	165,65	165,65	163,85	163,85	25%	09.8809
			Korea, Republic of	244,60	244,60	239,29	241,94	253,69	253,69	250,93	250,93	25%	09.8806
			Other countries	817,65	817,65	799,87	808,76	848,03	848,03	838,81	838,81	25%	(³)
3.B		7225 19 90, 7226 19 80	Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8811
			Korea, Republic of	33 860,21	33 860,21	33 124,12	33 492,16	35 118,40	35 118,40	34 736,68	34 736,68	25%	09.8812
			China	29 777,29	29 777,29	29 129,96	29 453,62	30 883,77	30 883,77	30 548,08	30 548,08	25%	09.8813
			Taiwan	23 288,87	23 288,87	22 782,59	23 035,73	24 154,25	24 154,25	23 891,70	23 891,70	25%	09.8814
			Other countries	8 303,99	8 303,99	8 123,47	8 213,73	8 612,56	8 612,56	8 518,94	8 518,94	25%	(⁴)
4.A	Metallic Coated Sheets	TARIC Codes: 7210 41 00 20, 7210 41 00 30, 7210 49 00 20, 7210 49 00 30, 7210 61 00 20, 7210 61 00 30, 7210 69 00 20, 7210 69 00 30, 7212 30 00 20, 7212 30 00 30, 7212 50 20,	Korea (Republic of)	36 115,37	36 115,37	35 330,25	35 722,81	37 457,36	37 457,36	37 050,22	37 050,22	25%	09.8816
			India	51 623,89	51 623,89	50 501,64	51 062,77	53 542,16	53 542,16	52 960,18	52 960,18	25%	09.8817
			United Kingdom	34 028,35	34 028,35	33 288,60	33 658,47	35 292,79	35 292,79	34 909,17	34 909,17	25%	09.8979
			Other countries	454 338,51	454 338,51	444 461,58	449 400,05	471 221,03	471 221,03	466 099,06	466 099,06	25%	(⁵)

		7212 50 61 20, 7212 50 61 30, 7212 50 69 20, 7212 50 69 30, 7225 92 00 20, 7225 92 00 30, 7225 99 00 11, 7225 99 00 22, 7225 99 00 23, 7225 99 00 41, 7225 99 00 45, 7225 99 00 91, 7225 99 00 92, 7225 99 00 93, 7226 99 30 10, 7226 99 30 30, 7226 99 70 11, 7226 99 70 13, 7226 99 70 91, 7226 99 70 93, 7226 99 70 94											
4.B		CN Codes: 7210 20 00, 7210 30 00, 7210 90 80, 7212 20 00, 7212 50 30, 7212 50 40, 7212 50 90, 7225 91 00, 7226 99 10 TARIC codes: 7210 41 00 80, 7210 49 00 80, 7210 61 00 80, 7210 69 00 80, 7212 30 00 80, 7212 50 61 80, 7212 50 69 80, 7225 92 00 80, 7225 99 00 25, 7225 99 00 95, 7226 99 30 90, 7226 99 70 19, 7226 99 70 96	China	123 409,30	123 409,30	120 726,49	122 067,90	127 995,00	127 995,00	126 603,75	126 603,75	25%	09.8821
			Korea (Republic of)	160 163,83	160 163,83	156 682,01	158 422,92	166 115,27	166 115,27	164 309,67	164 309,67	25%	09.8822
			India	73 708,96	73 708,96	72 106,59	72 907,78	76 447,88	76 447,88	75 616,92	75 616,92	25%	09.8823
			United Kingdom	34 028,35	34 028,35	33 288,60	33 658,47	35 292,79	35 292,79	34 909,17	34 909,17	25%	09.8980
			Other countries	100 848,08	100 848,08	98 655,73	99 751,91	104 595,44	104 595,44	103 458,53	103 458,53	25%	(⁶)

5	Organic Coated Sheets	7210 70 80, 7212 40 80	India	75 642,86	75 642,86	73 998,45	74 820,66	78 453,64	78 453,64	77 600,88	77 600,88	25%	09.8826
			Korea, Republic of	68 363,40	68 363,40	66 877,24	67 620,32	70 903,68	70 903,68	70 132,99	70 132,99	25%	09.8827
			United Kingdom	33 563,94	33 563,94	32 834,29	33 199,12	34 811,13	34 811,13	34 432,75	34 432,75	25%	09.8981
			Taiwan	21 910,16	21 910,16	21 433,85	21 672,00	22 724,31	22 724,31	22 477,30	22 477,30	25%	09.8828
			Turkey	15 126,78	15 126,78	14 797,94	14 962,36	15 688,87	15 688,87	15 518,34	15 518,34	25%	09.8829
			Other countries	41 252,54	41 252,54	40 355,75	40 804,14	42 785,42	42 785,42	42 320,36	42 320,36	25%	(7)
6	Tin Mill products	7209 18 99, 7210 11 00, 7210 12 20, 7210 12 80, 7210 50 00, 7210 70 10, 7210 90 40, 7212 10 10, 7212 10 90, 7212 40 20	China	106 758,00	106 758,00	104 437,17	105 597,58	110 724,96	110 724,96	109 521,43	109 521,43	25%	09.8831
			United Kingdom	38 940,37	38 940,37	38 093,84	38 517,11	40 387,34	40 387,34	39 948,34	39 948,34	25%	09.8982
			Serbia	21 429,38	21 429,38	20 963,53	21 196,46	22 225,67	22 225,67	21 984,08	21 984,08	25%	09.8832
			Korea, Republic of	15 501,05	15 501,05	15 164,07	15 332,56	16 077,04	16 077,04	15 902,29	15 902,29	25%	09.8833
			Taiwan	12 887,99	12 887,99	12 607,82	12 747,90	13 366,89	13 366,89	13 221,60	13 221,60	25%	09.8834
			Other countries	35 715,05	35 715,05	34 938,63	35 326,84	37 042,16	37 042,16	36 639,53	36 639,53	25%	(8)
7	Non Alloy and Other Alloy Quarto Plates	7208 51 20, 7208 51 91, 7208 51 98, 7208 52 91, 7208 90 20, 7208 90 80, 7210 90 30, 7225 40 12, 7225 40 40, 7225 40 60, 7225 99 00	Ukraine	270 017,57	270 017,57	264 147,62	267 082,59	280 051,01	280 051,01	277 006,97	277 006,97	25%	09.8836
			Other countries	554 571,27	554 571,27	542 515,37	548 543,32	575 178,29	575 178,29	568 926,35	568 926,35	25%	(9)
8	Stainless Hot Rolled Sheets and Strips	7219 11 00, 7219 12 10, 7219 12 90, 7219 13 10, 7219 13 90, 7219 14 10, 7219 14 90, 7219 22 10, 7219 22 90, 7219 23 00, 7219 24 00, 7220 11 00, 7220 12 00	Other countries	105 581,29	105 581,29	103 286,04	104 433,67	109 504,53	109 504,53	108 314,26	108 314,26	25%	(10)

9	Stainless Cold Rolled Sheets and Strips	7219 31 00, 7219 32 10, 7219 32 90, 7219 33 10, 7219 33 90, 7219 34 10, 7219 34 90, 7219 35 10, 7219 35 90, 7219 90 20, 7219 90 80, 7220 20 21, 7220 20 29, 7220 20 41, 7220 20 49, 7220 20 81, 7220 20 89, 7220 90 20, 7220 90 80	Korea, Republic of	47 773,95	47 773,95	46 735,39	47 254,67	49 549,16	49 549,16	49 010,58	49 010,58	25%	09.8846
		Taiwan	44 302,39	44 302,39	43 339,29	43 820,84	45 948,59	45 948,59	45 449,15	45 449,15	25%	09.8847	
		India	29 610,23	29 610,23	28 966,53	29 288,38	30 710,50	30 710,50	30 376,69	30 376,69	25%	09.8848	
		South Africa	25 765,68	25 765,68	25 205,56	25 485,62	26 723,10	26 723,10	26 432,63	26 432,63	25%	09.8853	
		United States	24 090,93	24 090,93	23 567,21	23 829,07	24 986,11	24 986,11	24 714,52	24 714,52	25%	09.8849	
		Turkey	20 046,66	20 046,66	19 610,86	19 828,76	20 791,56	20 791,56	20 565,57	20 565,57	25%	09.8850	
		Malaysia	12 700,45	12 700,45	12 424,35	12 562,40	13 172,38	13 172,38	13 029,20	13 029,20	25%	09.8851	
		Other countries	50 944,84	50 944,84	49 837,34	50 391,09	52 837,87	52 837,87	52 263,55	52 263,55	25%	(11)	
10	Stainless Hot Rolled Quarto Plates	7219 21 10, 7219 21 90	China	4 731,30	4 731,30	4 628,44	4 679,87	4 907,10	4 907,10	4 853,77	4 853,77	25%	09.8856
		India	2 007,05	2 007,05	1 963,42	1 985,24	2 081,63	2 081,63	2 059,01	2 059,01	25%	09.8857	
		South Africa	1 374,32	1 374,32	1 344,44	1 359,38	1 425,39	1 425,39	1 409,89	1 409,89	25%	09.8859	
		United Kingdom	827,96	827,96	809,96	818,96	858,73	858,73	849,39	849,39	25%	09.8984	
		Taiwan	764,41	764,41	747,79	756,10	792,81	792,81	784,19	784,19	25%	09.8858	
		Other countries	1 002,95	1 002,95	981,14	992,04	1 040,21	1 040,21	1 028,91	1 028,91	25%	(12)	
12	Non Alloy and Other Alloy Merchant Bars and Light Sections	7214 30 00, 7214 91 10, 7214 91 90, 7214 99 31, 7214 99 39, 7214 99 50, 7214 99 71, 7214 99 79, 7214 99 95, 7215 90 00, 7216 10 00, 7216 21 00, 7216 22 00, 7216 40 10, 7216 40 90, 7216 50 10, 7216 50 91, 7216 50 99, 7216 99 00, 7228 10 20	China	135 003,41	135 003,41	132 068,55	133 535,98	140 019,93	140 019,93	138 497,97	138 497,97	25%	09.8861
		United Kingdom	112 785,82	112 785,82	110 333,95	111 559,89	116 976,77	116 976,77	115 705,28	115 705,28	25%	09.8985	
		Turkey	101 999,52	101 999,52	99 782,14	100 890,83	105 789,67	105 789,67	104 639,78	104 639,78	25%	09.8862	
		Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8863	
		Switzerland	65 555,05	65 555,05	64 129,94	64 842,50	67 990,98	67 990,98	67 251,94	67 251,94	25%	09.8864	
		Belarus	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8865	
		Other countries	58 414,15	58 414,15	57 144,27	57 779,21	60 584,73	60 584,73	59 926,20	59 926,20	25%	(13)	

		7228 20 10, 7228 20 91, 7228 30 20, 7228 30 41, 7228 30 49, 7228 30 61, 7228 30 69, 7228 30 70, 7228 30 89, 7228 60 20, 7228 60 80, 7228 70 10, 7228 70 90, 7228 80 00											
13	Rebars	7214 20 00, 7214 99 10	Turkey	90 856,92	90 856,92	88 881,77	89 869,35	94 233,03	94 233,03	93 208,76	93 208,76	25%	09.8866
			Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8867
			Ukraine	42 298,50	42 298,50	41 378,96	41 838,73	43 870,24	43 870,24	43 393,39	43 393,39	25%	09.8868
			Bosnia and Herzegovina	32 685,87	32 685,87	31 975,31	32 330,59	33 900,43	33 900,43	33 531,95	33 531,95	25%	09.8869
			Moldova, Republic of	27 318,01	27 318,01	26 724,14	27 021,07	28 333,10	28 333,10	28 025,13	28 025,13	25%	09.8870
			Other countries	132 668,90	132 668,90	129 784,79	131 226,85	137 598,67	137 598,67	136 103,03	136 103,03	25%	(14)
14	Stainless Bars and Light Sections	7222 11 11, 7222 11 19, 7222 11 81, 7222 11 89, 7222 19 10, 7222 19 90, 7222 20 11, 7222 20 19, 7222 20 21, 7222 20 29, 7222 20 31, 7222 20 39, 7222 20 81, 7222 20 89, 7222 30 51, 7222 30 91, 7222 30 97, 7222 40 10, 7222 40 50, 7222 40 90	India	30 542,92	30 542,92	29 878,94	30 210,93	31 677,84	31 677,84	31 333,52	31 333,52	25%	09.8871
			United Kingdom	4 463,47	4 463,47	4 366,44	4 414,96	4 629,33	4 629,33	4 579,01	4 579,01	25%	09.8986
			Switzerland	4 393,46	4 393,46	4 297,95	4 345,71	4 556,72	4 556,72	4 507,19	4 507,19	25%	09.8872
			Ukraine	3 393,31	3 393,31	3 319,54	3 356,42	3 519,40	3 519,40	3 481,14	3 481,14	25%	09.8873
			Other countries	4 956,51	4 956,51	4 848,76	4 902,63	5 140,68	5 140,68	5 084,81	5 084,81	25%	(15)

15	Stainless Wire Rod	7221 00 10, 7221 00 90	India	7 103,74	7 103,74	6 949,31	7 026,53	7 367,70	7 367,70	7 287,62	7 287,62	25%	09.8876
			Taiwan	4 580,21	4 580,21	4 480,64	4 530,43	4 750,40	4 750,40	4 698,77	4 698,77	25%	09.8877
			United Kingdom	3 679,69	3 679,69	3 599,69	3 639,69	3 816,42	3 816,42	3 774,93	3 774,93	25%	09.8987
			Korea, Republic of	2 286,74	2 286,74	2 237,03	2 261,88	2 371,71	2 371,71	2 345,93	2 345,93	25%	09.8878
			China	1 548,74	1 548,74	1 515,07	1 531,90	1 606,28	1 606,28	1 588,83	1 588,83	25%	09.8879
			Japan	1 536,99	1 536,99	1 503,57	1 520,28	1 594,10	1 594,10	1 576,77	1 576,77	25%	09.8880
			Other countries	773,87	773,87	757,04	765,46	802,62	802,62	793,90	793,90	25%	⁽¹⁶⁾
16	Non Alloy and Other Alloy Wire Rod	7213 10 00, 7213 20 00, 7213 91 10, 7213 91 20, 7213 91 41, 7213 91 49, 7213 91 70, 7213 91 90, 7213 99 10, 7227 10 00, 7227 20 00, 7227 90 10, 7227 90 50, 7227 90 95	United Kingdom	176 384,36	176 384,36	172 549,92	174 467,14	182 938,53	182 938,53	180 950,07	180 950,07	25%	09.8988
			Ukraine	118 599,40	118 599,40	116 021,16	117 310,28	123 006,38	123 006,38	121 669,35	121 669,35	25%	09.8881
			Switzerland	130 373,45	130 373,45	127 539,25	128 956,35	135 217,93	135 217,93	133 748,17	133 748,17	25%	09.8882
			Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8883
			Turkey	113 300,38	113 300,38	110 837,33	112 068,85	117 510,45	117 510,45	116 233,16	116 233,16	25%	09.8884
			Belarus	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8885
			Moldova, Republic of	66 581,74	66 581,74	65 134,31	65 858,02	69 055,81	69 055,81	68 305,20	68 305,20	25%	09.8886
			Other countries	116 864,97	116 864,97	114 324,43	115 594,70	121 207,50	121 207,50	119 890,02	119 890,02	25%	⁽¹⁷⁾
17	Angles, Shapes and Sections of Iron or Non Alloy Steel	7216 31 10, 7216 31 90, 7216 32 11, 7216 32 19, 7216 32 91, 7216 32 99, 7216 33 10, 7216 33 90	Ukraine	30 113,25	30 113,25	29 458,61	29 785,93	31 232,21	31 232,21	30 892,73	30 892,73	25%	09.8891
			Other countries	64 947,85	64 947,85	63 535,94	64 241,90	67 361,21	67 361,21	66 629,03	66 629,03	25%	⁽¹⁸⁾
18	Sheet Piling	7301 10 00	China	6 736,44	6 736,44	6 590,00	6 663,22	6 986,76	6 986,76	6 910,82	6 910,82	25%	09.8901
			United Arab Emirates	3 333,90	3 333,90	3 261,43	3 297,67	3 457,79	3 457,79	3 420,20	3 420,20	25%	09.8902
			United Kingdom	864,55	864,55	845,76	855,16	896,68	896,68	886,93	886,93	25%	09.8990
			Other countries	274,44	274,44	268,47	271,45	284,63	284,63	281,54	281,54	25%	⁽¹⁹⁾

19	Railway Material	7302 10 22, 7302 10 28, 7302 10 40, 7302 10 50, 7302 40 00	United Kingdom	4 916,90	4 916,90	4 810,01	4 863,46	5 099,61	5 099,61	5 044,18	5 044,18	25%	09.8991
			Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8906
			Turkey	1 498,14	1 498,14	1 465,57	1 481,86	1 553,81	1 553,81	1 536,92	1 536,92	25%	09.8908
			China	1 449,19	1 449,19	1 417,68	1 433,44	1 503,04	1 503,04	1 486,70	1 486,70	25%	09.8907
			Other countries	759,42	759,42	742,91	751,17	787,64	787,64	779,08	779,08	25%	(²⁰)
20	Gas pipes	7306 30 41, 7306 30 49, 7306 30 72, 7306 30 77	Turkey	47 578,14	47 578,14	46 543,83	47 060,99	49 346,07	49 346,07	48 809,70	48 809,70	25%	09.8911
			India	18 309,56	18 309,56	17 911,53	18 110,55	18 989,92	18 989,92	18 783,51	18 783,51	25%	09.8912
			North Macedonia	6 762,54	6 762,54	6 615,53	6 689,04	7 013,83	7 013,83	6 937,59	6 937,59	25%	09.8913
			United Kingdom	6 432,95	6 432,95	6 293,10	6 363,03	6 671,99	6 671,99	6 599,47	6 599,47	25%	09.8992
			Other countries	10 690,62	10 690,62	10 458,21	10 574,41	11 087,86	11 087,86	10 967,34	10 967,34	25%	(²¹)
21	Hollow sections	7306 61 10, 7306 61 92, 7306 61 99	Turkey	94 689,32	94 689,32	92 630,86	93 660,09	98 207,83	98 207,83	97 140,35	97 140,35	25%	09.8916
			United Kingdom	50 502,05	50 502,05	49 404,18	49 953,11	52 378,63	52 378,63	51 809,29	51 809,29	25%	09.8993
			Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8917
			North Macedonia	27 955,71	27 955,71	27 347,98	27 651,85	28 994,51	28 994,51	28 679,35	28 679,35	25%	09.8918
			Ukraine	20 676,33	20 676,33	20 226,85	20 451,59	21 444,63	21 444,63	21 211,54	21 211,54	25%	09.8919
			Switzerland	15 453,34	15 453,34	15 117,40	15 285,37	16 027,57	16 027,57	15 853,35	15 853,35	25%	09.8920
			Belarus	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8921
			Other countries	19 871,64	19 871,64	19 439,65	19 655,65	20 610,04	20 610,04	20 386,02	20 386,02	25%	(²²)

22	Seamless Stainless Tubes and Pipes	7304 11 00, 7304 22 00, 7304 24 00, 7304 41 00, 7304 49 83, 7304 49 85, 7304 49 89	India	5 659,79	5 659,79	5 536,75	5 598,27	5 870,10	5 870,10	5 806,30	5 806,30	25%	09.8926
			Ukraine	3 543,95	3 543,95	3 466,91	3 505,43	3 675,64	3 675,64	3 635,69	3 635,69	25%	09.8927
			United Kingdom	1 798,90	1 798,90	1 759,80	1 779,35	1 865,75	1 865,75	1 845,47	1 845,47	25%	09.8994
			Korea, Republic of	1 114,07	1 114,07	1 089,85	1 101,96	1 155,47	1 155,47	1 142,91	1 142,91	25%	09.8928
			Japan	1 036,03	1 036,03	1 013,51	1 024,77	1 074,53	1 074,53	1 062,85	1 062,85	25%	09.8929
			China	888,89	888,89	869,57	879,23	921,92	921,92	911,90	911,90	25%	09.8931
			Other countries	2 586,28	2 586,28	2 530,05	2 558,16	2 682,38	2 682,38	2 653,22	2 653,22	25%	(²³)
24	Other Seamless Tubes	7304 19 10, 7304 19 30, 7304 19 90, 7304 23 00, 7304 29 10, 7304 29 30, 7304 29 90, 7304 31 20, 7304 31 80, 7304 39 50 , 7304 39 82, 7304 39 83, 7304 39 88 , 7304 51 81, 7304 51 89, 7304 59 82, 7304 59 83, 7304 59 89, 7304 90 00	China	36 946,09	36 946,09	36 142,92	36 544,50	38 318,95	38 318,95	37 902,44	37 902,44	25%	09.8936
			Ukraine	30 880,76	30 880,76	30 209,44	30 545,10	32 028,25	32 028,25	31 680,11	31 680,11	25%	09.8937
			Belarus	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8938
			United Kingdom	11 268,07	11 268,07	11 023,11	11 145,59	11 686,77	11 686,77	11 559,74	11 559,74	25%	09.8995
			United States	8 110,65	8 110,65	7 934,33	8 022,49	8 412,03	8 412,03	8 320,60	8 320,60	25%	09.8940
			Other countries	43 742,37	43 742,37	42 791,45	43 266,91	45 367,77	45 367,77	44 874,64	44 874,64	25%	(²⁴)
25.A	Large welded tubes	7305 11 00, 7305 12 00											
			Other countries	115 747,59	115 747,59	113 231,34	114 489,47	120 048,60	120 048,60	118 743,72	118 743,72	25%	(²⁵)
25.B	Large welded tubes	7305 19 00, 7305 20 00, 7305 31 00, 7305 39 00, 7305 90 00	Turkey	14 371,47	14 371,47	14 059,05	14 215,26	14 905,49	14 905,49	14 743,48	14 743,48	25%	09.8971
			China	8 134,62	8 134,62	7 957,78	8 046,20	8 436,89	8 436,89	8 345,18	8 345,18	25%	09.8972
			Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8973
			United Kingdom	5 903,81	5 903,81	5 775,46	5 839,64	6 123,18	6 123,18	6 056,63	6 056,63	25%	09.8996
			Korea, Republic of	2 781,17	2 781,17	2 720,71	2 750,94	2 884,52	2 884,52	2 853,16	2 853,16	25%	09.8974
			Other countries	6 251,05	6 251,05	6 115,16	6 183,11	6 483,33	6 483,33	6 412,86	6 412,86	25%	(²⁶)

