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Legislation

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⁽¹⁾ Text with EEA relevance.

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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2023/2079

of 18 September 2023

on the conclusion, on behalf of the Union, of the Agreement between the European Union and Japan on certain provisions of agreements between Member States of the European Union and Japan for air services

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(6), point (a), thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament ⁽¹⁾,

Whereas:

- (1) In accordance with Council Decision (EU) 2023/362 ⁽²⁾, the Agreement between the European Union and Japan on certain provisions of agreements between Member States of the European Union and Japan for air services ('the Agreement') was signed on 20 February 2023, subject to its conclusion at a later date.
- (2) The objective of the Agreement is to bring bilateral air services agreements between 13 Member States and Japan in line with Union law.
- (3) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and Japan on certain provisions of agreements between Member States of the European Union and Japan for air services is hereby approved on behalf of the Union ⁽³⁾.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 6(1) of the Agreement ⁽⁴⁾.

⁽¹⁾ Consent of 11 July 2023 (not yet published in the Official Journal).

⁽²⁾ Council Decision (EU) 2023/362 of 14 February 2023 on the signing, on behalf of the Union, of the Agreement between the European Union and Japan on certain provisions of agreements between Member States of the European Union and Japan for air services (OJ L 50, 17.2.2023, p. 1).

⁽³⁾ See page 2 of this Official Journal.

⁽⁴⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

**AGREEMENT between the European Union and Japan on certain provisions of agreements between
Member States of the European Union and Japan for air services**

THE EUROPEAN UNION and JAPAN,

NOTING that, under the law of the European Union, air carriers, which have a valid operating licence issued by a Member State of the European Union and are established in a Member State of the European Union, have the right of non-discriminatory access to routes between Member States of the European Union and third countries;

HAVING REGARD to the agreements between the European Union and certain third countries providing for the possibility for such third countries and their nationals to acquire ownership and control of air carriers licensed in accordance with the law of the European Union;

RECOGNISING that consistency between the law of the European Union and certain provisions of agreements between Member States of the European Union and Japan for air services will provide a sound legal basis for air services between the European Union and Japan, preserve the continuity of such air services, and contribute to the further development of the relationship between the European Union and Japan in the field of air transport; and

NOTING that it is not a purpose of this Agreement to affect the interpretation of the provisions of existing agreements between Member States of the European Union and Japan for air services concerning traffic rights,

HAVE AGREED AS FOLLOWS:

Article 1

For the purposes of this Agreement:

- (a) "Contracting Party" means a contracting party to this Agreement;
- (b) "Member State" means a Member State of the European Union; and
- (c) "party" means a contracting party to the relevant agreement between a Member State and Japan for air services listed in Annex I.

Article 2

1. The provisions in paragraph 2 of this Article shall apply in place of the corresponding provisions listed in Annex II-A.
2.
 - (a) Each party reserves the right to withhold or revoke the privileges, the rights or the authorisation specified in the corresponding provisions listed in Annex II-B in respect of an airline designated by the other party, or to impose such conditions as it may deem necessary on the exercise by the airline of the privileges or the rights, or on the authorisation, in any case where one of the following conditions is satisfied:

- (i) in the case of an airline designated by the party which is a Member State:
 - (A) the airline is not established in the territory of that party or does not have a valid operating licence issued by a Member State in accordance with the law of the European Union;
 - (B) effective regulatory control of the airline is not exercised or not maintained by the Member State responsible for issuing its air operator's certificate, or the relevant aeronautical authority is not clearly identified in the designation;
 - (C) majority ownership and effective control of the airline are not vested in Member States or States listed in Annex III, or in nationals of such States;
 - (D) the airline does not have its principal place of business in the territory of the Member State from which it has received its operating licence;
 - (E) the airline has been given operating permission under an agreement between another Member State and Japan for air services, and Japan can demonstrate that it would be circumventing restrictions on routes and capacity under that agreement by operating agreed services under the agreement between that party and Japan on a route which includes a point in that other Member State; or
 - (F) the airline holds an air operator's certificate issued by a Member State and there is no agreement between that Member State and Japan for air services and that Member State has not consented to the operation of international air services by an airline of Japan between that Member State and Japan; and
 - (ii) in the case of an airline designated by Japan, substantial ownership and effective control of the airline are not vested in Japan or in nationals of Japan.
- (b) In exercising its right under this paragraph, and without prejudice to its rights under subparagraphs (a)(i)(E) and (F) of this paragraph, Japan shall not discriminate between airlines designated by the party which is a Member State, of which majority ownership and effective control are vested in Member States or States listed in Annex III, or in nationals of such States, on the basis of their ownership and control.