26	Other Welded Pipes	7306 11 00, 7306 19 00 7306 21 00, 7306 29 00, 7306 30 12, 7306 30 18, 7306 30 80, 7306 40 20, 7306 40 80, 7306 50 21, 7306 50 29, 7306 50 80, 7306 69 10, 7306 69 90, 7306 90 00	Switzerland	46 275,35	46 275,35	45 269,36	45 772,35	47 994,87	47 994,87	47 473,18	47 473,18	25%	09.8946
			Turkey	36 650,08	36 650,08	35 853,34	36 251,71	38 011,94	38 011,94	37 598,77	37 598,77	25%	09.8947
			United Kingdom	11 192,00	11 192,00	10 948,70	11 070,35	11 607,88	11 607,88	11 481,71	11 481,71	25%	09.8997
			Taiwan	8 671,66	8 671,66	8 483,14	8 577,40	8 993,88	8 993,88	8 896,12	8 896,12	25%	09.8950
			China	7 769,95	7 769,95	7 601,04	7 685,50	8 058,67	8 058,67	7 971,08	7 971,08	25%	09.8949
			Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8952
			Other countries	19 298,91	19 298,91	18 879,37	19 089,14	20 016,03	20 016,03	19 798,47	19 798,47	25%	(²⁷)
27	Non-alloy and other alloy cold finished bars	7215 10 00, 7215 50 11, 7215 50 19, 7215 50 80, 7228 10 90, 7228 20 99, 7228 50 20, 7228 50 40, 7228 50 61, 7228 50 69, 7228 50 80	Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8956
			Switzerland	40 584,14	40 584,14	39 701,88	40 143,01	42 092,18	42 092,18	41 634,66	41 634,66	25%	09.8957
			United Kingdom	24 483,32	24 483,32	23 951,08	24 217,20	25 393,08	25 393,08	25 117,07	25 117,07	25%	09.8998
			China	25 900,31	25 900,31	25 337,26	25 618,79	26 862,73	26 862,73	26 570,74	26 570,74	25%	09.8958
			Ukraine	29 232,30	29 232,30	28 596,82	28 914,56	30 318,53	30 318,53	29 988,98	29 988,98	25%	09.8959
			Other countries	30 366,43	30 366,43	29 706,29	30 036,36	31 494,80	31 494,80	31 152,46	31 152,46	25%	(²⁸)
28	Non Alloy Wire	7217 10 10, 7217 10 31, 7217 10 39, 7217 10 50, 7217 10 90, 7217 20 10, 7217 20 30, 7217 20 50, 7217 20 90, 7217 30 41, 7217 30 49, 7217 30 50, 7217 30 90, 7217 90 20, 7217 90 50, 7217 90 90	Belarus	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8961
			China	75 996,55	75 996,55	74 344,45	75 170,50	78 820,47	78 820,47	77 963,72	77 963,72	25%	09.8962
			Russian Federation	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	25%	09.8963
			Turkey	49 453,52	49 453,52	48 378,45	48 915,98	51 291,14	51 291,14	50 733,63	50 733,63	25%	09.8964
			Ukraine	37 294,60	37 294,60	36 483,85	36 889,22	38 680,41	38 680,41	38 259,97	38 259,97	25%	09.8965
			Other countries	47 545,89	47 545,89	46 512,29	47 029,09	49 312,63	49 312,63	48 776,62	48 776,62	25%	(²⁹)

- (¹) From 1.7 to 31.3: 09.8601
From 1.4 to 30.6: 09.8602
From 1.4 to 30.6: For Turkey*: 09.8572, for India*: 09.8573, for Korea (Republic of)*: 09.8574, for Serbia*: 09.8575 and for United Kingdom*: 09.8599 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (²) From 1.7 to 31.3: 09.8603
From 1.4 to 30.6: 09.8604
From 1.4 to 30.6: For India*, Korea (Republic of)*, Ukraine*, Brazil*, Serbia* and United Kingdom*: 09.8567 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (³) From 1.7 to 31.3: 09.8605
From 1.4 to 30.6: 09.8606
From 1.4 to 30.6: For Korea (Republic of)*, Iran (Islamic republic of)* and United Kingdom*: 09.8568 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (⁴) From 1.7 to 31.3: 09.8607
From 1.4 to 30.6: 09.8608
09.8816 From 1.4 to 30.6: For Korea (Republic of)*, China* and Taiwan*: 09.8569 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (⁵) From 1.7 to 31.3: 09.8609
From 1.4 to 30.6: 09.8610
From 1.4 to 30.6: For India*, Korea (Republic of)* and United Kingdom*: 09.8570 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (⁶) From 1.7 to 31.3: 09.8611
From 1.4 to 30.6: 09.8612
From 1.4 to 30.6: For China*: 09.8581, for Korea (Republic of)*: 09.8582, for India*: 09.8583, for United Kingdom*: 09.8584 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (⁷) From 1.7 to 31.3: 09.8613
From 1.4 to 30.6: 09.8614
- (⁸) From 1.7 to 31.3: 09.8615
From 1.4 to 30.6: 09.8616
From 1.4 to 30.6: For China*, Korea (Republic of)*, Taiwan*, Serbia* and United Kingdom*: 09.8576 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (⁹) From 1.7 to 31.3: 09.8617
From 1.4 to 30.6: 09.8618
- (¹⁰) From 1.7 to 31.3: 09.8619
From 1.4 to 30.6: 09.8620
- (¹¹) From 1.7 to 31.3: 09.8621
From 1.4 to 30.6: 09.8622
From 1.4 to 30.6: For Korea (Republic of)*, Taiwan*, India*, South Africa*, United States of America*, Turkey* and Malaysia*: 09.8578 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (¹²) From 1.7 to 31.3: 09.8623
From 1.4 to 30.6: 09.8624
From 1.4 to 30.6: For China*, India*, South Africa*, Taiwan* and United Kingdom*: 09.8591 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (¹³) From 1.7 to 31.3: 09.8625
From 1.4 to 30.6: 09.8626
From 1.4 to 30.6: For China*, Turkey*, Switzerland* and United Kingdom*: 09.8592 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (¹⁴) From 1.7 to 31.3: 09.8627
From 1.4 to 30.6: 09.8628
From 1.4 to 30.6: For Turkey*, Ukraine*, Bosnia and Herzegovina* and Moldova*: 09.8593 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (¹⁵) From 1.7 to 31.3: 09.8629
From 1.4 to 30.6: 09.8630
From 1.4 to 30.6: For India*, Switzerland*, Ukraine* and United Kingdom*: 09.8594 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (¹⁶) From 1.7 to 31.3: 09.8631 09.8907
From 1.4 to 30.6: 09.8632
From 1.4 to 30.6: For India*, Taiwan*, Korea (Republic of)*, China*, Japan* and United Kingdom*: 09.8595 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- (¹⁷) From 1.7 to 31.3: 09.8633
From 1.4 to 30.6: 09.8634
From 1.4 to 30.6: For Ukraine*, Switzerland*, Turkey*, Moldova* and United Kingdom*: 09.8558 *In case of exhaustion of their specific quotas in accordance with Article 1.5

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- ⁽¹⁸⁾ From 1.7 to 31.3: 09.8635
From 1.4 to 30.6: 09.8636
- ⁽¹⁹⁾ From 1.7 to 31.3: 09.8637
From 1.4 to 30.6: 09.8638
From 1.4 to 30.6: For China*, United Arab Emirates* and United Kingdom*: 09.8580 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- ⁽²⁰⁾ From 1.7 to 31.3: 09.8639
From 1.4 to 30.6: 09.8640
From 1.4 to 30.6: For China*, Turkey* and United Kingdom*: 09.8585 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- ⁽²¹⁾ From 1.7 to 31.3: 09.8641
From 1.4 to 30.6: 09.8642
- ⁽²²⁾ From 1.7 to 31.3: 09.8643
From 1.4 to 30.6: 09.8644
- ⁽²³⁾ From 1.7 to 31.3: 09.8645
From 1.4 to 30.6: 09.8646
From 1.4 to 30.6: For India*, Ukraine*, Korea (Republic of)*, Japan*, China* and United Kingdom*: 09.8597 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- ⁽²⁴⁾ From 1.7 to 31.3: 09.8647
From 1.4 to 30.6: 09.8648
From 1.4 to 30.6: For China*, Ukraine*, United States of America* and United Kingdom*: 09.8586 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- ⁽²⁵⁾ From 1.7 to 31.3: 09.8657
From 1.4 to 30.6: 09.8658
- ⁽²⁶⁾ From 1.7 to 31.3: 09.8659
From 1.4 to 30.6: 09.8660
From 1.4 to 30.6: For Turkey*, China*, Korea (Republic of)* and United Kingdom*: 09.8587 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- ⁽²⁷⁾ From 1.7 to 31.3: 09.8651
From 1.4 to 30.6: 09.8652
From 1.4 to 30.6: For Switzerland*, Turkey*, Taiwan*, China * and United Kingdom*: 09.8588 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- ⁽²⁸⁾ From 1.7 to 31.3: 09.8653
From 1.4 to 30.6: 09.8654
From 1.4 to 30.6: For Switzerland*, China *, Ukraine* and United Kingdom*: 09.8539 *In case of exhaustion of their specific quotas in accordance with Article 1.5
- ⁽²⁹⁾ From 1.7 to 31.3: 09.8655
From 1.4 to 30.6: 09.8656
From 1.4 to 30.6: For Turkey*, Ukraine* and China *: 09.8598 *In case of exhaustion of their specific quotas in accordance with Article 1.5
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IV.2 – Volumes of global and residual tariff-rate quotas per trimester

Product Number	Allocation by country (Where Applicable)	Year 2				Year 3			
		From 1.7.2022 to 30.9.2022	From 1.10.2022 to 31.12.2022	From 1.1.2023 to 31.3.2023	From 1.4.2023 to 30.6.2023	From 1.7.2023 to 30.9.2023	From 1.10.2023 to 31.12.2023	From 1.1.2024 to 31.3.2024	From 1.4.2024 to 30.6.2024
		Volume of tariff quota (net tonnes)	Volume of tariff quota (net tonnes)	Volume of tariff quota (net tonnes)	Volume of tariff quota (net tonnes)	Volume of tariff quota (net tonnes)	Volume of tariff quota (net tonnes)	Volume of tariff quota (net tonnes)	Volume of tariff quota (net tonnes)
1	Other countries	900 290,25	900 290,25	880 718,72	890 504,48	933 743,65	933 743,65	923 594,27	923 594,27
2	Other countries	321 824,43	321 824,43	314 828,25	318 326,34	333 782,94	333 782,94	330 154,85	330 154,85
3A	Other countries	817,65	817,65	799,87	808,76	848,03	848,03	838,81	838,81
3B	Other countries	8 303,99	8 303,99	8 123,47	8 213,73	8 612,56	8 612,56	8 518,94	8 518,94
4A	Other countries	454 338,51	454 338,51	444 461,58	449 400,05	471 221,03	471 221,03	466 099,06	466 099,06
4B	Other countries	100 848,08	100 848,08	98 655,73	99 751,91	104 595,44	104 595,44	103 458,53	103 458,53
5	Other countries	41 252,54	41 252,54	40 355,75	40 804,14	42 785,42	42 785,42	42 320,36	42 320,36
6	Other countries	35 715,05	35 715,05	34 938,63	35 326,84	37 042,16	37 042,16	36 639,53	36 639,53
7	Other countries	554 571,27	554 571,27	542 515,37	548 543,32	575 178,29	575 178,29	568 926,35	568 926,35
8	Other countries	105 581,29	105 581,29	103 286,04	104 433,67	109 504,53	109 504,53	108 314,26	108 314,26
9	Other countries	50 944,84	50 944,84	49 837,34	50 391,09	52 837,87	52 837,87	52 263,55	52 263,55
10	Other countries	1 002,95	1 002,95	981,14	992,04	1 040,21	1 040,21	1 028,91	1 028,91
12	Other countries	58 414,15	58 414,15	57 144,27	57 779,21	60 584,73	60 584,73	59 926,20	59 926,20
13	Other countries	132 668,90	132 668,90	129 784,79	131 226,85	137 598,67	137 598,67	136 103,03	136 103,03
14	Other countries	4 956,51	4 956,51	4 848,76	4 902,63	5 140,68	5 140,68	5 084,81	5 084,81
15	Other countries	773,87	773,87	757,04	765,46	802,62	802,62	793,90	793,90
16	Other countries	116 864,97	116 864,97	114 324,43	115 594,70	121 207,50	121 207,50	119 890,02	119 890,02
17	Other countries	64 947,85	64 947,85	63 535,94	64 241,90	67 361,21	67 361,21	66 629,03	66 629,03
18	Other countries	274,44	274,44	268,47	271,45	284,63	284,63	281,54	281,54
19	Other countries	759,42	759,42	742,91	751,17	787,64	787,64	779,08	779,08

20	Other countries	10 690,62	10 690,62	10 458,21	10 574,41	11 087,86	11 087,86	10 967,34	10 967,34
21	Other countries	19 871,64	19 871,64	19 439,65	19 655,65	20 610,04	20 610,04	20 386,02	20 386,02
22	Other countries	2 586,28	2 586,28	2 530,05	2 558,16	2 682,38	2 682,38	2 653,22	2 653,22
24	Other countries	43 742,37	43 742,37	42 791,45	43 266,91	45 367,77	45 367,77	44 874,64	44 874,64
25A	Other countries	115 747,59	115 747,59	113 231,34	114 489,47	120 048,60	120 048,60	118 743,72	118 743,72
25B	Other countries	6 251,05	6 251,05	6 115,16	6 183,11	6 483,33	6 483,33	6 412,86	6 412,86
26	Other countries	19 298,91	19 298,91	18 879,37	19 089,14	20 016,03	20 016,03	19 798,47	19 798,47
27	Other countries	30 366,43	30 366,43	29 706,29	30 036,36	31 494,80	31 494,80	31 152,46	31 152,46
28	Other countries	47 545,89	47 545,89	46 512,29	47 029,09	49 312,63	49 312,63	48 776,62	48 776,62

IV.3 – Maximum volume of residual quota accessible in last quarters to countries with a country specific quota

Product category	New allocated quota in tonnes	
	From 1.4.2023 to 30.6.2023	From 1.4.2024 to 30.6.2024
1	Special regime	Special regime
2	318 326,34	330 154,85
3.A	808,76	838,81
3.B	8 213,73	8 518,94
4.A	449 400,05	466 099,06
4.B	Special regime	Special regime
5	No access to the residual quota in Q4	No access to the residual quota in Q4
6	35 326,84	36 639,53
7	Not applicable	Not applicable
8	Not applicable	Not applicable
9	No access to the residual quota in Q4	No access to the residual quota in Q4
10	992,04	1 028,91
12	22 671,97	23 514,42
13	53 215,94	55 193,36
14	3 652,73	3 788,46
15	765,46	793,90
16	18 138,68	18 812,69
17	Not applicable	Not applicable
18	271,45	281,54
19	751,17	779,08
20	960,89	996,60
21	No access to the residual quota in Q4	No access to the residual quota in Q4
22	2 558,16	2 653,22
24	43 266,91	44 874,64
25.A	Not applicable	Not applicable
25.B	6 183,11	6 412,86
26	19 089,14	19 798,47
27	4 699,24	4 873,85
28	47 029,09	48 776,62"

COMMISSION IMPLEMENTING REGULATION (EU) 2022/979**of 22 June 2022****amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 183(b) thereof,

Having regard to Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009 ⁽²⁾, and in particular Article 5(6)(a) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin.
- (3) Regulation (EC) No 1484/95 should therefore be amended accordingly.
- (4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 150, 20.5.2014, p. 1.

⁽³⁾ Commission Regulation (EC) No 1484/95 of 28 June 1995 laying down detailed rules for implementing the system of additional import duties and fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation No 163/67/EEC (OJ L 145, 29.6.1995, p. 47).

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

Done at Brussels, 22 June 2022.

*For the Commission,
On behalf of the President,
Wolfgang BURTSCHER
Director-General
Directorate-General for Agriculture and Rural
Development*

ANNEX

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security under Article 3 (EUR/100 kg)	Origin ⁽¹⁾
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	259,0	12	BR
		250,1	15	TH

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

COMMISSION IMPLEMENTING REGULATION (EU) 2022/980**of 23 June 2022****amending Implementing Regulation (EU) No 75/2013 as regards the additional import duties in the sugar sector**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 182(4) thereof,

Whereas:

- (1) Article 36 of Commission Regulation (EC) No 951/2006 ⁽²⁾ provides for additional import duties for certain products in the sugar sector.
- (2) In view of the market conditions and forecast prevailing at the time, Commission Implementing Regulation (EU) No 75/2013 ⁽³⁾ provided that the additional import duties are not to apply to several sugar products until 30 September 2015. As the prevailing market conditions did not substantially change following that date, Commission Implementing Regulation (EU) No 1278/2014 ⁽⁴⁾ extended that period until 30 September 2017 and Commission Implementing Regulation (EU) 2017/1409 ⁽⁵⁾ further extended it until 30 September 2022.
- (3) According to Article 182(2) of Regulation (EU) No 1308/2013, additional import duties are not to be imposed where the imports are unlikely to disturb the Union market, or where the effects would be disproportionate to the intended objective. Taking into account the fundamentals of the world and the Union sugar markets, the imports of sugar products subject to the import duty provided for in the Common Customs Tariff will remain unlikely to disturb the Union market. Consequently, no additional duties should apply to those imports, unless the market situation changes significantly.
- (4) Therefore, the period during which additional import duties are not to apply to several sugar products, provided for in Article 1 of Implementing Regulation (EU) No 75/2013, should be extended.
- (5) Implementing Regulation (EU) No 75/2013 should therefore be amended accordingly.
- (6) In the interest of legal certainty, this Regulation should apply from the day following that of the expiry of the period provided for in Article 1 of Implementing Regulation (EU) No 75/2013.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector (OJ L 178, 1.7.2006, p. 24).

⁽³⁾ Commission Implementing Regulation (EU) No 75/2013 of 25 January 2013 derogating from Regulation (EC) No 951/2006 as regards the application of representative prices and additional import duties for certain products in the sugar sector and repealing Implementing Regulation (EU) No 892/2012 fixing the representative prices and additional import duties for certain products in the sugar sector for the 2012/2013 marketing year (OJ L 26, 26.1.2013, p. 19).

⁽⁴⁾ Commission Implementing Regulation (EU) No 1278/2014 of 1 December 2014 amending Regulations (EC) No 967/2006, (EC) No 828/2009, (EC) No 891/2009 and Implementing Regulation (EU) No 75/2013 (OJ L 346, 2.12.2014, p. 26).

⁽⁵⁾ Commission Implementing Regulation (EU) 2017/1409 of 1 August 2017 amending Implementing Regulation (EU) No 75/2013 and Regulation (EC) No 951/2006 as regards the additional import duties in the sugar sector and the calculation of the sucrose content of isoglucose and certain syrups (OJ L 201, 2.8.2017, p. 21).

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Implementing Regulation (EU) No 75/2013, the date '30 September 2022' is replaced by '30 September 2027'.

Article 2

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

It shall apply from 1 October 2022.

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

Done at Brussels, 23 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2022/981**of 23 June 2022****amending Implementing Regulation (EU) 2021/546 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of aluminium extrusions originating in the People's Republic of China**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾, and in particular Article 14(1) thereof,

Whereas:

- (1) Imports of aluminium extrusions originating in the People's Republic of China are subject to definitive anti-dumping duties imposed by Commission Implementing Regulation (EU) 2021/546 ⁽²⁾.
- (2) Guangdong Huachang Aluminium Factory Co., Ltd., TARIC ⁽³⁾ additional code C575, a company subject to an anti-dumping duty rate of 22,1 % for cooperating non-sampled producers, informed the Commission on 9 June 2021 ('date of the request') that it had changed its name to Guangdong Huachang Group Co., Ltd.
- (3) The company requested the Commission to confirm that the change of name does not affect the right of the company to benefit from the anti-dumping duty rate applied to it under its previous name.
- (4) The Commission examined the information supplied and concluded that the change of name was properly registered with the relevant authorities, and did not result in any new relationship with other groups of companies which were not investigated by the Commission.
- (5) Accordingly, this change of name does not affect the findings of Implementing Regulation (EU) 2021/546 and in particular the anti-dumping duty rate applicable to it.
- (6) The evidence in the file also confirmed that the change of the name was applicable as of 26 April 2021, the day when the Foshan Nanhai Administration for Market Regulation approved the name change.
- (7) Given the considerations in the recitals above, the Commission considered it appropriate to amend Implementing Regulation (EU) 2021/546 to reflect the changed name of the company previously attributed to additional TARIC code C575. The name change should therefore take effect as of the date of the request, i.e. 9 June 2021.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Annex to Implementing Regulation (EU) 2021/546 is amended as follows:

'Guangdong Huachang Aluminium Factory Co., Ltd.	C575'
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⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Commission Implementing Regulation (EU) 2021/546 of 29 March 2021 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of aluminium extrusions originating in the People's Republic of China (OJ L 109, 30.3.2021, p. 1).

⁽³⁾ The Integrated Tariff of the European Union.

is replaced by

'Guangdong Huachang Group Co., Ltd.	C575'
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2. The TARIC additional code C575 previously attributed to Guangdong Huachang Aluminium Factory Co., Ltd. shall apply to Guangdong Huachang Group Co., Ltd. as of 9 June 2021.

3. Any definitive duty paid on imports of products manufactured by Guangdong Huachang Group Co., Ltd. in excess of the anti-dumping duty established in Article 1(2) of Implementing Regulation (EU) 2021/546 as regards Guangdong Huachang Aluminium Factory Co., Ltd. shall be repaid or remitted in accordance with the applicable customs legislation.

Article 2

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

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

Done at Brussels, 23 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COUNCIL DECISION (EU) 2022/982

of 16 June 2022

on the submission, on behalf of the European Union, of proposals to amend Appendices I and II to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) with a view to the 19th Conference of the Parties to CITES, and of a species to include in Appendix III to CITES

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(9), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) entered into force on 1 July 1975. The Union acceded to CITES by Council Decision (EU) 2015/451 ⁽¹⁾.
- (2) Pursuant to Article XI(3) of CITES, the Conference of the Parties to CITES (CoP) may, inter alia, adopt decisions to amend Appendices I and II to CITES.
- (3) In addition, pursuant to Article XVI of CITES, any Party to CITES may submit to the CITES Secretariat a list of species for inclusion in Appendix III to CITES which that Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the cooperation of other Parties in the control of trade.
- (4) During its 19th meeting, to be held from 14 to 25 November 2022, the CoP will decide on proposals to amend Appendices I and II to CITES. Parties must submit such proposals to the CITES Secretariat by 17 June 2022. The Union may, as a Party to CITES, make such proposals.
- (5) The submission of proposals for consideration by the CoP is based on an expert analysis of the merits of such proposals, in accordance with the criteria established in CITES and in light of the best available scientific evidence. Such evidence supports the proposals set out in this Decision, which aim to ensure that trade in the species concerned does not threaten their survival in the wild,

HAS ADOPTED THIS DECISION:

Article 1

With a view to the 19th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Union shall:

- submit the proposals for amendments to Appendices I and II to CITES as set out in Annex I to this Decision,
- co-submit the proposals for amendments to Appendix II to CITES as set out in Annex II to this Decision.

⁽¹⁾ Council Decision (EU) 2015/451 of 6 March 2015 concerning the accession of the European Union to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (OJ L 75, 19.3.2015, p. 1).

Article 2

The Union shall submit the species listed in Annex III to this Decision for inclusion in Appendix III to CITES.

Article 3

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

Done at Luxembourg, 16 June 2022.

For the Council
The President
O. DUSSOPT

ANNEX I

Amendments to Appendices I and II to CITES

Taxonomic group	Taxon (common name)	Proposal
Reptiles	<i>Physignathus cocincinus</i> (Chinese water dragon)	Include in Appendix II
	<i>Cuora galbinifrons</i> (Indochinese box turtle)	Transfer from Appendix II to Appendix I
Amphibians	<i>Laotriton laoensis</i> (Laos warty newt)	Include in Appendix II With an annual zero quota (source code W) for commercial purposes
	<i>Agalychnis lemur</i> (Lemur leaf frog)	Include in Appendix II With an annual zero quota (source code W) for commercial purposes
Fish	All species of <i>Sphyrnidae</i> spp. (Hammerhead sharks) not yet included in Appendix II	Include in Appendix II
Invertebrates	<i>Thelenota ananas</i> , <i>T. anax</i> , <i>T. rubralineata</i> (Sea cucumbers)	Include in Appendix II
Trees	<i>Khaya</i> spp. (African mahogany) Populations of Africa	Include in Appendix II with Annotation #17
	<i>Azizelia</i> spp. (Pod mahogany) Populations of Africa	Include in Appendix II with Annotation #17
	<i>Dipteryx</i> spp.	Include in Appendix II with Annotation #17 + seeds
	<i>Handroanthus</i> spp. (Trumpet tree); <i>Tabebuia</i> spp. and <i>Roseodendron</i> spp.	Include in Appendix II with Annotation #17
	<i>Pterocarpus</i> spp. (Padauk) Populations of Africa	Include in Appendix II with Annotation #17
Other plants	<i>Rhodiola</i> spp.	Include in Appendix II with Annotation #2

ANNEX II

Amendment to Appendix II to CITES to be co-submitted

Proposed by	Taxonomic group	Taxon (common name)	Proposal
Panama	Cartilaginous fishes	<i>Carcharhinidae</i> spp. Requiem sharks	Include in Appendix II

ANNEX III

Amendment to Appendix III to CITES

Caribena versicolor	Appendix III
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COUNCIL DECISION (EU) 2022/983**of 17 June 2022****on the position to be taken on behalf of the European Union within the World Customs Organization Council in relation to the approval of draft amendments to the Rules of Procedure of the Harmonized System Committee**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31, Article 43(2) and Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The International Convention on the Harmonized Commodity Description and Coding System ('the Convention') was concluded by the Union by Council Decision 87/369/EEC ⁽¹⁾ and entered into force on 1 January 1988.
- (2) Pursuant to Article 6(6) of the Convention, the Harmonized System Committee ('the HS Committee') is to draw up its own Rules of Procedure by decision taken by not less than two-thirds of the votes attributed to its members. The Rules of Procedure so drawn up are to be approved by the World Customs Organization (WCO) Council.
- (3) The WCO Council is expected to approve draft amendments to the Rules of Procedure of the HS Committee at its June sessions (139th and 140th sessions on 23-25 June 2022). Such draft amendments are to be approved on the basis of a proposal drawn up by the HS Committee and finalised during its 64th (18-27 September 2019) and 68th (6-28 September 2021) sessions. The amendments are to enter into force upon their adoption.
- (4) It is of utmost importance that the HS Committee take its decisions in a transparent and efficient way, and that such decisions receive maximum support from the members of the HS Committee.
- (5) Since the draft amendments to the Rules of Procedure of the HS Committee are to be approved by the WCO Council, it is appropriate to establish the position to be taken on the Union's behalf in the WCO Council, as once approved, the amended Rules of Procedure will have legal effects in the Union and be capable of influencing the content of Union law, in particular Annex I to Council Regulation (EEC) No 2658/87 ⁽²⁾.
- (6) The Union's position should be to support the draft amendments to the Rules of Procedure of the HS Committee, as well as any minor editorial or linguistic adaptations that may be deemed necessary,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on the Union's behalf within the World Customs Organization (WCO) Council at its June 2022 sessions shall be to support the draft amendments to the Rules of Procedure of the Harmonized System Committee, as set out in the Annex to this Decision.

⁽¹⁾ Council Decision 87/369/EEC of 7 April 1987 concerning the conclusion of the International Convention on the Harmonized Commodity Description and Coding System and of the Protocol of Amendment thereto (OJ L 198, 20.7.1987, p. 1).

⁽²⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

2. The representatives of the Union within the WCO Council may agree to minor editorial or linguistic adaptations to the draft amendments referred to in paragraph 1 in the light of developments at the upcoming WCO Council sessions, in consultation with Member States, or during on-the-spot coordination meetings, without further decision of the Council.

Article 2

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

Done at Luxembourg, 17 June 2022.

For the Council
The President
B. LE MAIRE

ANNEX

DRAFT AMENDMENTS TO THE RULES OF PROCEDURE OF THE HARMONIZED SYSTEM COMMITTEE

1. Draft amendments to Rule of Procedure 19:

Third paragraph	Decisions concerning amendments to the Convention shall be taken by a majority of not less than two-thirds of the votes cast by the Members of the Committee. However, if there are two or more options for the amendment, then the Committee shall firstly undertake a stepped voting procedure, as outlined below under the simple majority voting procedures, to reduce the options to one. Once there is a single option for the amendment, then a final vote on whether to accept or reject the amendment would be taken under the two-thirds majority rule.
Fourth paragraph	Other decisions shall be taken by a simple majority (more than 50 per cent) of the votes cast by the Members of the Committee. If there are more than two options and none of them has achieved more than 50 per cent of the votes cast by the Members of the Committee, a simple majority voting shall apply a stepped voting practice that reduces the number of options by dropping out the lowest voted option until the highest voted option achieves more than 50 per cent of the votes cast by the Members of the Committee.

2. Draft amendments to Rule of Procedure 20:

Notifications to the Secretary-General to refer any matter to the Council or Committee for re-examination pursuant to paragraph 2 of Article 8 of the Convention and Council Decision No 298 may not be made before the day following the close of the Committee's session, but must be made by the end of the second month following the month during which that session was closed. A notification shall be considered made within the period if it was received by the Secretary-General before 24.00 (Brussels time) of the last day of the period.

Pursuant to Council Decision No 298, the Secretary-General may refer matters arising under paragraph 2 of Article 8 of the Convention directly back to the Committee upon the request of a Contracting Party, provided that the request is made within the period specified in the preceding paragraph. The Secretary-General shall then place the matter on the Agenda of the following session of the Committee for re-examination.

If requests relating to the same matter are received from different Contracting Parties for referral both to the Council and to the Committee, or if a Contracting Party does not specify whether the matter should be referred to the Council or directly to the Committee, the matter shall be referred to the Council. The Secretary-General shall inform all Contracting Parties of the receipt of a request for referral of a matter to the Council or to the Committee.

A Contracting Party making a request for referral of a matter to the Council or to the Committee may withdraw its request at any time before the matter is examined by the Council or re-examined by the Committee. However, the Committee will examine a matter if it has been referred by the Council. In the event that a Contracting Party withdraws a request, the original decision of the Committee shall be deemed to be approved, unless a request from another Contracting Party dealing with the same matter is pending. The Secretary-General shall notify Contracting Parties of any withdrawal.

When, pursuant to the provisions of paragraph 3 of Article 8 of the Convention and Council Decision No 298, any matter is referred in whole or in part to the Committee for re-examination, the Contracting Party which has requested that the matter be re-examined shall submit to the Secretary-General, not less than 60 days before the opening date of the next session of the Committee, a note setting out its reasons for requesting the re-examination, together with its proposals for resolving the matter. The Secretary-General shall circulate this note to the other Contracting Parties.

COMMISSION IMPLEMENTING DECISION (EU) 2022/984**of 22 June 2022****on the equivalence of the regulatory framework of the People's Republic of China for central counterparties that are authorised to clear OTC derivatives in the interbank market and supervised by the People's Bank of China to the requirements of Regulation (EU) No 648/2012 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories ⁽¹⁾ and in particular Article 25(6) thereof,

Whereas:

- (1) The procedure for recognition of central counterparties ("CCPs") established in third countries set out in Article 25 of Regulation (EU) No 648/2012 aims to allow CCPs established and authorised in third countries whose regulatory standards are equivalent to those laid down in that Regulation to provide clearing services to clearing members or trading venues established in the Union. That recognition procedure and the equivalence decisions provided for therein thus contribute to the achievement of the overarching aim of Regulation (EU) No 648/2012 to reduce systemic risk by extending the use of safe and sound CCPs to clear over-the-counter ("OTC") derivative contracts, including where those CCPs are established and authorised in a third country.
- (2) In order for a third-country legal regime to be considered equivalent to the legal regime of the Union in respect of CCPs, the substantial outcome of the applicable legal and supervisory arrangements of such regime is to be equivalent to Union requirements in respect of the regulatory objectives those requirements achieve. The purpose of this equivalence assessment is therefore to verify that the legal and supervisory arrangements of the People's Republic of China ensure that CCPs established and authorised therein to clear OTC derivatives in the interbank market do not expose clearing members and trading venues established in the Union to a higher level of risk than those clearing members and trading venues could be exposed to by CCPs authorised in the Union and, consequently, do not pose unacceptable levels of systemic risk in the Union. The significantly lower risks inherent in clearing activities carried out in a financial market that is smaller than the Union financial market should thereby, in particular, be taken into account.
- (3) Article 25(6), points (a), (b) and (c), of Regulation (EU) No 648/2012 contains three conditions that need to be fulfilled to determine that the legal and supervisory arrangements of a third country regarding CCPs authorised therein are equivalent to those laid down in that Regulation.
- (4) According to Article 25(6), point (a), of Regulation (EU) No 648/2012, CCPs authorised in a third country are to comply with legally binding requirements which are equivalent to the requirements laid down in Title IV of that Regulation.

⁽¹⁾ OJ L 201, 27.7.2012, p. 1.

- (5) This Decision covers the regulatory and supervisory regime applicable to CCPs that are authorised by the People's Bank of China to clear OTC derivatives in the interbank market. The People's Bank of China is responsible for authorising and supervising CCPs providing central clearing of OTC derivatives transactions on the Chinese interbank markets. In the People's Republic of China, interbank OTC derivatives transactions are defined as transactions between institutional investors pertaining to derivative contracts that are not traded on an exchange supervised by the China Securities Regulatory Commission ('CSRC')⁽²⁾. The Chinese interbank markets mainly consist of the interbank bond market⁽³⁾, the interbank lending market⁽⁴⁾ and the interbank foreign exchange market⁽⁵⁾. The OTC derivatives interbank markets include interest rate derivatives, exchange rate derivatives, bond derivatives, credit derivatives and commodity derivatives. The derivative contracts falling under the competence of the People's Bank of China correspond to a subset of the derivatives contracts covered by the provisions applicable to CCPs set out in Regulation (EU) No 648/2012.
- (6) The regulatory and supervisory regime applicable to CCPs clearing derivatives traded on an exchange supervised by the CSRC in accordance with Chapter V of Securities Law of the People's Republic of China, Chapter II of Regulation on the Administration of Futures Trading and the Futures and Derivatives Law of the People's Republic of China is not covered by this Decision.
- (7) The legally binding requirements of the People's Republic of China for CCPs authorised by the People's Bank of China consist of the Law of the People's Republic of China on the People's Bank of China ('Law of the People's Bank of China')⁽⁶⁾ and subordinated regulations, which set out the legal obligations that CCPs established and authorised in the People's Republic of China have to comply with. In particular, according to the 2013 Notice on Matters regarding Implementation of Principles for Financial Market Infrastructures of the People's Republic of China General Office⁽⁷⁾, authorised CCPs are required to apply and implement the international standards set out under the Principles for Financial Market Infrastructures ('PFMIs'), issued in April 2012 by the Committee on Payments and Market Infrastructures and the International Organization of Securities Commissions⁽⁸⁾.
- (8) The core principles for CCPs set out in the rules applicable in the People's Republic of China lay down high-level standards with which CCPs must comply to be authorised to provide clearing services in China. Pursuant to those principles, CCPs must comply with the PFMIs, have governance arrangements that are clear and transparent, promote the safety and efficiency of the financial market infrastructures, and support the stability of the broader financial system. The People's Bank of China may also impose specific requirements on CCPs, in particular with respect to internal control mechanisms and risk management systems.
- (9) Authorised CCPs are subject to ongoing supervision by the People's Bank of China. Authorised CCPs must notify to the People's Bank of China any amendments to the CCPs rules and any significant matter, including changes to the business range and the launch of new services, any changes to the risk management control and to emergency plans, any amendments to the articles of association, to internal procedures and internal policies, and any mergers and acquisitions. The People's Bank of China must approve any such amendments or significant matters.

⁽²⁾ Chapter V of the Securities Law of the People's Republic of China (Order of the President of the People's Republic of China No 14) and Chapter II of the Regulation on the Administration of Futures Trading (Order of the State Council No 676).

⁽³⁾ Article 3, Measures for the Administration of Bond Transactions in the National Inter-Bank Bond Market, Order of the People's Bank of China No 2 [2000].

⁽⁴⁾ Article 3, Measures for the Administration of Interbank Lending, Order of the People's Bank of China No 3 [2007].

⁽⁵⁾ Article 2, Interim Provisions on the administration of interbank foreign exchange market, YF [1996] No 423.

⁽⁶⁾ Law of the People's Republic of China on The People's Bank of China adopted at the Third Session of the Eighth National People's Congress on 18 March 1995.

⁽⁷⁾ Notice on Matters regarding Implementation of Principles for Financial Market Infrastructures of the People's Republic of China General Office (YBF [2013] No 187).

⁽⁸⁾ Committee on Payment and Settlement Systems/Technical Committee of the International Organization of Securities Commissions, Principles for financial market infrastructures, April 2012, CPMI Papers No 101.

- (10) The legally binding requirements in the People's Republic of China for CCPs under the supervision of the People's Bank of China thus comprise a two-tiered structure. The first tier consists of the Law of the People's Bank of China and its subordinated regulations, which set out the high-level standards, including the application of the PFMI, with which CCPs must comply. The second tier consists of the rules and procedures which oblige an authorised CCP to submit any amendments to its services range and its business rules, including risk management rules and internal rules and procedures, to the People's Bank of China for approval.
- (11) The assessment of whether the legal and supervisory arrangements applicable to CCPs established in the People's Republic of China under the supervision of the People's Bank of China are equivalent to the Union's legal and supervisory arrangements, should also take account of the risk mitigation outcome that those legal and supervisory arrangements ensure in terms of the level of risk to which clearing members and trading venues established in the Union are exposed to due to their participation in those entities. The risk mitigation outcome is determined both by the level of risk inherent in the clearing activities carried out by the CCP concerned, which depends on the size of the financial market in which it operates, and the appropriateness of the legal and supervisory arrangements applicable to CCPs to mitigate that level of risk. To achieve the same risk mitigation outcome, more stringent risk mitigation requirements are needed for CCPs carrying out their activities in bigger financial markets whose inherent level of risk is higher than for CCPs carrying out their activities in smaller financial markets whose inherent level of risk is lower.
- (12) The financial markets in which CCPs authorised in the interbank market in the People's Republic of China carry out their clearing activities is significantly smaller than that in which CCPs established in the Union carry out their clearing activities. In particular, over the past three years, the total value of derivative transactions cleared in CCPs supervised by the People's Bank of China represented less than 1 % of the total value of derivative transactions cleared in the Union. Therefore, participation in such CCPs exposes clearing members and trading venues established in the Union to significantly lower risks than their participation in CCPs authorised in the Union.
- (13) The legal and supervisory arrangements applicable to CCPs established in the People's Republic of China under the supervision of the People's Bank of China should therefore be considered equivalent to the Union's legal and supervisory arrangements where those legal and supervisory arrangements are appropriate to mitigate that lower level of risk. The primary rules applicable to CCPs authorised by the People's Bank of China, including the obligation imposed on authorised CCPs to apply and implement the PFMI, mitigate the lower level of risk existing in the market concerned and achieve a risk mitigation outcome that is equivalent to that pursued by Regulation (EU) No 648/2012.
- (14) The Commission therefore concludes that the legal and supervisory arrangements of the People's Republic of China ensure that CCPs authorised by the People's Bank of China comply with legally binding requirements which are equivalent to the requirements laid down in Title IV of Regulation (EU) No 648/2012.
- (15) According to Article 25(6), point (b), of Regulation (EU) No 648/2012, the legal and supervisory arrangements of a third country in respect of CCPs authorised therein are to provide for effective supervision and enforcement of those CCPs on an ongoing basis.
- (16) The People's Bank of China is responsible for the supervision of an authorised CCP in the interbank market and is involved in the day-to-day management of CCPs it supervises. The People's Bank of China has comprehensive powers to control and penalise an authorised CCP, including the power to conduct on-site and off-site inspections, to request an authorised CCP to make corrections, to issue warnings, to confiscate illegal gains, to impose penalties on a CCP, and to warn and fine the directors, senior executives of the CCP and other directly liable employees.
- (17) The Commission therefore concludes that CCPs authorised and supervised by the People's Bank of China are subject to effective supervision and enforcement on an ongoing basis.