Article 3

1. References in each of the agreements listed in Annex I to airlines of the Member State which is a party to that agreement shall be understood as referring to airlines designated by that Member State.
2. In addition to paragraph 1 of this Article, references in each of the provisions listed in Annex IV of the relevant agreement listed in Annex I to airlines of the Member State which is a party to that agreement shall be understood as referring also to airlines of that Member State which are not designated by that Member State.

Article 4

The Annexes to this Agreement shall form an integral part of this Agreement.

Article 5

1. Either Contracting Party may at any time request consultations with the other Contracting Party for the purpose of amending this Agreement. Such consultations shall begin within a period of sixty days from the date of receipt of such request.
2. This Agreement may be amended by agreement between the Contracting Parties and amendments shall enter into force in the manner as described in Article 6 of this Agreement.
3. Notwithstanding paragraph 2 of this Article, amendments related only to the Annexes may be made by means of an exchange of diplomatic notes between the European Union and the Government of Japan, in conformity with their applicable domestic procedures.

Article 6

1. Each Contracting Party shall send through diplomatic channels to the other Contracting Party the notification confirming that its internal procedures necessary for the entry into force of this Agreement have been completed.
2. This Agreement shall enter into force on the first day of the next month following the date of receipt of the latter notification.
3. The notification to the European Union in accordance with this Article shall be delivered to the Secretary-General of the Council of the European Union.

Article 7

1. In the event that an agreement listed in Annex I is terminated, the provisions of this Agreement shall cease to apply to that agreement as from the date of termination. References in this Agreement to the terminated agreement shall be deemed null and void as from that date.
2. In the event that all agreements listed in Annex I are terminated, this Agreement shall terminate on the date of the termination of the last agreement.

Article 8

1. This Agreement is drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Japanese languages, all texts being equally authentic.
2. In case of any divergence of interpretation, the text of the language in which this Agreement was negotiated shall prevail.

IN WITNESS WHEREOF, the undersigned, duly authorised to this effect, have signed this Agreement.

Съставено в Брюксел на двадесети февруари две хиляди двадесет и трета година.

Hecho en Bruselas, el veinte de febrero de dos mil veintitrés.

V Bruselu dne dvacátého února dva tisíce dvacet tři.

Udfærdiget i Bruxelles den tyvende februar to tusind og treogtyve.

Geschehen zu Brüssel am zwanzigsten Februar zweitausenddreißig.

Kahe tuhande kahekümne kolmanda aasta veebruarikuu kahekümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι Φεβρουαρίου δύο χιλιάδες είκοσι τρία.

Done at Brussels on the twentieth day of February in the year two thousand and twenty three.

Fait à Bruxelles, le vingt février deux mille vingt-trois.

Arna dhéanamh sa Bhruiséil, an fichiú lá de Feabhra sa bhliain dhá mhíle fiche a trí.

Sastavljeno u Bruxellesu dvadesetog veljače godine dvije tisuće dvadeset treće.

Fatto a Bruxelles, addì venti febbraio duemilaventitré.

Briselē, divi tūkstoši divdesmit trešā gada divdesmitajā februārī.

Priimta du tūkstančiai dvidešimt trečių metų vasario dvidešimtą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-huszonharmadik év február havának huszadik napján.

Magħmul fi Brussell, fl-ghoxrin jum ta' Frar fis-sena elfejn u tlieta u ghoxrin.

Gedaan te Brussel, twintig februari tweeduizend drieëntwintig.

Sporządzono w Brukseli dnia dwudziestego lutego roku dwa tysiące dwudziestego trzeciego.

Feito em Bruxelas, em vinte de fevereiro de dois mil e vinte e três.

Întocmit la Bruxelles la douăzeci februarie două mii douăzeci și trei.

V Bruseli dvadsiateho februára dvetisícdvadsaťtri.

V Bruslju, dvajsetega februarja dva tisoč triindvajset.

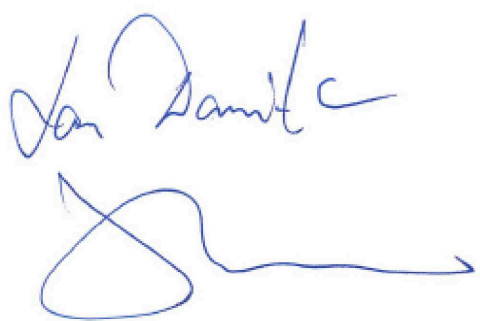
Tehty Brysselissä kahdentenakymmenentenä päivänä helmikuuta vuonna kaksituhattakaksikymmentäkolme.

Som skedde i Bryssel den tjugonde februari år tjugohundratjugotre.

二千二十三年二月二十日にブリュッセルで作成した。

Za Evropský slyuz
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Thar ceann an Aontais Eorpaigh
Za Europsku uniju
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Ghall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen

За Япония
Por Japón
Za Japonsko
For Japan
Für Japan
Jaapani nimel
Για την Ιαπωνία
For Japan
Pour le Japon
Thar ceann na Seapáine
Za Japan
Per il Giappone
Japānas vārdā –
Japonijos vardu
Japán részéről
Ghall-Gappun
Voor Japan
W imieniu Japonii
Pelo Japão
Pentru Japonia
Za Japonsko
Za Japonsko
Japanin puolesta
För Japan

A handwritten signature in blue ink, appearing to read 'Van Damme', followed by a large, stylized flourish.

欧州連合のために

日本国のために

A handwritten signature in blue ink, consisting of the characters '正' (Masada) and '木' (Masuda).A handwritten signature in blue ink, consisting of the characters '靖' (Masuda) and '靖' (Masuda).

ANNEX I

List of agreements referred to in Articles 1, 3 and 7 of this Agreement

Agreements between Member States and Japan for air services, as may have been amended, which are in force at the date of the signature of this Agreement, are as follows:

- Agreement between the Republic of Austria and Japan for Air Services, done at Vienna on 7 March 1989 ("Austria-Japan Agreement");
 - Agreement between Belgium and Japan for Air Services, done at Tokyo on 20 June 1959 ("Belgium-Japan Agreement");
 - Agreement between Denmark and Japan for Air Services, done at Copenhagen on 26 February 1953 ("Denmark-Japan Agreement");
 - Agreement between the Republic of Finland and Japan for Air Services, done at Helsinki on 23 December 1980 ("Finland-Japan Agreement");
 - Agreement between France and Japan for Air Services, done at Paris on 17 January 1956 ("France-Japan Agreement");
 - Agreement between the Federal Republic of Germany and Japan for Air Services, done at Bonn on 18 January 1961 ("Germany-Japan Agreement");
 - Agreement between the Kingdom of Greece and Japan for Air Services, done at Athens on 12 January 1973 ("Greece-Japan Agreement");
 - Agreement between the Government of the Republic of Hungary and the Government of Japan for Air Services, done at Budapest on 23 February 1994 ("Hungary-Japan Agreement");
 - Agreement between Italy and Japan for Air Services, done at Tokyo on 31 January 1962 ("Italy-Japan Agreement");
 - Agreement between the Kingdom of the Netherlands and Japan for Air Services, done at The Hague on 17 February 1953 ("Netherlands-Japan Agreement");
 - Agreement between the Government of the Republic of Poland and the Government of Japan for Air Services, done at Tokyo on 7 December 1994 ("Poland-Japan Agreement");
 - Agreement between Spain and Japan for Air Services, done at Madrid on 18 March 1980 ("Spain-Japan Agreement"); and
 - Agreement between Sweden and Japan for Air Services, done at Stockholm on 20 February 1953 ("Sweden-Japan Agreement").
-