- (18) According to Article 25(6), point (c), of Regulation (EU) No 648/2012, the legal and supervisory arrangements of a third country must include an effective equivalent system for the recognition of CCPs authorised under third-country legal regimes ('third-country CCPs').
- (19) According to Articles 4(1)(9) and 32(8) of the Law on the People's Bank of China, the People's Bank of China is responsible for maintaining the normal operation of clearing systems and has the power to implement the rules and regulations on the clearing system. CCPs established outside the People's Republic of China that want to clear financial instruments for commercial banks established in the People's Republic of China may apply for a no objection letter (无异议函), which the People's Bank of China can grant on an ad-hoc basis within its competences. The Commission has no indication suggesting that the People's Bank of China would exercise its discretionary powers improperly. The People's Bank of China can take into account the legal and supervisory arrangements applicable to the third-country CCPs in their home jurisdiction. The People's Bank of China cooperates with third-country CCP supervisors and overseers under Responsibility E of the PFMLs. ⁽⁹⁾ Moreover, the China Banking and Insurance Regulatory Commission ('CBIRC')s Rule on Capital for CCP's Risk Exposure ⁽¹⁰⁾ allows the CBIRC to recognise third-country CCPs as 'qualifying CCPs' allowing Chinese commercial banks to apply lower risk weights to exposures to such third-country CCPs.
- (20) The Commission therefore concludes that the legal and supervisory arrangements of the People's Republic of China for CCPs under the supervision of the People's Bank of China provide for an effective equivalent system for the recognition of third-country CCPs.
- (21) The conditions laid down in Article 25(6), points (a), (b) and (c), of Regulation (EU) No 648/2012 should therefore be considered to be met by the legal and supervisory arrangements of the People's Republic of China and should be considered equivalent to the requirements laid down in Regulation (EU) No 648/2012. This Decision is based on the legal and supervisory arrangements applicable to CCPs authorised to clear OTC derivatives by the People's Bank of China at the time of the adoption of this decision. The Commission and the European Securities and Markets Authority will continue monitoring the evolution of the legal and supervisory framework applicable to CCPs in the People's Republic of China and the fulfilment of the conditions on the basis of which this Decision has been taken on a regular basis.
- (22) At least every 3 years, the Commission should review the grounds on the basis of which the legal and supervisory arrangements of the People's Republic of China are considered equivalent to the Union legal and supervisory arrangements, including the legal and supervisory arrangements applicable to CCPs that are under the supervision of the People's Bank of China. Such regular reviews shall be without prejudice to the Commission's power to undertake a specific review at any time where relevant developments make it necessary for the Commission to re-assess the equivalence of those legal and supervisory arrangements with the legal and supervisory arrangements of the Union. Based on the findings from those reviews, the Commission may decide to amend or repeal this Decision at any time, in particular where the regulatory and supervisory developments in the People's Republic of China affect the conditions on the basis of which this Decision is adopted.
- (23) The measures provided for in this Decision are in accordance with the opinion of the European Securities Committee,

⁽⁹⁾ Notice on Matters regarding Implementation of Principles for Financial Market Infrastructures of the People's Republic of China General Office (YBF [2013] No 187, p. 11).

⁽¹⁰⁾ CBIRC 2013-33.

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of Article 25(6) of Regulation (EU) No 648/2012, the legal and supervisory arrangements of the People's Republic of China consisting of the Law of the People's Republic of China on the People's Bank of China and its subordinated regulations, applicable to central counterparties authorised by the People's Bank of China to clear over-the-counter derivatives in the interbank market, are to be considered equivalent to the requirements laid down in Regulation (EU) No 648/2012.

Article 2

By 22 June 2025 and, every 3 years thereafter, the Commission shall review the grounds on which the decision referred to in Article 1 was based.

Article 3

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

Done at Brussels, 22 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/985**of 22 June 2022****on the equivalence of the regulatory framework for central counterparties in Israel to the requirements of Regulation (EU) No 648/2012 of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories ⁽¹⁾, and in particular Article 25(6) thereof,

Whereas:

- (1) The procedure for recognition of central counterparties ('CCPs') established in third countries set out in Article 25 of Regulation (EU) No 648/2012 aims to allow CCPs established and authorised in third countries whose regulatory standards are equivalent to those laid down in that Regulation to provide clearing services to clearing members or trading venues established in the Union. That recognition procedure and the equivalence decision provided for therein thus contribute to the achievement of the overarching aim of Regulation (EU) No 648/2012 to reduce systemic risk by extending the use of safe and sound CCPs to clear over-the-counter ('OTC') derivative contracts, including where those CCPs are established and authorised in a third country.
- (2) In order for a third-country legal regime to be considered equivalent to the legal regime of the Union in respect of CCPs, the substantive outcome of the applicable legal and supervisory arrangements should be equivalent to Union requirements in respect of the regulatory objectives they achieve. The purpose of such equivalence assessment is therefore to verify whether the legal and supervisory arrangements of the third country concerned ensure that CCPs established and authorised in that third country do not expose clearing members and trading venues established in the Union to a higher level of risk than those clearing members and trading venues could be exposed to by CCPs authorised in the Union and, consequently, do not pose unacceptable levels of systemic risk in the Union.
- (3) The assessment of whether the legal and supervisory arrangements of Israel are equivalent to those of the Union should not only be based on a comparative analysis of the legally binding requirements applicable to CCPs in Israel, but also on an assessment of the outcome of those requirements. The Commission should also assess the adequacy of those requirements to mitigate the risks that clearing members and trading venues established in the Union may be exposed to, taking into account the size of the financial market in which CCPs in Israel operate. In order to achieve an equivalent risk mitigation outcome, more stringent risk mitigation requirements are necessary for CCPs carrying out their activities in larger financial markets whose inherent level of risk is higher than for CCPs carrying out their activities in smaller financial markets whose inherent level of risk is lower.
- (4) Article 25(6), points (a), (b) and (c), of Regulation (EU) No 648/2012 lays down three conditions that need to be fulfilled to determine that the legal and supervisory arrangements of a third country regarding CCPs authorised therein are equivalent to those laid down in that Regulation.
- (5) In accordance with Article 25(6), point (a), CCPs authorised in a third country are to comply with legally binding requirements that are equivalent to the requirements laid down in Title IV of that Regulation.

⁽¹⁾ OJ L 201, 27.7.2012, p. 1.

- (6) The legally binding requirements applicable to CCPs authorised in Israel consist of the Securities Law 5728-1968 ⁽²⁾ ('SL'), in particular Sections 50A, 50B, 50B19 and 50C, thereof. The Securities Law applies Section 10 of the Payment Systems Law 5768-2008 ⁽³⁾ ('PSL'), which determines the criteria for carrying out the supervision of the clearing houses established in Israel (ensuring stable and efficient clearing houses) by the Israel Securities Authority ('ISA'). That legal framework is supplemented by the set of directives instructed by ISA to CCPs established in Israel. The SL, the PSL and ISA's directives ensure the full implementation of the international standards set out under the Principles for financial market infrastructures ('PFMIs') issued in April 2012 by the Committee on Payment and Market Infrastructure ('CPMI') and the International Organization of Securities Commissions ⁽⁴⁾.
- (7) CCPs established in Israel must be authorised by the Israeli Minister of Finance after consultation of ISA and following the approval of the Knesset Finance Committee. In order to provide clearing services, CCPs are required to fulfil the specific provisions laid down in the SL and have internal rules and procedures in place that notably ensure compliance with all relevant standards of the PFMIs. In particular, CCPs established in Israel must operate safely and effectively and manage prudently the risks associated with their business and operations. As instructed by ISA on 15 December 2015 in a directive to CCPs authorised in Israel, CCPs are also required to have sufficient financial, human, risk management, information technology, systems and infrastructure resources to perform their function as a CCP. In addition, each CCP authorised in Israel is responsible for the formulation of its internal rules except for a change in the rules on membership which requires ISA's formal approval pursuant to Section 50B(a)(1) of SL. Notwithstanding that provision, ISA may, under Section 50C(b) of SL, order changes in the rules of a CCP authorised in Israel if those rules do not comply with the Israeli legal framework for CCPs and with the PFMIs.
- (8) The Israeli financial market is significantly smaller than the Union financial market. In particular, since 2015 the total value of derivative transactions cleared in Israel represented less than 1 % of the total value of the derivative transactions cleared in the Union. Therefore, participation in CCPs authorised in Israel exposes clearing members and trading venues established in the Union to significantly lower risks than their participation in CCPs authorised in the Union.
- (9) The Commission concludes that the legal and supervisory arrangements of Israel ensure that CCPs authorised in Israel comply with legally binding requirements that are equivalent to the requirements laid down in Title IV of Regulation (EU) No 648/2012.
- (10) Article 25(6), point (b), of Regulation (EU) No 648/2012, requires that the legal and supervisory arrangements in respect of CCPs authorised in a third country provide for effective supervision and enforcement of CCPs on an ongoing basis.
- (11) Pursuant to Section 50C of the SL, ISA is empowered to supervise the operations of CCPs authorised in Israel. The objectives of ISA's supervision consist of ensuring the stability and the efficiency of the CCPs and control the compliance of the Israeli CCPs to their obligations. In addition, provisions from Section 10 of the PSL, Sections 56A and 50C(d) of the SL supplement the set of powers granted to ISA which may audit a CCP, carry out on-site inspections, and require documents proving the adequate implementation of the legally binding requirements for CCPs authorised in Israel. ISA may impose internal rules to the established CCPs if an infringement is suspected as laid down in Section 50C(b) of the SL.
- (12) The Commission concludes that the legal and supervisory arrangements in respect of CCPs authorised in Israel provide for effective supervision and enforcement on an ongoing basis.
- (13) In accordance with Article 25(6), point (c), of Regulation (EU) No 648/2012, the legal framework of a third country is to provide for an effective equivalent system for the recognition of CCPs authorised under third-country legal regimes ('third-country CCPs').

⁽²⁾ Securities Law 5728-1968.

⁽³⁾ Payment Systems Law 5768-2008.

⁽⁴⁾ Committee on Payment and Settlement Systems/Technical Committee of the International Organization of Securities Commissions, Principles for financial market infrastructures, April 2012, CPMI Papers No 101.

- (14) Non-Israeli CCPs which want to clear derivatives in Israel have to apply for a license to the Chairman of ISA and obtain the approval of the Israeli Minister of Finance. Pursuant to Section 50A(a8) of SL, if the Chairman of ISA deems that ISA can cooperate with the competent authority of the authorised non-Israeli CCPs, considers that the legal requirements for that CCP are equivalent to the Israeli framework and that delivering a licence to that CCP would not damage the interest of the of investors in Israel, ISA may decide to exempt that CCP from the regulatory provisions of the Israeli legal framework for CCPs. In these conditions, the recognition of a non-Israeli CCP is therefore possible.
- (15) The Commission concludes that the legal framework of Israel provide for an effective equivalent system for the recognition of third-country CCPs.
- (16) The Commission therefore considers that the legal and supervisory arrangements of Israel applicable to CCPs meet the conditions laid down in Article 25(6) of Regulation (EU) No 648/2012. Consequently, those legal and supervisory arrangements should be considered equivalent to the requirements laid down in Regulation (EU) No 648/2012.
- (17) This Decision is based on the legally binding requirements applicable to CCPs in Israel at the time of the adoption of this Decision. The Commission and the European Securities and Markets Authority, will continue monitoring the evolution of the legal and supervisory framework applicable to CCPs in Israel and the fulfilment of the conditions on the basis of which this Decision has been taken.
- (18) The Commission may decide to amend or repeal this Decision at any time, in particular where the regulatory and supervisory developments in Israel affect the conditions on the basis of which this Decision is adopted.
- (19) The measures provided for in this Decision are in accordance with the opinion of the European Securities Committee,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of Article 25(6) of Regulation (EU) No 648/2012, the legal and supervisory arrangements of Israel applicable to central counterparties laid down in the Securities Law 5728-1968, in the Payment Systems Law 5768-2008 and supplemented by the Israel Securities Authority directives to central counterparties in Israel, shall be considered equivalent to the requirements laid down in Regulation (EU) No 648/2012.

Article 2

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

Done at Brussels, 22 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2022/986**of 23 June 2022****not approving N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine as an existing active substance for use in biocidal products of product-type 8****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular Article 89(1), third subparagraph, thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine (EC No: 219-145-8; CAS No: 2372-82-9).
- (2) N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine has been evaluated for use in biocidal products of product-type 8, wood preservatives, as described in Annex V to Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾, which corresponds to product-type 8 as described in Annex V to Regulation (EU) No 528/2012.
- (3) Portugal was designated as the rapporteur Member State and its evaluating competent authority submitted the assessment report together with its conclusions to the Commission on 9 November 2005. After the submission of the assessment report, discussions took place in technical meetings organised by the Commission and, after 1 September 2013, by the European Chemicals Agency ('the Agency').
- (4) It can be derived from Article 90(2) of Regulation (EU) No 528/2012 that substances for which the Member States' evaluation has been completed by 1 September 2013 should be evaluated in accordance with the provisions of Directive 98/8/EC.
- (5) In accordance with Article 75(1) of Regulation (EU) No 528/2012, the Biocidal Products Committee prepares the opinion of the Agency regarding the applications for approval of active substances. In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the Biocidal Products Committee adopted the opinion of the Agency on 2 December 2020 ⁽⁴⁾, having regard to the conclusions of the evaluating competent authority.
- (6) It can be derived from that opinion that biocidal products of product-type 8 containing N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine may not be expected to meet the criteria laid down in Article 5(1), point (b) of Directive 98/8/EC which correspond to the criteria laid down in provisions Article 19(1), point (b), of Regulation (EU) No 528/2012 as unacceptable risks for human health have been identified, and no suitable risk mitigation measure could be identified.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

⁽⁴⁾ Biocidal Products Committee Opinion on the application for approval of the active substance: N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine, Product type: 8, ECHA/BPC/270/2020, adopted on 2 December 2020.

- (7) In the discussions with the representatives of the Member States within the Standing Committee on Biocidal Products, it was considered that the evaluation was made according to realistic worst case conditions, and that limiting the number of cycles of treatment of wood to two per day per operator would not be a suitable risk mitigation measure to reduce the identified risks to human health to an acceptable level, due to difficulties of enforcement and control.
- (8) Taking into account the opinion of the Agency and the discussions in the Standing Committee on Biocidal Products, it is not appropriate to approve N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine for use in biocidal products of product-type 8.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS DECISION:

Article 1

N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine (EC No: 219-145-8; CAS No: 2372-82-9) is not approved as an active substance for use in biocidal products of product-type 8.

Article 2

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

Done at Brussels, 23 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

GUIDELINES

GUIDELINE (EU) 2022/987 OF THE EUROPEAN CENTRAL BANK

of 2 May 2022

amending Guideline (EU) 2015/510 on the implementation of the Eurosystem monetary policy framework (ECB/2014/60) (ECB/2022/17)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first indent of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular the first indent of Article 3.1, Articles 9.2, 12.1, 14.3 and 18.2 and the first paragraph of Article 20 thereof,

Whereas:

- (1) Achieving a single monetary policy entails defining the tools, instruments and procedures to be used by the Eurosystem in order to implement such a policy in a uniform manner throughout the Member States whose currency is the euro.
- (2) Guideline (EU) 2015/510 of the European Central Bank (ECB/2014/60) ⁽¹⁾ should be amended to incorporate necessary technical and editorial adjustments relating to certain aspects of monetary policy operations.
- (3) The retention of bilateral procedures for money market transactions is no longer warranted as experience has shown that tender procedures are effective and provide eligible counterparties equal access to Eurosystem monetary policy operations.
- (4) Adjustments to the eligibility criteria for asset-backed securities (ABSs) need to be made in order to explicitly exclude cash-flow generating assets that do not entail full recourse against the obligors, and to enhance the transparency of the Eurosystem disclosure requirements related to the eligibility assessment process for ABSs.
- (5) Certain adjustments need to be made to provide greater clarity with regard to the treatment for eligibility purposes of credit claims with a current coupon-related cash flow which is negative.
- (6) In view of the Eurosystem's decision to change the loan-level data reporting requirements of the Eurosystem's collateral framework in line with the disclosure requirements specified in Regulation (EU) 2017/2402 of the European Parliament and of the Council ⁽²⁾, adjustments to the loan-level data reporting requirements for non-marketable debt instruments backed by eligible credit claims are necessary.

⁽¹⁾ Guideline (EU) 2015/510 of the European Central Bank of 19 December 2014 on the implementation of the Eurosystem monetary policy framework (General Documentation Guideline) (ECB/2014/60) (OJ L 91, 2.4.2015, p. 3).

⁽²⁾ Regulation (EU) 2017/2402 of the European Parliament and of the Council of 12 December 2017 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation, and amending Directives 2009/65/EC, 2009/138/EC and 2011/61/EU and Regulations (EC) No 1060/2009 and (EU) No 648/2012 (OJ L 347, 28.12.2017, p. 35).

- (7) Certain adjustments need to be made to ensure the consistency of the Eurosystem's collateral framework with the relevant provisions of Directive (EU) 2019/2162 of the European Parliament and of the Council ⁽³⁾, and Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽⁴⁾, following the amendments introduced in that Regulation in relation to covered bonds by Regulation (EU) 2019/2160 of the European Parliament and of the Council ⁽⁵⁾, which apply from 8 July 2022.
- (8) The number of credit assessment sources accepted by the Eurosystem for the mobilisation of credit claims as collateral has been reduced from four to three, following the phasing out of the use of rating tools as credit assessment sources from the general framework. The relevant provisions need to be updated to reflect that change.
- (9) The Governing Council conducted a comprehensive review of the temporary collateral easing measures adopted since 2020 in response to the exceptional economic and financial circumstances associated with the spread of coronavirus disease (COVID-19). These measures included the increase in the limit with respect to unsecured debt instruments issued by credit institutions and their closely linked entities that can be submitted or used as collateral by Eurosystem counterparties. The review took into account (a) that Eurosystem counterparties participating in targeted longer-term refinancing operations conducted under Decision (EU) 2019/1311 of the European Central Bank (ECB/2019/21) ⁽⁶⁾ should be able to continue mobilising sufficient collateral for these operations; (b) the collateral impact for Eurosystem counterparties associated with each of such measures; (c) risk considerations associated with each of such measures; (d) other market and policy considerations. In that context, the Governing Council decided on 23 March 2022, inter alia, to restore the previous limit with respect to the abovementioned unsecured debt instruments, in order to reduce the Eurosystem's exposure to concentration risk. This needs to be reflected in the relevant provisions of Guideline (EU) 2015/510 (ECB/2014/60).
- (10) Eligible counterparties whose access to monetary policy operations has been limited on the grounds of prudence or following an event of default pursuant to Article 158 of Guideline (EU) 2015/510 (ECB/2014/60) may have recourse to the marginal lending facility following an automatic request under the credit extension procedure set out in Annex III to Guideline ECB/2012/27 ⁽⁷⁾. It is necessary to specify the sanctions that are applicable if, and to the extent that, defined limits are exceeded as a result of recourse to the marginal lending facility in such circumstances.
- (11) It is necessary to provide greater clarity with regard to the treatment for eligibility purposes of interest reference rates for marketable and non-marketable assets.
- (12) In line with the Governing Council's decision of 17 February 2021, the collateral eligibility criteria applied to sustainability-linked bonds need to be further clarified.
- (13) Updates to the provisions on the eligibility of securities settlement systems and links are necessary to explicitly address the case of central securities depositories (CSDs) established in Member States that join the euro area, and to reflect the fact that references to the relevant user assessment framework became redundant with the finalisation of the authorisation process under Regulation (EU) No 909/2014 of the European Parliament and of the Council ⁽⁸⁾.

⁽³⁾ Directive (EU) 2019/2162 of the European Parliament and of the Council of 27 November 2019 on the issue of covered bonds and covered bond public supervision and amending Directives 2009/65/EC and 2014/59/EU (OJ L 328, 18.12.2019, p. 29).

⁽⁴⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

⁽⁵⁾ Regulation (EU) 2019/2160 of the European Parliament and of the Council of 27 November 2019 amending Regulation (EU) No 575/2013 as regards exposures in the form of covered bonds (OJ L 328, 18.12.2019, p. 1).

⁽⁶⁾ Decision (EU) 2019/1311 of the European Central Bank of 22 July 2019 on a third series of targeted longer-term refinancing operations (ECB/2019/21) (OJ L 204, 2.8.2019, p. 100).

⁽⁷⁾ Guideline ECB/2012/27 of 5 December 2012 on a Trans-European Automated Real-time Gross settlement Express Transfer system (TARGET2) (OJ L 30, 30.1.2013, p. 1).

⁽⁸⁾ Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).