ANNEX II-A

List of provisions referred to in Article 2(1) of this Agreement

- Article 7(1) of the Austria-Japan Agreement;
 - Article 6(1) of the Belgium-Japan Agreement;
 - Article 7(1) of the Denmark-Japan Agreement;
 - Article 7(1) of the Finland-Japan Agreement;
 - Article 6(1) of the France-Japan Agreement;
 - Article 3(4) and second sentence of Article 4 of the Germany-Japan Agreement;
 - Article 7(1) of the Greece-Japan Agreement;
 - Article 7(1) of the Hungary-Japan Agreement;
 - Article 6(1) of the Italy-Japan Agreement;
 - Article 7(1) of the Netherlands-Japan Agreement;
 - Article 7(1) of the Poland-Japan Agreement;
 - Article 9(1) of the Spain-Japan Agreement;
 - Article 7(1) of the Sweden-Japan Agreement.
-

ANNEX II-B

List of provisions referred to in Article 2(2) of this Agreement

- Article 4(1) and (2) of the Austria-Japan Agreement;
 - Article 4(1) of the Belgium-Japan Agreement;
 - Article 5(1) of the Denmark-Japan Agreement;
 - Article 4(1) and (2) of the Finland-Japan Agreement;
 - Article 4(1) of the France-Japan Agreement;
 - Article 3(2) of the Germany-Japan Agreement;
 - Article 4(1) of the Greece-Japan Agreement;
 - Article 4(1) and (2) of the Hungary-Japan Agreement;
 - Article 4(1) of the Italy-Japan Agreement;
 - Article 5(1) of the Netherlands-Japan Agreement;
 - Article 4(1) and (2) of the Poland-Japan Agreement;
 - Article 4(1) of the Spain-Japan Agreement;
 - Article 5(1) of the Sweden-Japan Agreement.
-

*ANNEX III***List of States referred to in Article 2(2) of this Agreement**

- Iceland (under the Agreement on the European Economic Area);
 - the Principality of Liechtenstein (under the Agreement on the European Economic Area);
 - the Kingdom of Norway (under the Agreement on the European Economic Area);
 - the Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
-

ANNEX IV

List of provisions referred to in Article 3(2) of this Agreement

- Article 4(1), Article 5, and Article 13(3) and (4) of the Austria-Japan Agreement;
 - Article 5(1) and (2) of the Belgium-Japan Agreement;
 - Article 6(1) and (2), and Article 8 of the Denmark-Japan Agreement;
 - Article 4(1) and Article 5 of the Finland-Japan Agreement;
 - Article 5(1) and (2), and Article 7 of the France-Japan Agreement;
 - Articles 5 and 6 of the Germany-Japan Agreement;
 - Article 4(1), Article 5, and Article 13(3) and (4) of the Hungary-Japan Agreement;
 - Article 6(1) and (2), and Article 8 of the Netherlands-Japan Agreement;
 - Article 4(1), Article 5, and Article 13(3) and (4) of the Poland-Japan Agreement;
 - Article 6(1) and (2), and Article 8 of the Sweden-Japan Agreement.
-