- (14) The retention of the emergency foreign collateral framework is no longer warranted given the operational burden of maintaining the framework, the fact that the framework has never been activated, and the likely limited availability of the targeted assets to Eurosystem counterparties in case of need.
- (15) Regulation (EC) No 1745/2003 of the European Central Bank (ECB/2003/9) ⁽⁹⁾ on the application of minimum reserves has been recast and repealed by Regulation (EU) 2021/378 of the European Central Bank (ECB/2021/1) ⁽¹⁰⁾. The changes introduced by Regulation (EU) 2021/378 (ECB/2021/1) need to be reflected in the provisions relating to minimum reserves in Guideline (EU) 2015/510 (ECB/2014/60).
- (16) Certain provisions of the Guideline need to be updated to reflect the consequences for the monetary policy implementation framework, and the rights and obligations of stakeholders, in particular as regards open market operations, liquidity management, standing facilities, the sanctioning regime, minimum reserve requirements, and remuneration of current accounts, in the event of the activation of the Enhanced Contingency Solution (ECONS) under the TARGET2 system, and a prolonged disruption of TARGET2 lasting more than one business day.
- (17) Therefore, Guideline (EU) 2015/510 (ECB/2014/60) should be amended accordingly,

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendments

Guideline (EU) 2015/510 (ECB/2014/60) is amended as follows:

- (1) Article 2 is amended as follows:

- (a) point 4 is replaced by the following:

‘(4) “bilateral procedure” means a procedure whereby the NCBs or, if appropriate, the ECB conduct outright transactions directly with one or more counterparties, or through stock exchanges or market agents, without making use of tender procedures;’;

- (b) the following point 24-a is inserted:

‘(24-a) “ECONS credit” means credit provided within contingency processing as referred to in paragraph 6 of Appendix IV to Annex II to Guideline ECB/2012/27;’;

- (c) point 31 is replaced by the following:

‘(31) “Eurosystem credit operations” means: (a) liquidity-providing reverse transactions, i.e. liquidity-providing Eurosystem monetary policy operations excluding foreign exchange swaps for monetary policy purposes and outright purchases; (b) intraday credit; and (c) ECONS credit;’;

- (d) point 42 is replaced by the following:

‘(42) “indicative calendar for the Eurosystem’s regular tender operations” means a calendar prepared by the Eurosystem that indicates the timing of the reserve maintenance period, as well as the announcement, allotment and maturity of main refinancing operations and regular longer-term refinancing operations;’;

- (e) point 53 is replaced by the following:

‘(53) “maintenance period” has the same meaning as defined in Regulation (EU) 2021/378 of the European Central Bank (ECB/2021/1) (*);’;

(*) Regulation (EU) 2021/378 of the European Central Bank of 22 January 2021 on the application of minimum reserve requirements (ECB/2021/1) (OJ L 73, 3.3.2021, p. 1).;

⁽⁹⁾ Regulation (EC) No 1745/2003 of the European Central Bank of 12 September 2003 on the application of minimum reserves (ECB/2003/9) (OJ L 250, 2.10.2003, p. 10).

⁽¹⁰⁾ Regulation (EU) 2021/378 of the European Central Bank of 22 January 2021 on the application of minimum reserve requirements (ECB/2021/1) (OJ L 73, 3.3.2021, p. 1).

(f) point 68 is replaced by the following:

‘(68) “non-EEA G10 countries” means the countries participating in the Group of Ten (G10) that are not EEA countries, i.e. Canada, Japan, Switzerland, the United Kingdom and the United States;’

(g) the following point 88-a is inserted:

‘(88-a) “sustainability-linked bond issuer group” means a group of undertakings that operate as a single economic entity and constitute a reporting entity for the purposes of presenting consolidated accounts, comprising the parent undertaking and all of its direct and indirect subsidiaries;’

(h) point 88a is replaced by the following:

‘(88a) “sustainability performance target” (SPT) means a target set out in a publicly available issuance document, measuring quantified improvements in the sustainability profile of the issuer or of one or more undertakings belonging to the same sustainability-linked bond issuer group over a predefined period of time with reference to one or more of the environmental objectives set out in Regulation (EU) 2020/852 of the European Parliament and of the Council (*) and/or to one or more of the Sustainable Development Goals set by the United Nations relating to climate change or environmental degradation (**);’

(*) 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).

(**) Contained in the ‘2030 Agenda for Sustainable Development’ adopted by the UN General Assembly on 25 September 2015.’;

(2) in Article 3, paragraph 2 is replaced by the following:

‘2. The minimum reserve requirements are specified in Regulation (EC) No 2531/98 and Regulation (EU) 2021/378 (ECB/2021/1). Certain features of the minimum reserve requirements are illustrated in Annex I for information purposes.’;

(3) in Article 4, Table 1 is amended as follows:

(a) in the row ‘Fine-tuning operations’ of the fifth column (‘Procedure’), the words ‘Bilateral procedures’ and the footnote are deleted;

(b) in the row ‘Structural operations’ of the fifth column (‘Procedure’), the following footnote (*) is inserted after the words ‘Bilateral procedures’:

‘(*) Procedures for bilateral outright transactions are communicated when needed.’;

(4) in Article 8(2), point (c) is replaced by the following:

‘(c) are normally executed by means of quick tender procedures, unless the Eurosystem decides to conduct the specific fine-tuning operation by means of a standard tender procedure in the light of specific monetary policy considerations or in order to react to market conditions;’;

(5) in Article 10(4), point (c) is replaced by the following:

‘(c) that fall into the category open market operations are executed by means of standard tender procedures, with the exception of fine-tuning operations, where they are executed by means of tender procedures;’;

(6) in Article 11(5), point (c) is replaced by the following:

‘(c) are executed by means of quick tender procedures, unless the Eurosystem decides to conduct the specific operation by means of a standard tender procedure, in the light of specific monetary policy considerations or in order to react to market conditions;’;

(7) in Article 12(6), point (c) is replaced by the following:

‘(c) is executed by means of quick tender procedures, unless it is decided by the ECB to conduct the specific operation by means of a standard tender procedure, in the light of specific monetary policy considerations or in order to react to market conditions;’;

- (8) in Article 14(3), point (d) is replaced by the following:

‘(d) are executed in a decentralised manner by the NCBs, unless the ECB’s Governing Council decides that the ECB or one or more NCBs, acting as the ECB’s operating arm, shall conduct the specific operation;’

- (9) in Article 17, paragraph 6 is replaced by the following:

‘6. The ECB’s Governing Council shall decide on the interest rates for the standing facilities on a regular basis. The revised interest rates shall become effective from the beginning of the new reserve maintenance period, as defined in Article 8 of Regulation (EU) 2021/378 (ECB/2021/1). The ECB publishes a calendar of the reserve maintenance periods at least three months before the start of each calendar year.’

- (10) Article 19 is amended as follows:

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

‘2. Access to the marginal lending facility shall be granted only on TARGET2 business days with the exclusion of the days on which TARGET2 is not available at the end of the day due to a ‘prolonged TARGET2 disruption over several business days’ as referred to in Article 187a. On days when the SSSs are not operational, access to the marginal lending facility shall be granted on the basis of eligible assets which have already been pre-deposited with the NCBs.’

- (b) paragraph 6 is replaced by the following:

‘6. At the end of each business day, a negative balance on a counterparty’s settlement account with its home NCB after finalisation of the end-of-day control procedures shall automatically be considered as a request for recourse (‘automatic request’) to the marginal lending facility. In order to meet the requirement in Article 18(4), counterparties shall have pre-deposited sufficient eligible assets as collateral for the transaction with the home NCB prior to such an automatic request arising. Failure to comply with this access condition shall be subject to sanctions in accordance with Articles 154 to 157. If an automatic request in the case of a counterparty whose access to Eurosystem monetary policy operations has been limited pursuant to Article 158 results in that counterparty exceeding the defined limit, sanctions in accordance with Articles 154 to 157 shall be applicable in respect of the amount by which the limit is exceeded.’

- (11) in Article 22, paragraph 1 is replaced by the following:

‘1. Institutions fulfilling the eligibility criteria under Article 55 and which have access to an account with the NCB where the transaction can be settled, notably in TARGET2, may access the deposit facility. Access to the deposit facility shall be granted only on TARGET2 business days with the exclusion of the days on which TARGET2 is not available at the end of the day due to a prolonged TARGET2 disruption over several business days as referred to in Article 187a.’

- (12) in Part Two, Title III, the title of Chapter 1 is replaced by the following:

‘Tender procedures for Eurosystem open market operations’;

- (13) Article 24 is replaced by the following:

‘Article 24

Types of procedures for open market operations

Open market operations shall be executed through tender procedures.’

- (14) in Part Two, Title III, Chapter 1, Section 3, including Articles 44 to 48, is deleted;

- (15) in Article 50(2), in Table 8, the wording ‘Settlement date for open market operations based on quick tender procedures or bilateral procedures’ is replaced by ‘Settlement date for open market operations based on quick tender procedures’;

(16) Article 52 is replaced by the following:

'Article 52

Settlement of open market operations conducted by means of quick tender procedures or bilateral procedures

1. The Eurosystem shall endeavour to settle open market operations executed by means of quick tender procedures on the trade day. Other settlement dates may be applied, in particular for outright transactions and foreign exchange swaps.

2. Fine-tuning operations and structural operations conducted by means of outright transactions and executed by means of bilateral procedures shall be settled in a decentralised manner through the NCBs.';

(17) in Article 54, paragraphs 1 and 2 are replaced by the following:

'1. Pursuant to Article 3(1)(b) and (c) of Regulation (EU) 2021/378 (ECB/2021/1), a counterparty's settlement accounts with an NCB may be used as reserve accounts. Reserve holdings on settlement accounts may be used for intraday settlement purposes. The daily reserve holdings of a counterparty shall be calculated as the sum of the end-of-day balances on its reserve accounts. For the purposes of this Article, "reserve accounts" shall have the same meaning as that in Regulation (EU) 2021/378 (ECB/2021/1).

2. Reserve holdings that comply with minimum reserve requirements pursuant to Regulation (EC) No 2531/98 and Regulation (EU) 2021/378 (ECB/2021/1) shall be remunerated in accordance with Regulation (EU) 2021/378 (ECB/2021/1).';

(18) in Article 55, point (a) is replaced by the following:

'(a) they shall be subject to the Eurosystem's minimum reserve system pursuant to Article 19.1 of the Statute of the ESCB and shall not have been granted an exemption from their obligations under the Eurosystem's minimum reserve system pursuant to Regulation (EC) No 2531/98 and Regulation (EU) 2021/378 (ECB/2021/1).';

(19) in Article 55a, paragraph 5 is replaced by the following:

'5. A wind-down entity shall not be eligible to access Eurosystem monetary policy operations.';

(20) Article 57 is amended as follows:

(a) the title is replaced by the following:

'Selection of counterparties for access to open market operations executed by means of quick tender procedures';

(b) paragraphs 1 to 3 are replaced by the following:

'1. For open market operations executed by means of quick tender procedures, counterparties shall be selected in accordance with paragraphs 2 and 3.

2. For structural operations conducted by means of outright transactions that are executed by means of quick tender procedures, the eligibility criteria laid down in paragraph 3(b) shall apply.

3. For fine-tuning operations that are executed by means of quick tender procedures, counterparties shall be selected as follows:

(a) For fine-tuning operations that are conducted by means of foreign exchange swaps for monetary policy purposes and executed by means of quick tender procedures, the range of counterparties shall be identical to the range of entities that are selected for Eurosystem foreign exchange intervention operations and are established in the Member States whose currency is the euro. Counterparties for foreign exchange swaps for monetary policy purposes by means of quick tender procedures do not need to fulfil the criteria laid down in Article 55. The selection criteria for counterparties participating in Eurosystem foreign exchange intervention operations are based on the principles of prudence and efficiency, as laid down in Annex V. The NCBs may apply limit-based systems in order to control credit exposures vis-à-vis individual counterparties participating in foreign exchange swaps for monetary policy purposes.

(b) For fine-tuning operations conducted by means of reverse transactions or through the collection of fixed-term deposits and executed by means of quick tender procedures, each NCB shall select, for a specific transaction, a set of counterparties from among the institutions that fulfil the eligibility criteria laid down in Article 55 and are established in its Member State whose currency is the euro. The selection shall be primarily based on the relevant institution's activity in the money market. Additional selection criteria may be applied by the NCB, such as the efficiency of the trading desk and the bidding potential.;

(c) paragraph 4 is deleted;

(d) paragraph 5 is replaced by the following:

‘5. Without prejudice to paragraphs 1 to 3, open market operations executed by means of quick tender procedures may also be conducted with a broader range of counterparties than those indicated in paragraphs 2 to 3, if the ECB's Governing Council so decides.’;

(21) Article 63 is amended as follows:

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

‘(i) the reference rate is only one of the following at a single point in time:

- a euro money market rate provided by a central bank or by an administrator located in the Union and included in the register referred to in Article 36 of Regulation (EU) 2016/1011 of the European Parliament and of the Council (*), e.g. the euro short-term rate (€STR) (including compounded or averaged daily €STR), Euribor, or similar indices; for the first or/and the last coupon the reference rate can be a linear interpolation between two tenors of the same euro money market rate, e.g. a linear interpolation between two different tenors of Euribor,
- a constant maturity swap rate, e.g. CMS, EISDA, EUSA,
- the yield of one or an index of several euro area government bonds that have a maturity of one year or less,
- a euro area inflation index;

(*) Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).;

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

‘(c) multi-step or floating coupons with steps linked to SPTs, provided the compliance with SPTs by the issuer, or any undertaking belonging to the same sustainability-linked bond issuer group, is subject to verification by an independent third party in accordance with the terms and conditions of the debt instrument.’;

(22) in Article 73, the following paragraph 6 is added:

‘6. The cash-flow generating assets must entail full recourse against the obligors.’;

(23) the following Article 79a is inserted:

‘Article 79a

Assessment of information in relation to the eligibility of asset-backed securities

The Eurosystem may decide not to accept ABSs for use as collateral in Eurosystem credit operations on the basis of its assessment of the information provided. In its assessment, the Eurosystem shall take into account whether the information submitted is deemed sufficiently clear, consistent and comprehensive to demonstrate fulfilment of each of the eligibility criteria applicable to ABSs, in particular with respect to whether the cash-flow generating assets have been acquired in a manner which the Eurosystem considers to be a “true sale” as laid down in Article 75(2).;

(24) Article 80 is amended as follows:

(a) the title is replaced by the following:

'Legacy covered bonds backed by asset-backed securities';

(b) paragraphs 1 to 5 are replaced by the following:

1. Without prejudice to the eligibility of legislative covered bonds pursuant to Article 64a, EEA legislative covered bonds for which an ISIN has been opened prior to 8 July 2022 and that are not subject to Directive (EU) 2019/2162 of the European Parliament and of the Council (*) ('legacy covered bonds'), may be backed by ABSs provided that the cover pool of such bonds (for the purposes of paragraphs 1 to 4, 'the cover pool') only contains ABSs that comply with all of the following.

(a) The cash-flow generating assets backing the ABSs meet the criteria laid down in Article 129(1)(d) to (f) of Regulation (EU) No 575/2013 at the time the ISIN was opened.

(b) The cash-flow generating assets were originated by an entity closely linked to the issuer, as described in Article 138.

(c) They are used as a technical tool to transfer mortgages or guaranteed real estate loans from the originating entity into the cover pool.

2. Subject to paragraph 4, the NCBs shall use the following measures to verify that the cover pool does not contain ABSs that do not comply with paragraph 1.

(a) On a quarterly basis, the NCBs shall request a self-certification and undertaking of the issuer confirming that the cover pool does not contain ABSs that do not comply with paragraph 1. The NCB's request shall specify that the self-certification must be signed by the issuer's Chief Executive Officer (CEO), Chief Financial Officer (CFO) or a manager of similar seniority, or by an authorised signatory on their behalf.

(b) On an annual basis, NCBs shall request an ex post confirmation by external auditors or cover pool monitors from the issuer, confirming that the cover pool does not contain ABSs that do not comply with paragraph 1 for the monitoring period.

3. If the issuer fails to comply with a particular request or if the Eurosystem deems the content of a confirmation incorrect or insufficient to the extent that it is not possible to verify that the cover pool complies with the criteria in paragraph 1, the Eurosystem shall decide not to accept the EEA legislative covered bonds referred to in paragraph 1 as eligible collateral or to suspend their eligibility.

4. Where the applicable legislation or prospectus exclude the inclusion of ABSs that do not comply with paragraph 1 as cover pool assets, no verification pursuant to paragraph 2 shall be required.

5. For the purposes of paragraph 1(b), the close links shall be determined at the time that the senior units of the ABSs are transferred into the cover pool of the EEA legislative covered bond referred to in paragraph 1.

(*) Directive (EU) 2019/2162 of the European Parliament and of the Council of 27 November 2019 on the issue of covered bonds and covered bond public supervision and amending Directives 2009/65/EC and 2014/59/EU (OJ L 328, 18.12.2019, p. 29).'

(25) Article 90 is amended as follows:

(a) the title is replaced by the following:

'Principal amount, coupon and other elements of eligible credit claims';

(b) after the semicolon in point (a), the word 'and' is deleted;

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

‘(b) they have an interest rate that shall be one of the following:

(i) a “zero coupon”;

(ii) fixed;

(iii) floating, i.e. linked to a reference interest rate and with the following structure: coupon rate = reference rate $\pm$ x, with $f \leq$ coupon rate $\leq$ c, where:

— the reference rate is only one of the following at a single point in time:

— a euro money market rate provided by a central bank or by an administrator located in the Union and included in the register referred to in Article 36 of Regulation (EU) 2016/1011, e.g. €STR (including compounded or averaged daily €STR), Euribor, or similar indices;

— a constant maturity swap rate, e.g. CMS, EIISDA, EUSA;

— the yield of one or an index of several euro area government bonds;

— f (floor) and c (ceiling), if they are present, are numbers that are either pre-defined at origination or may change over the life of the credit claim; they may also be introduced after origination of the credit claim;

— x (margin);;

(d) the following point (ba) is inserted:

‘(ba) their coupon structure (irrespective of whether it is for a fixed or floating interest rate credit claim) may contain a margin that is either pre-defined at origination or may change over the life of the credit claim. In the event of a margin change, the eligibility assessment of the coupon structure shall be based on the remaining lifetime of the credit claim; and’;

(e) point (c) is replaced by the following:

‘(c) their current coupon does not lead to a negative cash flow or to a reduction of principal payment. If in the current accrual period the coupon structure leads to a negative coupon-related cash flow, the credit claim is ineligible as of the moment of the coupon reset. It may become eligible again at the start of a new accrual period when the coupon-related cash flow applied to the debtor turns non-negative, provided it meets all other relevant requirements.’;

(26) in Article 107a, paragraph 2 is replaced by the following:

‘2. DECCs shall have a fixed, unconditional principal amount and a coupon structure that complies with the criteria set forth in Article 63. The cover pool shall only contain credit claims for which a specific ECB DECC loan-level data reporting template is available.’;

(27) in Article 110, paragraph 1 is replaced by the following:

‘1. Counterparties mobilising credit claims as collateral shall select one credit assessment system from one of the three credit assessment sources accepted by the Eurosystem in accordance with the general acceptance criteria in Title V of part Four. Where the ECAI source is selected by the counterparties, any ECAI system may be used.’;

(28) in Article 112a, paragraphs 1 and 2 are replaced by the following:

‘1. DECCs shall not be required to be assessed by one of the three credit assessment sources accepted by the Eurosystem in accordance with the general acceptance criteria in Title V of Part Four.

2. Each underlying credit claim in the cover pool of DECCs shall have a credit assessment provided by one of the three credit assessment sources accepted by the Eurosystem in accordance with the general acceptance criteria in Title V of Part Four. In addition, the credit assessment system or source used shall be the same system or source selected by the originator in accordance with Article 110. The rules on the Eurosystem’s credit quality requirements for the underlying credit claims laid down in Section 1 shall be applicable.’;

(29) Title VII and Article 137 are deleted;

(30) Article 138 is amended as follows:

(a) in paragraph 3, point (b), the introductory wording is replaced by the following:

‘EEA legislative covered bonds, with the exception of intragroup pooled covered bond structures issued in line with Article 8 of Directive (EU) 2019/2162, that:’;

(b) in paragraph 3, point (b), point (i) is replaced by the following:

‘(i) if issued on or before 7 July 2022, meet the requirements set out in Article 129(1) to (3) and (6) of Regulation (EU) No 575/2013 that apply on the date of issue and are included on the list of eligible marketable assets published on the ECB’s website as of 7 July 2022; or, if issued on or after 8 July 2022, meet the requirements set out in Article 129(1) to (3b) and (6) and (7) of Regulation (EU) No 575/2013 that apply on the date of issue;’;

(c) in paragraph 4, the first subparagraph is replaced by the following:

‘If compliance with paragraph 3(b)(i) or (ii) needs to be verified, that is, for EEA legislative covered bonds, where the applicable legislation or prospectus do not exclude (i) intragroup pooled covered bond structures issued in line with the relevant national measures transposing Article 8 of Directive (EU) 2019/2162 or (ii) debt instruments referred to in paragraph 3(b)(ii) as cover pool assets, respectively, where the counterparty or an entity closely linked to the counterparty has issued such debt instruments, NCBs may take all or some of the following measures to conduct ad hoc checks of compliance with paragraph 3(b)(i) or (ii).’;

(d) in paragraph 4, points (b) and (c) are replaced by the following:

‘(b) If surveillance reports do not provide sufficient information for verification purposes, NCBs may obtain a self-certification and undertaking of the counterparty mobilising an EEA legislative covered bond by which the counterparty shall confirm that the EEA legislative covered bond is not part of an intragroup pooled covered bond structure issued in line with the relevant national measures transposing Article 8 of Directive (EU) 2019/2162, in breach of paragraph 3(b)(i), and that the cover pool of EEA legislative covered bonds does not include, in breach of paragraph 3(b)(ii), unsecured bank bonds which are issued by that counterparty or any other entity closely linked to that counterparty, and are fully guaranteed by one or several EEA public entities which have the right to levy taxes. The counterparty’s self-certification must be signed by the counterparty’s CEO, CFO or a manager of similar seniority, or by an authorised signatory on their behalf.