REGULATIONS

COUNCIL REGULATION (EU) 2023/2080

of 28 September 2023

amending Regulation (EU) 2023/194 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EU) 2023/194 ⁽¹⁾ fixes for 2023 the fishing opportunities for certain fish stocks applicable in Union waters and, for Union fishing vessels, in certain non-Union waters.
- (2) Regulation (EU) 2023/194 sets a provisional total allowable catch (TAC) for anchovy in International Council for the Exploration of the Sea (ICES) subareas 9 and 10 and Union waters of Committee for Eastern Central Atlantic Fisheries (CECAF) division 34.1.1 for the period from 1 July to 30 September 2023, pending the publication by ICES of its scientific advice for the period from 1 July 2023 to 30 June 2024, and allows fishing for that stock to continue. Following the publication of that ICES advice on 21 June 2023, the definitive TAC for the period from 1 July 2023 to 30 June 2024 should be set at the level of 20 555 tonnes, in accordance with that advice.
- (3) Regulation (EU) 2023/194 should therefore be amended accordingly.
- (4) Given the urgency of avoiding any interruption of fishing activities, this Regulation should enter into force on the date of its publication in the *Official Journal of the European Union*.
- (5) The TAC for anchovy in ICES subareas 9 and 10 and Union waters of CECAF division 34.1.1 should apply from 1 July 2023. Such retroactive application does not affect the principles of legal certainty and protection of legitimate expectations, as the fishing opportunities concerned are increased by the amendment,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment of Regulation (EU) 2023/194

Annex IA to Regulation (EU) 2023/194 is amended in accordance with the Annex to this Regulation.

Article 2

Entry into force and application

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

⁽¹⁾ Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1).

It shall apply from 1 July 2023.

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

Done at Brussels, 28 September 2023.

For the Council
The President
F. GRANDE-MARLASKA GÓMEZ

ANNEX

In Part A of Annex IA to Regulation (EU) 2023/194, the second table is replaced by the following:

Species: Anchovy <i>Engraulis encrasicolus</i>		Zone: 9 and 10; Union waters of CECAF 34.1.1 (ANE/9/3411)	
Spain	9 831	⁽¹⁾	Analytical TAC
Portugal	10 724	⁽¹⁾	
Union	20 555	⁽¹⁾	
TAC	20 555	⁽¹⁾	
⁽¹⁾ This quota may only be fished from 1 July 2023 to 30 June 2024.'			

COUNCIL IMPLEMENTING REGULATION (EU) 2023/2081**of 28 September 2023****implementing Regulation (EU) 2023/1214 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2023/1214 of 23 June 2023 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine ⁽¹⁾, and in particular Article 1(33) thereof,

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

Whereas:

- (1) On 31 July 2014, the Council adopted Regulation (EU) No 833/2014 ⁽²⁾, which concerns restrictive measures in view of Russia's actions destabilising the situation in Ukraine.
- (2) On 23 June 2023, the Council adopted Regulation (EU) 2023/1214, which amended Regulation (EU) No 833/2014 and introduced further restrictive measures to suspend the broadcasting activities in the Union, or directed at the Union, of certain media outlets referred to in Annex IV to Regulation (EU) 2023/1214. Pursuant to Article 1, point (33), of Regulation (EU) 2023/1214, the applicability of such measures in respect of one or several of those media outlets is subject to the adoption of implementing acts by the Council.
- (3) Having examined the respective cases, the Council has concluded that the restrictive measures referred to in Article 2f of Regulation (EU) No 833/2014 should apply as of 1 October 2023 in respect of all entities referred to in Annex IV to Regulation (EU) 2023/1214,

HAS ADOPTED THIS REGULATION:

Article 1

The restrictive measures referred to in Article 2f of Regulation (EU) No 833/2014 shall apply as of 1 October 2023 in respect of all entities referred to in Annex IV to Regulation (EU) 2023/1214.

Article 2

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

⁽¹⁾ OJ L 159 I, 23.6.2023, p. 1.

⁽²⁾ Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 1).

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

Done at Brussels, 28 September 2023.