(c) On an annual basis, NCBs may obtain from the counterparty mobilising an EEA-legislative covered bond an ex post confirmation by external auditors or cover pool monitors that the EEA legislative covered bond is not part of an intragroup pooled covered bond structure issued in line with the relevant national measures transposing Article 8 of Directive (EU) 2019/2162, in breach of paragraph 3(b)(i), and that the cover pool of EEA legislative covered bonds does not include, in breach of paragraph 3(b)(ii), unsecured bank bonds which are issued by that counterparty or any other entity closely linked to that counterparty, and are fully guaranteed by one or several EEA public sector entities which have the right to levy taxes.’;

(31) Article 141 is amended as follows:

(a) in paragraph 1, the percentage value ‘10 %’ is replaced by the percentage value ‘2,5 %’;

(b) paragraph 2 is replaced by the following:

‘2. If a close link is established or a merger takes place between two or more issuers of unsecured debt instruments, the threshold in paragraph 1 shall apply from three months after the date on which the close link is established or the merger becomes effective.’;

(32) in Article 153, paragraph 1 is replaced by the following:

‘1. The ECB shall impose sanctions pursuant to Regulation (EC) No 2532/98, Regulation (EC) No 2157/1999 (ECB/1999/4), Regulation (EC) No 2531/98, Regulation (EU) 2021/378 (ECB/2021/1) and Decision (EU) 2021/1815 of the European Central Bank (ECB/2021/45) (*) on institutions which do not comply with obligations arising from ECB regulations and decisions relating to the application of minimum reserves. The relevant sanctions and procedural rules for their application are specified in those legal acts.

(*) Decision (EU) 2021/1815 of the European Central Bank of 7 October 2021 on the methodology applied for the calculation of sanctions for non-compliance with the requirement to hold minimum reserves and related minimum reserve requirements (ECB/2021/45) (OJ L 367, 15.10.2021, p. 4).;

(33) in Article 154(1), point (d) is replaced by the following:

‘(d) as regards end-of-day procedures and access conditions for the marginal lending facility, in cases where there is any remaining negative balance on a counterparty’s settlement account in TARGET2 after finalisation of the end-of-day control procedures and an automatic request for recourse to the marginal lending facility is therefore considered to arise, as laid down in Article 19(6), the obligation to present sufficient eligible assets in advance as collateral or, in the case of a counterparty whose access to Eurosystem monetary policy operations has been limited pursuant to Article 158, the obligation to keep its recourse to Eurosystem monetary policy operations within the defined limit.’;

(34) in Article 155, the following paragraph 2a is added:

‘2a. Where the calculation of a financial penalty in accordance with Annex VII, following the application of the reduction of 50 % provided for in paragraph 2, results in an amount of less than EUR 500, the minimum financial penalty of EUR 500 shall be imposed.’;

(35) the following new PART SEVEN A, containing Articles 187a to 187d, is inserted after Article 187:

‘PART SEVEN A

SPECIAL PROVISIONS IN THE EVENT OF A TARGET2 DISRUPTION OVER SEVERAL BUSINESS DAYS

Article 187a

Prolonged TARGET2 disruption over several business days

1. The ECB may declare a disruption of the TARGET2 system which impairs the normal processing of payments to be a “prolonged TARGET2 disruption over several business days” if:

- (a) the contingency solution as referred to in point (86) of Article 2 of Guideline ECB/2012/27 is activated as a result of the interruption; and
- (b) the disruption lasts or is expected by the ECB to last more than one business day.

Regular monetary policy operations may be delayed or cancelled upon activation of the contingency solution as referred to in point (a).

2. The declaration referred in paragraph 1 shall be communicated via the ECB’s website. As a part of such a declaration, or subsequent to it, the ECB shall communicate the consequences of the disruption for specific monetary policy operations and instruments.

3. Following a declaration made pursuant to this Article, special measures and provisions relating to certain monetary policy operations and instruments may apply, as specified in this Guideline and in particular in Articles 187b, 187c, and 187d.

4. Once the disruption of the TARGET2 system is resolved, the ECB shall issue a communication via the ECB's website stating that the special measures and provisions adopted due to that prolonged TARGET2 disruption over several business days are no longer applicable.

Article 187b

Processing of Eurosystem monetary policy operations in the event of a prolonged TARGET2 disruption over several business days

In the event of a declaration of a prolonged TARGET2 disruption over several business days pursuant to Article 187a, the following provisions may apply in relation to the processing of Eurosystem monetary policy operations.

- (a) The settlement of open market operations in euro as set out in Title III, Chapter 2 of this Guideline shall not be processed via the contingency solution as defined in point (86) of Article 2 of Guideline ECB/2012/27. As a consequence, the settlement of such operations may be delayed until normal TARGET2 operations resume.
- (b) The interest payments of such operations shall be calculated either (i) as if no delay had occurred in the settlement of the operations or (ii) according to the actual duration, whichever results in a lower payable or higher receivable interest amount for the counterparty.
- (c) The Eurosystem shall offset in the calculation of the interest payment calculated in accordance with point (b) any extra current account balance remuneration the counterparty is entitled to receive, or obliged to pay in case of negative rates, as a consequence of the delayed settlement.
- (d) The interest shall be paid out or received when the ECB issues the communication referred to in Article 187a(4).

Article 187c

Access to the marginal lending facility in the event of a prolonged TARGET2 disruption over several business days

In the event of a declaration of a prolonged TARGET2 disruption over several business days pursuant to Article 187a, the following provisions may apply in relation to access to the marginal lending facility.

- (a) Notwithstanding Article 19(6), a negative balance on a counterparty's settlement account with its home NCB at the end of the day shall be treated as intraday liquidity and remunerated at an interest rate of zero.
- (b) An interest rate of zero shall be applied to any outstanding credit in the marginal lending facility as set out in Article 20 granted on the day before activation of the contingency solution. That interest rate shall be applied for the period of the disruption. Any credit granted under the marginal lending facility and settled in real time on the day of but before the declaration of the prolonged TARGET2 disruption over several business days shall be treated as credit granted on the business day when the prolonged TARGET2 disruption over several business days is resolved. Interest payable for any credit received under the marginal lending facility shall be payable together with repayment of the marginal lending facility credit only after the contingency solution is deactivated and the ECB has issued a communication pursuant to Article 187a(4). The calculation of the interest rate payment shall exclude the business day(s) during which the prolonged TARGET2 disruption persisted.

Article 187d

No imposition of sanctions in the event of a prolonged TARGET2 disruption over several business days

No sanction shall be imposed on a counterparty pursuant to Article 154 if a prolonged TARGET2 disruption over several business days is declared pursuant to Article 187a which affects that counterparty's ability to fulfil its obligations under this Guideline.;

- (36) Annex I is replaced by Annex I to this Guideline;
- (37) Annexes VIa and VII are amended in accordance with Annex II to this Guideline.

*Article 2***Taking effect and implementation**

1. This Guideline shall take effect on the day of its notification to the national central banks of the Member States whose currency is the euro.
2. The national central banks of the Member States whose currency is the euro shall take the necessary measures to comply with this Guideline and apply them from 8 July 2022. They shall notify the European Central Bank of the texts and means relating to those measures by 20 May 2022 at the latest.

*Article 3***Addressees**

This Guideline is addressed to all Eurosystem central banks.

Done at Frankfurt am Main, 2 May 2022.

For the Governing Council of the ECB
The President of the ECB
Christine LAGARDE

ANNEX I

Annex I to Guideline (EU) 2015/510 (ECB/2014/60) is replaced by the following:

'ANNEX I

MINIMUM RESERVES

The content of this Annex is for information purposes only. In the event of conflict between this Annex and the legal framework for the Eurosystem's minimum reserve system as described in paragraph 1, the latter prevails.

1. Pursuant to Article 19 of the Statute of the European System of Central Banks and of the European Central Bank (hereinafter the 'Statute of the ESCB'), the European Central Bank (ECB) requires credit institutions to hold minimum reserves on accounts with national central banks (NCBs) within the framework of the Eurosystem's minimum reserve system. The legal framework for this system is laid down in Article 19 of the Statute of the ESCB, Regulation (EC) No 2531/98 and Regulation (EU) 2021/378 (ECB/2021/1). The application of Regulation (EU) 2021/378 (ECB/2021/1) ensures that the terms and conditions of the Eurosystem's minimum reserve system are uniform throughout Member States whose currency is the euro.
2. The Eurosystem's minimum reserves system primarily pursues the aims of stabilising money market interest rates and creating (or enlarging) a structural liquidity shortage.
3. In accordance with Article 1(a) of Regulation (EU) 2021/378 (ECB/2021/1), the Eurosystem's minimum reserve system applies to credit institutions that are:
 - (i) authorised in accordance with Article 8 of Directive 2013/36/EU; or
 - (ii) exempt from such authorisation pursuant to Article 2(5) of Directive 2013/36/EU.

In addition, branches in the euro area of credit institutions not incorporated in the euro area are also subject to the Eurosystem's minimum reserve system. However, branches established outside the euro area of credit institutions incorporated in the euro area are not subject to this system.

4. Pursuant to Article 4(1) of Regulation (EU) 2021/378 (ECB/2021/1), institutions will be exempt from reserve requirements if their authorisation is withdrawn or renounced, or they are subject to winding-up proceedings pursuant to Directive 2001/24/EC of the European Parliament and of the Council (*).
5. Pursuant to Article 4(2) of Regulation (EU) 2021/378 (ECB/2021/1), the ECB may exempt, upon request by the relevant NCB, institutions in the circumstances set out in points (a) to (d) thereof from reserve requirements. Such institutions include, inter alia, institutions subject to a reorganisation measure pursuant to Directive 2001/24/EC, institutions subject to a freezing order imposed by the Union or by a Member State or subject to measures imposed by the Union under Article 75 of the Treaty restricting the use of their funds; institutions subject to a decision of the Eurosystem suspending or excluding their access to the Eurosystem's open market operations or standing facilities and institutions in respect of which it is not appropriate to require minimum reserves.
6. The exemptions mentioned in Article 4 of Regulation (EU) 2021/378 (ECB/2021/1) apply from the start of the maintenance period in which the relevant event occurs.
7. Pursuant to Article 3(3) of Regulation (EU) 2021/378 (ECB/2021/1), the ECB publishes on its website a list of institutions subject to the Eurosystem's minimum reserve requirements pursuant to that Regulation.
8. The ECB also publishes a list of institutions exempted from minimum reserve requirements, excluding those institutions referred to in points (a) to (c) of Article 4(2) of Regulation (EU) 2021/378 (ECB/2021/1).

9. The reserve base of each institution is determined in relation to elements of its balance sheet. The balance sheet data are reported to the NCBs within the general framework of the ECB's monetary and financial statistics. Institutions calculate the reserve base in respect of a particular maintenance period on the basis of the data relating to the month that is two months prior to the month within which the maintenance period starts pursuant to Article 5(5) of Regulation (EU) 2021/378 (ECB/2021/1), subject to the exceptions for tail institutions, as laid down in Article 5(6) of that Regulation.
10. The reserve ratios are determined by the ECB subject to the maximum limit specified in Regulation (EC) No 2531/98.
11. The amount of minimum reserves to be held by institutions are calculated using the reserve ratios set out in Article 6(1) of Regulation (EU) 2021/378 (ECB/2021/1) for each of the liabilities of the reserve base under Article 5 of that Regulation. NCBs must use the minimum reserves calculated in accordance with Article 6 of Regulation (EU) 2021/378 (ECB/2021/1) to remunerate holdings of minimum reserves and to assess whether institutions comply with the obligation to hold the required amount of minimum reserves.
12. In order to pursue the aim of stabilising interest rates, the Eurosystem's minimum reserve system enables institutions to make use of averaging provisions, implying that compliance with reserve requirements is determined on the basis of the average of the end-of-day balance on one or more reserve accounts over a maintenance period. The maintenance period is defined in Article 8 of Regulation (EU) 2021/378 (ECB/2021/1).
13. In accordance with Article 9 of Regulation (EU) 2021/378 (ECB/2021/1), institutions' holdings of minimum reserves are remunerated at the average, over the maintenance period, of Eurosystem's rate (weighted according to the number of calendar days) for the main refinancing operations according to the following formula (whereby the result is rounded to the nearest cent):

$$R_t = \frac{H_t \cdot n_t \cdot r_t}{100 \cdot 360}$$

$$r_t = \sum_{i=1}^{n_t} \frac{MR_i}{n_t}$$

Where:

R_t =	remuneration to be paid on holdings of minimum reserves for the maintenance period t ;
H_t =	average daily holdings of minimum reserves for the maintenance period t ;
n_t =	number of calendar days in the maintenance period t ;
r_t =	rate of remuneration on holdings of minimum reserves for the maintenance period t ; standard rounding of the rate of remuneration to two decimals shall be applied;
i =	i th calendar day of the maintenance period t ;
MR_i =	marginal interest rate for the most recent main refinancing operation settled on or before calendar day i .

The end-of-day balance of TARGET2 during the period of a prolonged TARGET2 disruption over several business days as referred to in Article 187a will be considered in the calculation of this formula retroactively after the TARGET2 disruption is resolved. The end-of-day balance, applied over the number of days of the prolonged TARGET2 disruption over several business days, will be determined according to the best information available to the ECB. Any balances held in the contingency solution used during a prolonged TARGET2 disruption over several business days, intraday or for a longer period, are remunerated at zero percent.

Where an institution fails to comply with other obligations under ECB regulations and decisions relating to the Eurosystem's minimum reserve system (e.g. if relevant data are not transmitted in time or are not accurate), the ECB is empowered to impose sanctions in accordance with Regulation (EC) No 2532/98, Regulation (EC) No 2157/1999 (ECB/1999/4) and Decision (EU) 2021/1815 (ECB/2021/45)..

(*) Directive 2001/24/EC of the European Parliament and of the Council of 4 April 2001 on the reorganisation and winding up of credit institutions (OJ L 125, 5.5.2001, p. 15).'

ANNEX II

Annexes VIa and VII to Guideline (EU) 2015/510 (ECB/2014/60) are amended as follows:

(1) in Annex VIa, Section I is replaced by the following:

1. ELIGIBILITY CRITERIA FOR SECURITIES SETTLEMENT SYSTEMS (SSSs) AND LINKS BETWEEN SSSs

1. The Eurosystem determines the eligibility of an SSS operated by a central securities depository (CSD) established in a Member State whose currency is the euro or a national central bank (NCB) or a public body as specified in Article 1(4) of Regulation (EU) No 909/2014 of the European Parliament and of the Council (*) of a Member State whose currency is the euro (hereinafter an 'SSS operator' or an 'operator of an SSS') on the basis of the following criteria:
 - (a) the euro area SSS operator complies with the requirements laid down in Regulation (EU) No 909/2014; and
 - (b) the NCB of the Member State in which the respective SSS operates has set up and maintains appropriate contractual or other legally binding arrangements with the euro area SSS operator, which include the Eurosystem requirements laid down in Section II.
2. The Eurosystem determines the eligibility of a direct link or a relayed link, involving only euro area SSSs, on the basis of the following criteria:
 - (a) the direct link complies with or, in the case of a relayed link, all underlying direct links comply with the requirements laid down in Regulation (EU) No 909/2014;
 - (b) the NCBs of the Member States in which the investor SSS, any intermediary SSS and the issuer SSS are established have set up and maintain appropriate contractual or other legally binding arrangements with the euro area SSS operators, which include the Eurosystem requirements laid down in Section II;
 - (c) the investor SSS, any intermediary SSS and the issuer SSS involved in the link are all considered eligible by the Eurosystem;
 - (d) for relayed links, all underlying direct links are considered eligible by the Eurosystem.
3. Before determining the eligibility of a direct link or relayed link involving one or more SSSs operated by CSDs established in a European Economic Area (EEA) State whose currency is not the euro or NCBs or public bodies of an EEA State whose currency is not the euro (hereinafter a 'non-euro area EEA SSS' operated by a 'non-euro area EEA SSS operator'), the Eurosystem carries out a business case analysis which takes into account, inter alia, the value of the eligible assets issued by or held in those SSSs.
4. Subject to the business case analysis having a positive outcome, the Eurosystem determines the eligibility of a link involving non-euro area EEA SSSs on the basis of the following criteria.
 - (a) The non-euro area EEA operators of the SSSs involved in the link and the link itself comply with the requirements laid down in Regulation (EU) No 909/2014.
 - (b) For direct links, the NCB of the Member State in which the investor SSS operates has set up and maintains appropriate contractual or other legally binding arrangements with the euro area operator of the investor SSS. These contractual or other legally binding arrangements must stipulate the obligation of the euro area SSS operator to implement the provisions laid down in Section II in its legal arrangements with the non-euro area EEA operator of the issuer SSS.

For relayed links, all underlying direct links in which a non-euro area EEA SSS acts as issuer SSS must fulfil the criterion in the first paragraph of point (b). In a relayed link where both the intermediary SSS and the issuer SSS are non-euro area EEA SSSs, the NCB of the Member State in which the investor SSS operates must set up and maintain appropriate contractual or other legally binding arrangements with the euro area operator of the investor SSS. These contractual or other legally binding arrangements must stipulate not only the obligation of the euro area SSS operator to implement the provisions laid down in Section II in its legal arrangements with the non-euro area EEA operator of the intermediary SSS, but also the obligation of the non-euro area EEA operator of the intermediary SSS to implement the legal provisions laid down in Section II in its contractual or other legally binding arrangements with the non-euro area EEA operator of the issuer SSS.

- (c) All euro area SSSs involved in the link are considered eligible by the Eurosystem.
- (d) For relayed links, all underlying direct links are considered eligible by the Eurosystem.
- (e) The NCB of the non-euro area EEA State in which the investor SSS operates has committed to reporting information on the eligible assets traded on domestic acceptable markets in a manner determined by the Eurosystem.

(*) Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).;

(2) in Annex VII, Section II, paragraph 10 is deleted.

GUIDELINE (EU) 2022/988 OF THE EUROPEAN CENTRAL BANK**of 2 May 2022****amending Guideline (EU) 2016/65 on the valuation haircuts applied in the implementation of the
Eurosystem monetary policy framework (ECB/2015/35) (ECB/2022/18)**

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union and in particular the first indent of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular the first indent of Article 3.1, Articles 9.2, 12.1, 14.3, 18.2 and the first paragraph of Article 20 thereof,

Whereas:

- (1) In accordance with Article 18.1 of the Statute of the European System of Central Banks and of the European Central Bank, the European Central Bank (ECB) and the national central banks of the Member States whose currency is the euro (hereinafter the 'NCBs') may conduct credit operations with credit institutions and other market participants, with lending being based on adequate collateral. The general conditions under which the ECB and the NCBs stand ready to enter into credit operations, including the criteria determining the eligibility of collateral for the purposes of Eurosystem credit operations, are laid down in Guideline (EU) 2015/510 of the European Central Bank (ECB/2014/60) ⁽¹⁾.
- (2) All eligible assets for Eurosystem credit operations are subject to specific risk control measures in order to protect the Eurosystem against financial losses in circumstances in which the collateral has to be realised due to an event of default of a counterparty. The Eurosystem risk control framework is regularly reviewed in order to ensure adequate protection.
- (3) The Governing Council conducted a comprehensive review of the temporary collateral easing measures adopted since 2020 in response to the exceptional economic and financial circumstances associated with the spread of coronavirus disease (COVID-19), including the temporary reduction of valuation haircuts. This review took into account (a) that Eurosystem counterparties participating in targeted longer-term refinancing operations conducted under Decision (EU) 2019/1311 of the European Central Bank (ECB/2019/21) ⁽²⁾ should be able to continue mobilising sufficient collateral for these operations; (b) the collateral impact for Eurosystem counterparties associated with each of such measures; (c) risk considerations associated with each of such measures; (d) other market and policy considerations. In that context, the Governing Council decided on 23 March 2022, inter alia, to phase out the abovementioned haircut reduction in two stages, the first one of which is to start on 8 July 2022, in order to increase the Eurosystem's risk protection and risk efficiency. This needs to be reflected in the relevant provisions.
- (4) Therefore, Guideline (EU) 2016/65 of the European Central Bank (ECB/2015/35) ⁽³⁾ should be amended accordingly,

⁽¹⁾ Guideline (EU) 2015/510 of the European Central Bank of 19 December 2014 on the implementation of the Eurosystem monetary policy framework (General Documentation Guideline) (ECB/2014/60) (OJ L 91, 2.4.2015, p. 3).

⁽²⁾ Decision (EU) 2019/1311 of the European Central Bank of 22 July 2019 on a third series of targeted longer-term refinancing operations (ECB/2019/21) (OJ L 204, 2.8.2019, p. 100).

⁽³⁾ Guideline (EU) 2016/65 of the European Central Bank of 18 November 2015 on the valuation haircuts applied in the implementation of the Eurosystem monetary policy framework (ECB/2015/35) (OJ L 14, 21.1.2016, p. 30).

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendments

Guideline (EU) 2016/65 (ECB/2015/35) is amended as follows:

(1) in Article 4, points (a) and (b) are replaced by the following:

- (a) asset-backed securities, covered bonds and unsecured debt instruments issued by credit institutions that are theoretically valued in accordance with the rules contained in Article 134 of Guideline (EU) 2015/510 (ECB/2014/60) shall be subject to an additional valuation haircut in the form of a valuation markdown of 4,5 %;
- (b) own-use covered bonds shall be subject to an additional valuation haircut of (i) 7,2 % applied to the value of the debt instruments allocated to credit quality steps 1 and 2, and (ii) 10,8 % applied to the value of the debt instruments allocated to credit quality step 3;;

(2) in Article 5, paragraph 5 is replaced by the following:

- ‘5. Non-marketable retail mortgage-backed debt instruments shall be subject to a valuation haircut of 28,4 %.’;

(3) the Annex is amended in accordance with the Annex to this Guideline.

Article 2

Taking effect and implementation

1. This Guideline shall take effect on the day of its notification to the NCBs.
2. The NCBs shall take the necessary measures to comply with this Guideline and apply them from 8 July 2022. They shall notify the European Central Bank of the texts and means relating to those measures by 20 May 2022 at the latest.

Article 3

Addressees

This Guideline is addressed to the NCBs.

Done at Frankfurt am Main, 2 May 2022.

For the Governing Council of the ECB
The President of the ECB
Christine LAGARDE

In the Annex, Tables 2, 2a and 3 are replaced by the following:

Table 2

Valuation haircut levels (in %) applied to eligible marketable assets in haircut categories I to IV

		Haircut categories											
Credit quality	Residual maturity (years) (*)	Category I			Category II			Category III			Category IV		
		fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon	fixed coupon	zero coupon	floating coupon
Steps 1 and 2	[0,1)	0,5	0,5	0,5	0,9	0,9	0,9	0,9	0,9	0,9	6,8	6,8	6,8
	[1,3)	0,9	1,8	0,5	1,4	2,3	0,9	1,8	2,7	0,9	9,0	9,5	6,8
	[3,5)	1,4	2,3	0,5	2,3	3,2	0,9	2,7	4,1	0,9	11,7	12,2	6,8
	[5,7)	1,8	2,7	0,9	3,2	4,1	1,4	4,1	5,4	1,8	13,1	14,0	9,0
	[7,10)	2,7	3,6	1,4	4,1	5,9	2,3	5,4	7,2	2,7	14,9	16,2	11,7
	[10, ∞)	4,5	6,3	1,8	7,2	9,5	3,2	8,1	11,7	4,1	18,0	23,0	13,1
Step 3	[0,1)	5,4	5,4	5,4	6,3	6,3	6,3	7,2	7,2	7,2	11,7	11,7	11,7
	[1,3)	6,3	7,2	5,4	8,6	12,2	6,3	10,8	13,5	7,2	20,3	22,5	11,7
	[3,5)	8,1	9,0	5,4	12,2	16,7	6,3	14,9	19,8	7,2	25,2	29,3	11,7
	[5,7)	9,0	10,4	6,3	12,6	18,0	8,6	16,7	23,4	10,8	27,5	31,5	20,3
	[7,10)	10,4	11,7	8,1	14,4	22,1	12,2	17,1	25,2	14,9	27,9	33,3	25,2
	[10, ∞)	11,7	14,4	9,0	17,1	26,6	12,6	17,6	27,0	16,7	28,4	34,2	27,5

(*) i.e. [0,1) residual maturity less than 1 year, [1,3) residual maturity equal to or greater than 1 year and less than 3 years, etc.

Table 2a

Valuation haircut levels (in %) applied to eligible marketable assets in haircut category V

Credit quality	Weighted Average Life (*)	Category V
		Valuation haircut
Steps 1 and 2	[0,1)	3,6
	[1,3)	4,1
	[3,5)	4,5
	[5,7)	8,1
	[7,10)	11,7
	[10, ∞)	18

(*) i.e. [0,1) WAL less than 1 year, [1,3) WAL equal to or greater than 1 year and less than 3 years, etc.

Table 3

Valuation haircut levels (in %) applied to eligible credit claims

Credit quality	Residual maturity (years) (*)	Fixed interest payment	Floating interest payment
Steps 1 and 2	[0,1)	7,2	7,2
	[1,3)	10,8	7,2
	[3,5)	14,4	7,2
	[5,7)	16,7	10,8
	[7,10)	21,6	14,4
	[10, ∞)	31,5	16,7
Step 3	[0,1)	13,5	13,5
	[1,3)	25,2	13,5
	[3,5)	32,9	13,5
	[5,7)	38,7	25,2
	[7,10)	40,5	32,9
	[10, ∞)	43,2	38,7

(*) i.e. [0,1) residual maturity less than 1 year, [1,3) residual maturity equal to or greater than 1 year and less than 3 years, etc.'

GUIDELINE (EU) 2022/989 OF THE EUROPEAN CENTRAL BANK**of 2 May 2022****amending Guideline (EU) 2021/975 on additional temporary measures relating to Eurosystem refinancing operations and eligibility of collateral (ECB/2014/31) (ECB/2022/19)**

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first indent of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular the first indent of Article 3.1, and Articles 5.1, 12.1, 14.3 and 18.2 thereof,

Whereas:

- (1) In accordance with Article 18.1 of the Statute of the European System of Central Banks and of the European Central Bank, the European Central Bank (ECB) and the national central banks of the Member States whose currency is the euro (hereinafter the 'NCBs') may, in order to achieve the objectives of the European System of Central Banks, conduct credit operations with credit institutions and other market participants, with lending being based on adequate collateral. The general conditions under which the ECB and the NCBs stand ready to enter into credit operations, including the criteria determining the eligibility of collateral for the purposes of Eurosystem credit operations, are laid down in Guideline (EU) 2015/510 of the European Central Bank (ECB/2014/60) ⁽¹⁾.
- (2) It is necessary to provide greater clarity with regard to the treatment for eligibility purposes of interest reference rates for marketable assets.
- (3) The Governing Council conducted a comprehensive review of the temporary collateral easing measures adopted since 2020 in response to the exceptional economic and financial circumstances associated with the spread of coronavirus disease (COVID-19). These measures included temporarily reducing valuation haircuts; maintaining the eligibility of assets, and the issuers and guarantors of these assets, that fulfilled the Eurosystem's minimum credit quality requirements on 7 April 2020 but were subsequently downgraded; and allowing NCBs to accept as eligible collateral sovereign debt securities issued by the central government of the Hellenic Republic that do not satisfy the Eurosystem's credit quality requirements. This review took into account (a) that Eurosystem counterparties participating in targeted longer-term refinancing operations conducted under Decision (EU) 2019/1311 of the European Central Bank (ECB/2019/21) ⁽²⁾ should be able to continue mobilising sufficient collateral for these operations; (b) the collateral impact for Eurosystem counterparties associated with each of such measures; (c) risk considerations associated with each of such measures; (d) other market and policy considerations.
- (4) In that context, the Governing Council decided on 23 March 2022, inter alia, to phase out the abovementioned haircut reduction in two stages, the first one of which is to start on 8 July 2022, in order to increase the Eurosystem's risk protection and risk efficiency.
- (5) It also decided to no longer accept, from 8 July 2022, as eligible marketable assets, and the issuers and guarantors of these assets, that fulfilled the Eurosystem's minimum credit quality requirements on 7 April 2020 but were subsequently downgraded by the credit rating agencies accepted in the Eurosystem to a credit quality level below the Eurosystem minimum, in order to return to a consistent treatment of issuers, marketable assets and guarantors within the Eurosystem's collateral framework independent of the timing of credit rating agencies' actions.

⁽¹⁾ Guideline (EU) 2015/510 of the European Central Bank of 19 December 2014 on the implementation of the Eurosystem monetary policy framework (General Documentation Guideline) (ECB/2014/60) (OJ L 91, 2.4.2015, p. 3).

⁽²⁾ Decision (EU) 2019/1311 of the European Central Bank of 22 July 2019 on a third series of targeted longer-term refinancing operations (ECB/2019/21) (OJ L 204, 2.8.2019, p. 100).

- (6) The Governing Council further decided to continue to allow NCBs to accept as eligible collateral marketable debt securities issued by the central government of the Hellenic Republic that do not satisfy the Eurosystem's credit quality requirements but fulfil all other eligibility criteria applicable to marketable assets, for at least as long as reinvestments in these securities under the pandemic emergency purchase programme (PEPP) ⁽³⁾ continue, subject to a specific haircut schedule. This measure will be temporary and is based on the following additional considerations: (a) the need to continue to prevent fragmentation in the access to Eurosystem monetary policy operations which would impair the proper functioning of the monetary policy transmission mechanism to the Greek economy while it is still recovering from the fallout from the pandemic; (b) the commitments undertaken by the Hellenic Republic in the context of the enhanced surveillance under Regulation (EU) No 472/2013 of the European Parliament and of the Council ⁽⁴⁾ and the monitoring of the implementation thereof by Union institutions; (c) the fact that medium-term debt relief measures for the Hellenic Republic delivered via the European Financial Stability Facility and the European Stability Mechanism depend on the continued implementation of these commitments; (d) the information available to the ECB regarding the economic and financial situation of the Hellenic Republic as a result of the involvement of the ECB in the enhanced surveillance framework; (e) the fact that even after the end of the enhanced surveillance: (i) the economic, fiscal and financial situation of the Hellenic Republic will be regularly reviewed in the context of post-programme surveillance under Article 14 of Regulation (EU) No 472/2013 and the quarterly early warning system of the European Stability Mechanism, (ii) the debt relief measures for the Hellenic Republic will continue to be linked to that post-programme surveillance, and (iii) planned disbursements to the Hellenic Republic in the context of the Recovery and Resilience Facility under Regulation (EU) 2021/241 of the European Parliament and of the Council ⁽⁵⁾ are subject to the successful completion of the agreed milestones and targets in accordance with Article 24 of that Regulation; (f) the regular sovereign debt sustainability assessments that will be conducted by the European Stability Mechanism, the European Commission and the ECB; (g) the fact that the ECB will continue to have access to information on the economic and financial situation of the Hellenic Republic even after the end of the enhanced surveillance, via the mechanisms described under points (e)(i) and (e)(iii) above.
- (7) Therefore, Guideline 2014/528/EU of the European Central Bank (ECB/2014/31) ⁽⁶⁾ should be amended accordingly,

HAS ADOPTED THIS GUIDELINE:

Article 1

Amendments

Guideline ECB/2014/31 is amended as follows:

- (1) in Article 7, paragraph 3 is replaced by the following:

‘3. Marketable debt instruments described in paragraph 1, which have coupons linked to a single money market rate provided by a central bank, or provided by an administrator in accordance with Article 36 of Regulation (EU) 2016/1011 of the European Parliament and of the Council ^(*), or a money market rate included as a third country benchmark in the register referred to in Article 36 of that Regulation in their currency of denomination or to an inflation index containing no discrete range, range accrual, ratchet or similar complex structures for the respective country, shall also constitute eligible collateral for the purposes of Eurosystem monetary policy operations.

(*) Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).’;

⁽³⁾ Decision (EU) 2020/440 of the European Central Bank of 24 March 2020 on a temporary pandemic emergency purchase programme (ECB/2020/17) (OJ L 91, 25.3.2020, p. 1).

⁽⁴⁾ Regulation (EU) No 472/2013 of the European Parliament and of the Council of 21 May 2013 on the strengthening of economic and budgetary surveillance of Member States in the euro area experiencing or threatened with serious difficulties with respect to their financial stability (OJ L 140, 27.5.2013, p. 1).

⁽⁵⁾ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

⁽⁶⁾ Guideline 2014/528/EU of the European Central Bank of 9 July 2014 on additional temporary measures relating to Eurosystem refinancing operations and eligibility of collateral and amending Guideline ECB/2007/9 (ECB/2014/31) (OJ L 240, 13.8.2014, p. 28).

- (2) in Article 8a, paragraph 3 is deleted;
- (3) in Article 8b, paragraph 12 is replaced by the following:
‘12. The provisions of this Article shall remain in effect until 7 July 2022.’;
- (4) Annex IIa is replaced by Annex I to this Guideline;
- (5) Annex IIb is replaced by Annex II to this Guideline.

Article 2

Taking effect and implementation

1. This Guideline shall take effect on the day of its notification to the NCBs.
2. The NCBs shall take the necessary measures to comply with this Guideline and apply them from 8 July 2022, except for the measures to comply with Article 1, points 2 and 3, which they shall apply from 30 June 2022. They shall notify the European Central Bank of the texts and means relating to those measures by 20 May 2022 at the latest.

Article 3

Addressees

This Guideline is addressed to all Eurosystem central banks.

Done at Frankfurt am Main, 2 May 2022.

For the Governing Council of the ECB
The President of the ECB
Christine LAGARDE

ANNEX I

Annex IIa to Guideline ECB/2014/31 is replaced by the following:

‘ANNEX IIa

Valuation haircut levels (in %) applied to asset-backed securities (ABS) eligible under Article 3(2) of this Guideline

Weighted Average Life (*)	Valuation haircut
[0,1)	5,4
[1,3)	8,1
[3,5)	11,7
[5,7)	13,5
[7,10)	16,2
[10, ∞)	27'

(*) i.e. [0,1) weighted average life (WAL) less than 1 year, [1,3) WAL equal to or greater than 1 year and less than 3 years, etc.

ANNEX II

Annex IIb to Guideline ECB/2014/31 is replaced by the following:

‘ANNEX IIb

Valuation haircut levels (in %) applied to eligible marketable assets referred in Article 8a

Credit quality	Residual maturity (years) (*)	Category I		
		fixed coupon	zero coupon	floating coupon
Step 4	[0,1)	7,2	7,2	7,2
	[1,3)	10,8	11,7	10,8
	[3,5)	12,6	13,5	12,6
	[5,7)	14,0	15,3	14,0
	[7,10)	14,9	16,2	14,9
	[10, ∞)	16,2	18,9	16,2
Step 5	[0,1)	9	9	9
	[1,3)	12,6	13,5	12,6
	[3,5)	14,9	15,8	14,9
	[5,7)	16,2	17,6	16,2
	[7,10)	17,1	18,5	17,1
	[10, ∞)	18,5	21,2	18,5

(*) i.e. [0,1) residual maturity less than 1 year, [1,3) residual maturity equal to or greater than 1 year and less than 3 years, etc.

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2022 OF THE EU-JORDAN ASSOCIATION COUNCIL of 2 June 2022 on the EU-Jordan Partnership Priorities 2021–2027 [2022/990]

THE EU-JORDAN ASSOCIATION COUNCIL,

Having regard to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part,

Whereas:

- (1) The Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part ('the Agreement') was signed on 24 November 1997 and entered into force on 1 May 2002.
- (2) Article 91 of the Agreement gives the EU-Jordan Association Council the power to take appropriate decisions for the purpose of attaining the objectives of the Agreement.
- (3) In terms of Article 101 of the Agreement, the Parties are to take any general or specific measures required to fulfil their obligations under the Agreement and are to see to it that the objectives set out in the Agreement are attained.
- (4) The review of the European Neighbourhood Policy proposed a new phase of engagement with partners, allowing a greater sense of ownership by both sides.
- (5) The European Union and Jordan have agreed to consolidate their partnership by agreeing on a set of priorities for the period 2021–2027 ('the EU-Jordan Partnership Priorities 2021–2027') with the aim of supporting and strengthening Jordan's resilience and stability while also seeking to address the impact of the protracted conflict in Syria.
- (6) The European Union and Jordan have agreed on the text of the EU-Jordan Partnership Priorities 2021–2027, which will support the implementation of the Agreement, focusing on cooperation in relation to commonly identified shared interests,

HAS DECIDED AS FOLLOWS:

Article 1

The EU-Jordan Association Council recommends that the Parties to the Agreement implement the EU-Jordan Partnership Priorities 2021–2027 as set out in the Annex to this Decision.

Article 2

The EU-Jordan Partnership Priorities 2021–2027 replace the EU-Jordan Partnership Priorities agreed on by means of Decision No 1/2016 of the EU-Jordan Association Council ⁽¹⁾.

⁽¹⁾ Decision No 1/2016 of the EU-Jordan Association Council of 19 December 2016 agreeing on EU-Jordan Partnership Priorities (OJ L 355, 24.12.2016, p. 31).

Article 3

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

Done at Brussels, 2 June 2022.

For the EU-Jordan Association Council

The Chair

J. BORRELL-FONTELLES

ANNEX

EU-JORDAN PARTNERSHIP PRIORITIES 2021-2027**INTRODUCTION**

The EU and Jordan have a strong partnership. Jordan is a key partner of the EU, and the EU highly values the important moderating role that Jordan plays in the region. With a view to further strengthening the solid and multi-faceted relationship between the two partners, priorities have been identified to support the implementation of the EU-Jordan Association Agreement, which will guide the partnership for the period 2021-2027.

The EU-Jordan Partnership Priorities embody the shared goals of the European Neighbourhood Policy of a common area of peace, prosperity and stability. They embody its main features, differentiation and co-ownership, but also flexibility to allow for the adaptation to changing circumstances as agreed by the EU and Jordan. Moreover, they match the aspiration stated in the European Council conclusions of 10-11 December 2020 ⁽¹⁾ for a democratic, more stable, greener and more prosperous Southern Neighbourhood as a strategic priority for the EU.

The Partnership Priorities also embody the objectives of the new, ambitious and innovative Agenda for the Mediterranean, set out in the Joint Communication from the Commission and the High Representative on the Southern Neighbourhood of 9 February 2021 ⁽²⁾, and in the subsequent Council conclusions on a renewed Partnership with the Southern Neighbourhood of 16 April 2021 ⁽³⁾, that aims at relaunching the cooperation and realising the untapped potential of the relationship. It supports the efficient and timely implementation of mutually agreed flagship initiatives of the Economic and Investment Plan for the Southern Neighbours ⁽⁴⁾ that will reinforce the EU's partnership with Jordan and help protect our Mediterranean common goods. The new Agenda offers opportunities for new partnerships on strategic priorities of green and digital transitions that will contribute to sustainability, prosperity and resilience. In these efforts, the EU and Jordan will build on the partnership with Jordan and the continued implementation of Jordan's reform agenda. The EU and Jordan will continue to work constructively together as co-presidencies of the Union for the Mediterranean to foster a strong partnership across the Mediterranean.

In accordance with the new Agenda, the EU-Jordan partnership will continue to be based on common values and dialogue, and will progress on a shared socio-economic and political agenda, including on reforms and their implementation in areas such as good governance, the rule of law, human rights, social cohesion and equal opportunities for all, non-discrimination, environmental and climate protection, macroeconomic stability and the business environment. It will aim at a green, digital, resilient and just recovery after the COVID-19 pandemic, in line with the 2030 Agenda for Sustainable Development, the Paris Agreement and the European Green Deal.

Spurring long-term sustainable socio-economic recovery and job creation in the Southern Neighbourhood is a key shared priority and the innovative cornerstone of the new Agenda for the Mediterranean. The Joint Staff Working Document on an Economic and Investment Plan for the Southern Neighbourhood annexed to the Communication, in which Jordan features prominently, is a determined effort to give substance to this partnership and focus on key projects reinforcing the EU's partnership with Jordan. The implementation of the flagship initiatives of the Economic and Investment Plan of the New Agenda for the Mediterranean will contribute to delivering on the Partnership Priorities and constitute an important part of the EU cooperation with Jordan.

Taking as a basis the Joint Communication and its Economic and Investment Plan, as well as the Council conclusions, the EU will also work to join forces with its Member States to promote Team Europe initiatives around key areas of mutual interest, building on the successful Team Europe response to the COVID-19 crisis both globally and in Jordan.

The Partnership Priorities constitute a living document and imply the fulfilment of mutual commitments.

⁽¹⁾ EUCO 22/20 of 11 December 2020.

⁽²⁾ JOIN(2021) 2 final.

⁽³⁾ <https://data.consilium.europa.eu/doc/document/ST-7931-2021-INIT/en/pdf>

⁽⁴⁾ SWD(2021) 23 final.

The partnership and the priority areas of cooperation will continue to be sustained through regular high-level **political meetings, dialogues** on economic, employment and social affairs, trade, justice, human rights, democratic processes, climate and environment, the EU-Jordan **Mobility Partnership**, the **EU-Jordan Science and Technology Agreement** and other existing areas of cooperation, the EU-Jordan commitment to strengthen dialogue and cooperation on **security**, including on countering violent extremism and terrorism and cybersecurity, as well as the on-going **bilateral cooperation** in support of Jordan.

The Partnership Priorities confirm EU-Jordan ties, and define the scope for deepening mutual engagement.

The current context is particularly conducive for consolidating the relationship between the EU and Jordan, based on **shared objectives, values and interests in tackling common challenges**.

The COVID-19 pandemic has added further pressure on the health, education and economic sectors and poses significant socio-economic challenges. The EU and Jordan will build back better after the crisis, via, inter alia, a green and digital transformation of their economies, increasing resilience and bringing prosperity and decent work opportunities in an inclusive manner to their communities. The EU and their partners will step up their engagement to fight discrimination in all its forms, including based on religion or belief, and promote gender equality in all policy areas as part of the drive for an inclusive recovery from the COVID-19 pandemic.

The Syria crisis has heavily impacted Jordan since 2011, the region as well as the EU. The EU and Jordan have confirmed shared objectives and common interests in pursuing both a peace process and a return to stability and peace in Syria. This would eventually allow for the voluntary, safe and dignified return of refugees. Meanwhile, it is important to sustain assistance levels and access to protection, education, livelihoods and services for Syrian refugees in Jordan.