For the Council

The President

F. GRANDE-MARLASKA GÓMEZ

COMMISSION REGULATION (EU) 2023/2082**of 26 September 2023****establishing a fisheries closure for bluefin tuna in the Atlantic Ocean, east of 45° W, and Mediterranean for vessels flying the flag of Portugal**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, and in particular Article 36(2) thereof,

Whereas:

- (1) Council Regulation (EU) 2023/194 ⁽²⁾ lays down quotas for 2023.
- (2) According to the information received by the Commission, catches of the stock of bluefin tuna in the Atlantic Ocean, east of 45° W, and Mediterranean by vessels flying the flag of or registered in Portugal have exhausted the quota allocated for 2023.
- (3) It is therefore necessary to prohibit certain fishing activities for that stock,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated for 2023 to Portugal for the stock of bluefin tuna in the Atlantic Ocean, east of 45° W, and Mediterranean referred to in the Annex shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing activities for the stock referred to in Article 1 by vessels flying the flag of or registered in Portugal shall be prohibited from the date set out in the Annex. In particular it shall be prohibited to retain on board, relocate, tranship or land fish from that stock caught by those vessels after that date.

*Article 3***Entry into force**

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

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

⁽²⁾ Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1).

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

Done at Brussels, 26 September 2023.

*For the Commission,
On behalf of the President,
Virginijus SINKEVIČIUS
Member of the Commission*

ANNEX

No	10/TQ194
Member State	Portugal
Stock	BFT/AE45WM (including special conditions BFT/*641, BFT/*643, BFT/*8301, BFT/*8302, BFT/*8303F)
Species	Bluefin tuna (<i>Thunnus thynnus</i>)
Zone	Atlantic Ocean, east of 45° W, and Mediterranean
Closing date	22 August 2023

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2083**of 26 September 2023****laying down implementing technical standards for the application of Article 16(1) of Directive (EU) 2021/2167 of the European Parliament and of the Council with regard to the templates to be used by credit institutions for the provision to buyers of information on their credit exposures in the banking book****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive (EU) 2021/2167 of the European Parliament and of the Council of 24 November 2021 on credit servicers and credit purchasers and amending Directives 2008/48/EC and 2014/17/EU ⁽¹⁾, and in particular Article 16(6) thereof,

Whereas:

- (1) Before they purchase non-performing credit agreements, prospective buyers should have access to granular credit agreement-by-credit agreement information about the non-performing credit agreement itself, the counterparty, the collateral, the guarantees, the legal and enforcement procedures and the historical collection and repayment history. Standardisation of that information by means of common templates, data fields, definitions and characteristics should facilitate the sale of non-performing credit agreements on secondary markets and should reduce entry barriers for small credit institutions and smaller investors wishing to conclude transactions in respect of non-performing credit agreements.
- (2) Credit institutions should use transaction data templates for non-performing credit agreements when selling or transferring non-performing credit agreements that are included in a portfolio for sales or transfers, in order to provide prospective buyers with all necessary information thereby enabling them to properly assess the value of the creditor's rights under the non-performing credit agreement, or of the non-performing credit agreement itself, and the likelihood of recovery of the value. Applying such data templates to credit agreements would also reduce information asymmetries between prospective buyers and sellers of credit agreements and, thus, contribute to the development of a functioning secondary market in the Union. Credit institutions should use the templates in sales or transfers of such credit agreements involving a change to the lender of record under the credit agreement concerned.
- (3) In order to provide prospective buyers with all necessary information to make an informed decision, credit institutions should use transaction data templates for transfers of non-performing credit agreements, including transfers to other credit institutions. The data templates should be proportionate to the nature and size of credits and credit portfolios. For that reason, that obligation should apply to transfers of non-performing credit agreements only and should not encompass complex transactions where non-performing credit agreements are included as a part of such a transaction. Credit institutions should not use such templates in the case of complex transactions, when selling or transferring other types of contracts, including credit default swaps, total return swaps and other derivative contracts, insurance contracts and sub-participation contracts in relation to non-performing credit agreements, or for transfers of non-performing credit agreements pursuant to such contracts.

⁽¹⁾ OJ L 438, 8.12.2021, p. 1.