The EU recognises the key role Jordan has been playing in national, regional and international arenas and supports Jordan's engagement in the multilateral system. The EU commends Jordan's generous and continuous commitment to host and protect large numbers of refugees that include Syrians, Palestinians, Iraqis, Libyans and Yemenis, seeking a safe haven in Jordan and providing them with education, health, livelihoods and social protection services. The EU will continue to assist Jordan in providing support to refugees seeking protection in Jordan and strengthening Jordan's resilience, including a continuous engagement in mitigating the effects of the COVID-19 pandemic. As previously, the EU support to Jordan for refugees' response comes in addition to the bilateral support programmes. It is crucial to fight poverty, discrimination and gender inequalities, provide adequate income support, non-discriminatory access to social protection in line with national frameworks such as Jordan's National Social Protection Strategy, foster sustainable development, growth, protect human rights, and ensure equitable access to quality services.

Moreover, Jordan has continued deploying exemplary efforts and plays a prominent and balanced role in promoting peace and security in the Middle East, particularly the Middle East Peace Process. In addition, Jordan's role in preventing and countering radicalisation and terrorism and violent extremism proved of great value. Jordan's co-chairing, with the EU, of the Union for the Mediterranean (UfM), through which it advocates for political solutions for various crises in the region, and regional integration and development, sustainable, green, low-greenhouse gas emissions and circular resource-efficient economies, is another example of Jordan's leading stabilising role.

Jordan and the EU will also continue their engagement on all aspects of migration within a comprehensive, mutually beneficial and tailor-made partnership, and in the framework of the Mobility Partnership, which provides a coherent framework for actions in the area of migration, mobility and security, tackling issues related to border management, preventing irregular migration and international protection ⁽ⁱ⁾.

The Partnership Priorities build on joint achievements in areas of mutual interest, including the aim of promoting the continued implementation of reforms, thereby contributing to Jordan's macro-economic stability, in line with the priorities of the revised IMF programme, and taking into account the effects of the COVID-19 pandemic. They also build on the 2016 London Conference 'Supporting Syria and the Region' as well as the International Compact commitments formulated by Jordan and the co-hosts of that Conference, which aimed at sustaining Jordan's development gains against a background of continued humanitarian assistance and adequate host community support. The five subsequent Brussels Conferences on 'Supporting the future of Syria and the Region' renewed and strengthened the political, humanitarian and financial

⁽ⁱ⁾ <https://data.consilium.europa.eu/doc/document/ST-10055-2014-REV-3/en/pdf>

commitment of the international community to support the Syrian people, the neighbouring countries and the host communities most affected by the conflict, and reviewed the progress that has been made by governments, donors and the United Nations (UN) in delivering on the commitments and pledges undertaken therein. Against a backdrop of continued extreme vulnerability of Syrian refugees and vulnerable host communities, further exacerbated by the COVID-19 pandemic, the EU and Jordan reaffirm their commitment to provide assistance and effective protection to all refugees in Jordan. It is important to further improve their access to services, ensure the respect of their human rights, and continue working to enhance their potential for self-reliance, and creating opportunities for them to contribute to Jordan's economic development. In supporting refugees, including from Syria, the EU and Jordan will adopt a vulnerability-based approach paying due attention to the situation of vulnerable host communities.

The EU remains committed to providing continued assistance and protection to **the Palestinian refugees** including in Jordan. In this respect, the EU and Jordan stressed the crucial role of *United Nations Relief and Works Agency* for Palestine Refugees in the Near East (UNRWA) for security and stability in the region, in accordance with its UN mandate stipulated in relevant UN resolutions, and expressed their commitment to continue supporting the Agency politically and financially. They recognise the important role UNRWA continues to play and they commit to support the agency in implementing its mandate within its fields of operations, as well as in the management and governance reforms for increased transparency, accountability and sound financial management that the agency has embarked on, and advocate with the donor community for a more sustainable and predictable multiannual funding and for a fair burden sharing.

PRIORITIES

The Partnership Priorities reflect shared interests and focus on areas where cooperation between the EU and Jordan is of mutual benefit. In line with the Joint Communication and the Council conclusions, the EU and Jordan are committed to furthering cooperation on a range of actions along the following key policy areas: strengthening resilience and interconnection/participation in the world economy, building prosperity and seizing the opportunities of the twin green and digital transitions; human development, good governance, the rule of law and human rights; peace and security; migration and mobility; climate action, energy, and environment.

Based on the above, three priorities are identified for the period 2021-2027:

The EU and Jordan will aim at **strengthening cooperation on regional stability and security, including counter-terrorism**. The EU and Jordan are solid partners in foreign and security policy. Strategic and operational cooperation will be pursued bilaterally, in multilateral fora, as well as regionally, including through the EU-Jordan co-presidencies of the UfM, and taking advantage of the proposed annual meetings between Foreign Ministers of the EU and Southern Partners, as well as possible sectoral ministerial meetings. It is in the mutual interest of the EU and Jordan to promote peace and stability in the region and globally, by working together on the Middle-East Peace Process, in accordance with international law and relevant United Nations Security Council (UNSC) resolutions, as well as in support of a political transition and peace-building in Syria, based on UNSC resolution 2254, amongst other. Both the EU and Jordan aspire to be models of tolerant societies, which is another reason for enhancing cooperation in the foreign policy domain.

The partnership focuses on promoting economic recovery and stability, a green, digital, inclusive and knowledge-based growth, quality of education and decent job creation, including for youth, in line with the Government priorities, the Executive Indicative Development Programme, "Jordan 2025 – National Vision and Strategy" and the sectoral policies and strategies. The support seeks to enhance Jordan's resilience to deal with the impact of the Syrian crisis and regional instability, as well as the economic and social consequences of the COVID-19 pandemic, while taking advantage of the opportunities to build back better after the crisis.

The EU and Jordan will enhance collaboration in dealing with climate change and environmental degradation by joining efforts to foster **green growth and energy transition towards climate neutrality** aligned with the Jordan energy sector strategy (2020-2030) and in line with Jordan's National Determined Contribution (NDC) and National Adaptation Plan. A strong, inclusive, green and connected Jordanian economy supported by the **free trade area** established under the Association Agreement between Jordan and the EU, the simplified rules of origin scheme, and an enhanced investment climate (through business environment reforms) and access to finance for entrepreneurs and *Small and medium-sized*

enterprises (SMEs) in particular, including through fostering public-private dialogue and working more directly with the private sector, will act as powerful incentives for **decent job creation**. The modernisation, greening and diversification of the economy will be further enhanced by support to innovation-driven growth and knowledge sharing. Cooperation for sustainable, smart and resilient transport connectivity (including the EU-Jordan Aviation Agreement) and the implementation of the long-term National Transport Strategy 2015-2030 will also contribute to regional and economic integration.

Specific attention will be given to increasing the **employability and participation of youth and women in the economy**. Such attention will also be given to generate sustainable and equal economic opportunities, including on the basis of **high quality education and vocational training and providing appropriate public transport services**, and to foster a culture of entrepreneurship and innovation and a transition to a green circular and digital economy. Initiatives in the cultural sector, including those aimed at the development of a cultural and creative industry, should be considered given its significant contribution to promoting intercultural dialogue and socio-economic development.

Full enforcement of the Association Agreement and continuation of joint work to strengthen the existing trade and investment relationship would also enhance Jordan's **integration into the EU market** and create new opportunities for trade, investment and development. In line with the Trade Policy Review Communication ⁽⁶⁾, the EU will propose a new **sustainable investment initiative** to interested partners in the Southern Neighbourhood and Africa.

The partnership focuses on supporting Jordan's efforts and commitment to **strengthen good governance, the rule of law democratic reform and human rights, including social and labour rights**. Human rights and fundamental freedoms, as embodied in international, regional and national laws, constitute shared values. The respect of democratic principles and human rights constitutes an essential element of the relations between the EU and Jordan, and of the sustainable socio-economic development and stability in Jordan.

In the area of migration and mobility, taking note of the European Commission's Communication on the Pact on Migration and Asylum ⁽⁷⁾, and Jordan's legislation, progress on the effective implementation of the different components of the **Mobility Partnership** is a cross-cutting priority, which would also contribute to ensure that persons can move regularly and more easily between Jordan and the EU, inter alia with the aim of enhancing tourism, facilitating educational exchange and engaging with the Jordanian expatriate communities abroad. A comprehensive and sustainable approach to migration and asylum, including return cooperation in line with EU and its Member States' national competences, could prove mutually beneficial to the EU and Jordan.

1. STRENGTHENING COOPERATION ON REGIONAL STABILITY, SECURITY INCLUDING COUNTER-TERRORISM

The EU recognises all relevant efforts made by Jordan. The EU and Jordan should continue close co-operation in addressing regional instability including the security threat of Dae'sh and other terrorist groups. In this respect, the EU is committed to assisting Jordan in its efforts to stabilize and secure its external borders. The EU and Jordan both support the need for durable and sustainable solutions to the Syria crisis in accordance with UN Security Council resolution 2254 (2015). Work on resolving the Syria crisis should continue in the appropriate international fora, as well as cooperation in the context of the EU-Jordan Enhanced Security/Counter-Terrorism Roadmap with a special emphasis on joint projects and information sharing.

The EU and Jordan should also intensify **'bridge building'** in other conflict contexts, including the Middle-East Peace Process. The EU recognises Jordan's indispensable and constructive role in the stability of the region and reiterates the importance of upholding the historic status quo of the holy sites in Jerusalem, including with regard to the Hashemite Custodianship. The EU and Jordan will continue to engage closely in pursuing a just and comprehensive resolution of the Israeli-Palestinian conflict based on the two state solution, internationally-agreed parameters and international law. Beyond the immediate conflict dimension, in the context of the Union Civil Protection Mechanism, they will strengthen cooperation and resilience in disaster risk management and civil protection, enhance work on climate resilience and adaptation, and invest in preventive measures.

⁽⁶⁾ COM(2021) 66 final of 18.2.2021.

⁽⁷⁾ COM(2020) 609 final of 23.9.2020.

The EU and Jordan are partners in promoting and fostering inter-religious and inter-cultural dialogues, at global and regional levels where Jordan has been playing a leading role. The EU and Jordan will cooperate and identify ways to protect and preserve cultural heritage as an important vehicle for peace, democracy and sustainable development and as a means to generate positive dialogue and inclusion, and will propose actions to this effect.

Access to natural resources, notably to safe drinking water, will be another key aspect for long term stability. Jordan and the EU will continue to cooperate to further improve the efficiency and sustainability of management of water resources.

Prevention and countering of terrorism and violent extremism and radicalisation must remain high on the agenda. In that view and complementing regular political and thematic dialogue, the EU and Jordan will intensify concrete co-operation and information sharing to address these challenges within the rule of law and in full respect of human rights and fundamental freedoms. The EU and Jordan will work together in fighting the root causes of radicalisation, terrorism and violent extremism having regard to social cohesion, the important role of women and youth and of education, including through mutually agreed education programmes and the involvement of a broad scope of Jordanian civil society.

The EU and Jordan have also established a framework for the participation of Jordan in EU **crisis management operations**, which is another example of the close cooperation on security issues that can be built upon.

2. PROMOTING SUSTAINABLE ECONOMIC STABILITY, A GREEN, DIGITAL, INCLUSIVE AND KNOWLEDGE-BASED GROWTH, QUALITY OF EDUCATION AND DECENT JOB CREATION

The Syria crisis and the protracted refugee presence it caused have heavily impacted the economic situation of Jordan, its scarce natural resources and the provision of basic services exacerbating an already challenging economic situation. The COVID-19 pandemic, has significantly aggravated socio-economic challenges, vulnerabilities and inequalities. **Economic dialogue, reforms and cooperation on macro-economic issues** will therefore be further developed and implemented with a view to promoting sound macro-economic and structural policies that foster sustainable and inclusive growth potential, increase the resilience of the Jordanian economy to economic shocks and enhance the sustainability of public finances in coordination with multilateral and bilateral donors. Efforts to preserve macro-economic stability should continue in the context of the revised International Monetary Fund (IMF) programme and Jordan's commitments with the international community following the London Conference in 2019 and Jordan's Reform Matrix. The EU is sustaining such efforts through its cooperation assistance, as well as via substantial macro-financial assistance programmes.

Besides sound fiscal and budgetary management, cooperation will be further pursued on **reforms in Jordan's public sector** in view of improving public finance management, but also its overall efficiency and service delivery capacities.

A main socio-economic challenge for Jordan, inter alia as a result of protracted regional crises, is unequal access to employment, including for women and youth, low economic growth, high unemployment, and growing debt. This ought to be overcome by creating decent work, supporting entrepreneurship and innovation - in particular in the green, digital and social economy - developing skills and qualifications - by fostering targeted training, education and research - and by developing a targeted and comprehensive social protection system. The Partnership Priorities aim to address this by applying various policy tools: trade; business development; education, training and lifelong learning; increased mobility. The aim across these instruments is also to strengthen the economic empowerment and participation of all segments of society.

- (a) **Trade-for-Development** constitutes a key element of the Partnership Priorities. Job creation, supported by the uptick in exports to the EU under the simplified rules of origin scheme and accompanying measures, will benefit Jordan. The EU and Jordan will jointly identify suitable approaches to enhance the modernisation of bilateral trade and investment relations. Furthermore, the EU and Jordan will work together on SMEs, development, technology and know-how to strengthen bilateral and economic ties.

- (b) In parallel, the EU and Jordan will continue their **dialogue**, to encourage harmonisation in areas such as Sanitary and Phyto-Sanitary Measures (SPS), Technical Barriers to Trade (TBT) and services with a view to facilitating trade and strengthening the attractiveness of Jordan to investment. Moreover, to better protect the health and safety of consumers, and to facilitate trade, the EU will work with Jordan to support the development of effective product safety frameworks, in line with international standards, while avoiding non-tariff barriers.
- (c) The EU and Jordan will prioritise and multiply their efforts in view of: **improving the business climate** and attracting investments, in particular those supporting the transition to a low-emitting, resilient and circular economy; **supporting productivity and competitiveness of the private sector** and promote entrepreneurship (including through legal, regulatory and administrative reform including competition policies and subsidies control rules, lending to companies and making the best use of digital transformation and green transition); **creating the right set of knowledge and skills** required in the Jordanian labour market and for the green, digital and social economy. A new **sustainable investment initiative**, as mentioned above, could help pursue these objectives. Also, the EU and Jordan will work together on strengthening knowledge-based sectors, which is important for the creation of decent jobs, particularly among the youth and women as well as supporting and empowering companies, especially in the economic sectors most affected by the COVID-19 pandemic.
- (d) **Education** is another powerful instrument for enhancing social and economic development. It will be central to for Jordan, working in cooperation with the EU, to deliver on this priority to benefit all those living in Jordan and overcome challenges associated with COVID-19 and bridging learning gaps. **Access to safe and quality public education for all children, youth and young adults at all levels** will guide EU-Jordan cooperation to ensure that everybody has an opportunity to study, to build an own future and to contribute to the economic growth and the country's development. Vocational training and education responsive to the labour market deserves particular attention, as well as higher education and life-long learning.

The EU and Jordan will also cooperate, bilaterally and in the context of the Union for the Mediterranean, in the fields of **science, technology, and innovation** strategy, including by implementing roadmaps to address joint priorities such as Climate Change, Health and Renewable Energies.

The EU and Jordan will foster innovative research and knowledge-based solutions and cooperation on **renewable energy, energy efficiency aligned with the Jordan Energy sector strategy (2020-2030), and sustainable natural resources management, including for sustainable agriculture practices and sustainable water and waste management, including safe drinking water**. Their cooperation will be in line with the 2030 Agenda and the Paris Agreement, including in the context of the European Green Deal, with strengthened action to promote the transition to a climate neutral, resilient and circular economy. Cooperation on research and innovation will continue through Horizon Europe, the Partnership for Research and Innovation in the Mediterranean programme (PRIMA) and the UfM Regional Platform on Research and Innovation.

The EU and Jordan will establish a forum for the identification and preparation of **future investment projects**, in line with Jordan's national priorities and in coordination with bilateral and multilateral donors. The EU will aim, among others, to support Jordan, in coordination with other donors, in its plans to implement the Aqaba-Amman Water Desalination and Conveyance (AAWDC) project as a strategic national project that aims at reducing the deficit in the country's crucial water resources.

The EU and Jordan will work together to ensure **coherence between Energy, Water, Food, Health and Climate Change priorities**, promote their implementation and ensure participatory processes at regional and international levels.

3. STRENGTHENING GOOD GOVERNANCE, THE RULE OF LAW, DEMOCRATIC REFORM AND RESPECT FOR HUMAN RIGHTS

In line with Jordan's strong commitment to a continued reform process fostered by the Royal Committee to Modernise the Political System, the EU and Jordan will continue working together with the aim of further strengthening the democratic and justice system in Jordan, the rule of law, gender equality and the protection of human rights and fundamental

freedoms. The EU and Jordan will support steps to combat all forms of discrimination, all aspects relating to an effective and well-established civil society, including by setting up a legal working environment and operational space conducive to the development of a vibrant civil society.

Cooperation will focus on the implementation of the comprehensive and inclusive reforms, further strengthening the effectiveness, efficiency and the independence of the judiciary, as well as equal access to justice for all, in line with internationally accepted standards. It will encompass judicial cooperation in civil and criminal matters, by promoting accession to, and implementation of, the relevant international conventions, and through working towards an international agreement on judicial cooperation in criminal matters together with Eurojust. Cooperation will further focus on the electoral process (including follow up on recommendations of EU Election Observation and Election Expert Missions), support to gender equality, including the fight against gender-based violence, and to the meaningful political participation of women and youth, and to women's empowerment in political and public life. Economic, social and cultural rights, civic education, strengthening of the political party system and the oversight and legislative role of Parliament, the links between local and national politics, a meaningful social dialogue, the process of decentralisation, pluralistic and independent media, transparency, including financial transparency, and accountability as well as the fight against corruption will also be part of EU-Jordan cooperation.

The EU and Jordan will continue to hold a regular **dialogue on democracy and good governance, justice, the rule of law and human rights**. The dialogue will build on Jordan's international, regional and national achievements and commitments. Civil society will be jointly invited to provide input.

As regards **human rights** specifically, regular dialogue will address amongst others: freedom of expression in all its forms; freedom of association including the working environment for civil society and social partners, such as trade unions and chambers of commerce; women's rights and women's empowerment in political, economic and public life, and the rights of the child. An accountable, transparent, efficient and inclusive public administration is essential to implement these targets, and to further promote and strengthen Jordan's democracy and good governance and its fight against fraud and corruption, including through effective and efficient cooperation with the European Anti-Fraud Office and the European Public Prosecutor's Office.

The dialogue will take duly into consideration existing commitments made by Jordan at the multilateral level. Economic, social and cultural rights, for example on education and labour, will also be covered in this dialogue. The dialogue will relate in particular to areas retained in the Partnership Priorities.

To ensure a high level of protection of personal data, the EU will continue to engage to promote further conversion with EU and international data protection standards. Jordan should take further practical steps to guarantee the respect for the rights to privacy and personal data protection in the public and private sectors, including in the law enforcement and criminal justice field.

RESPONSE TO THE SYRIAN CRISIS

The EU and Jordan will continue working together to find durable and sustainable solutions to the Syrian crisis in accordance with UN Security Council resolution 2254 (2015), so as to allow for the voluntary, safe, and dignified return of refugees. Their efforts will continue to provide access to protection, livelihoods and services for both refugees and vulnerable host communities, including through the following measures:

- Continue facilitating the administrative status of refugees and to ensure an effective protection, access to basic services and respect of their basic human and legal rights;
- Improve access and quality of essential services, including social assistance, waste water services, health care including mental health and psychosocial support and formal and non-formal education;
- Increase their livelihoods and their self-reliance by creating opportunities to contribute to the economic development of Jordan via, among others: improving the business climate and enhance productivity and labour market conditions; support policies to match skills and market needs; facilitating access to education and training; improving and expanding access to work opportunities including through supporting home-based business and work permits; strengthening the economic empowerment and participation of women and youth.

- Foster exports to the EU market, including through the effective implementation of the rules of origin scheme for Jordan, to promote investments and job creation benefiting both Jordanians and Syrian refugees.

MECHANISMS FOR DIALOGUE AND MUTUAL COOPERATION

The general framework for relations between the EU and Jordan is set by the Association Agreement, which entered into force in 2002 and the Advanced Status achieved in 2010. A **rationalisation of the implementation of the Association Agreement** has been successfully achieved through grouping the sub-committees into a few thematic dialogues according to the Partnership Priorities and complementing the political dialogues.

In correlation with the review of the Agenda for the Mediterranean and of the Council Conclusions in 2024, a mid-term review is also foreseen to evaluate the impact of and, when necessary, to adapt the Partnership Priorities that will be mutually agreed between the EU and Jordan.

Also, to support the delivery of the **EU support in response to the Syrian refugee crisis**, a regular review of the relevant mutual commitments under these Priorities will take place in the context of the bilateral cooperation between the EU and Jordan as well as other relevant dialogues and meetings, and through the follow-up to the Brussels conferences.

In line with the **principle of greater ownership of the European Neighbourhood Policy**, the EU, in close coordination with Member States, will take part in coordinating mechanisms with the Government of Jordan at central and local level, and with partners, such as civil society and the private sector.

Pursuing the ambitions outlined in the Partnership Priorities, the EU is committed to continue providing financial support and engaging within the international community in support of Jordan, and Jordan commits to continue implementing its reform agenda, which will be central to enable the joint success of the partnership.

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