- (4) For the same reason, credit institutions should not use the transaction data templates for credit agreements, nor for sales or transfers of transferable securities, derivatives, or other financial instruments that fall under the scope of Directive 2014/65/EU of the European Parliament and of the Council ⁽²⁾, securities financing transactions, other than margin lending transactions, as defined in Article 3, point (10), of Regulation (EU) 2015/2365 of the European Parliament and of the Council ⁽³⁾, nor for financial or other leases of movable or immovable property that are not covered by Directive 2008/48/EC of the European Parliament and of the Council ⁽⁴⁾, and neither for sales or transfers of rights under such instruments, transactions or leases.
- (5) In order to minimise processing costs for credit institutions and credit purchasers, as stated in Article 16(4), point (d), of Directive (EU) 2021/2167, credit institutions should not use the transaction data templates for the disposals of non-performing credit agreements through securitisation, where Regulation (EU) 2017/2402 of the European Parliament and of the Council ⁽⁵⁾ applies and the provision of the related information is governed by Commission Delegated Regulation (EU) 2020/1224 ⁽⁶⁾ and Commission Implementing Regulation (EU) 2020/1225 ⁽⁷⁾.
- (6) For the same reason, credit institutions should not use the transaction data templates for non-performing loans when selling such loans as part of sales of branches, sales of business lines or sales of clients' portfolios which are not limited to non-performing loans, and transfers of such loans as part of an ongoing restructuring operation of the selling credit institution within insolvency, resolution, or liquidation proceedings.
- (7) In order to respect the principle of proportionality, the transaction data templates for non-performing credit agreements should require different information depending on the nature and size of the non-performing credit agreements and should specify the data fields that have to be completed or specify the circumstances under which it is not mandatory to complete certain data fields. For the same reason, credit institutions should not be obliged to complete all data fields in the transaction data templates for all transactions. Such transactions should involve the sale or transfer of: (1) a single non-performing credit agreement; (2) several non-performing credit agreements linked to one single borrower; (3) non-performing credit agreements that are part of syndicated credit agreement facilities; (4) non-performing credit agreements linked to a borrower that is domiciled outside of the Union; (5) non-performing credit agreements that have been acquired from an entity that is not a credit institution, as in such situations credit institutions may not have all the information required to complete all data fields; (6) non-performing credit agreements to natural persons, where those transactions concern small unsecured credit agreements that are outside the scope of Directive 2008/48/EC. The same approach should apply in the case of a sale or transfer of non-performing credit agreements between credit institutions that belong to the same group.

⁽²⁾ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (recast) (OJ L 173, 12.6.2014, p. 349).

⁽³⁾ Regulation (EU) 2015/2365 of the European Parliament and of the Council of 25 November 2015 on transparency of securities financing transactions and of reuse and amending Regulation (EU) No 648/2012 (OJ L 337, 23.12.2015, p. 1).

⁽⁴⁾ Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ L 133, 22.5.2008, p. 66).

⁽⁵⁾ 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).

⁽⁶⁾ Commission Delegated Regulation (EU) 2020/1224 of 16 October 2019 supplementing Regulation (EU) 2017/2402 of the European Parliament and of the Council with regard to regulatory technical standards specifying the information and the details of a securitisation to be made available by the originator, sponsor and SSPE (OJ L 289, 3.9.2020, p. 1).

⁽⁷⁾ Commission Implementing Regulation (EU) 2020/1225 of 29 October 2019 laying down implementing technical standards with regard to the format and standardised templates for making available the information and details of a securitization by the originator, sponsor and SSPE (OJ L 289, 3.9.2020, p. 217).

- (8) To enable prospective buyers of non-performing credit agreements to perform their financial due diligence and to value non-performing credit agreements before entering into a buy-sell transaction and before committing to a specific price, credit institutions should provide such prospective buyers with all necessary information early enough in the sale process. However, considering the level of detail of such information and the associated confidentiality implications, credit institutions should provide such information only to those prospective buyers that are seriously interested in purchasing the non-performing credit agreements concerned. For data protection reasons, credit institutions should only be allowed to provide personal data in cases where it is necessary to identify individuals whose credit agreements are non-performing. Regulation (EU) 2016/679 of the European Parliament and of the Council ⁽⁸⁾ applies to the processing of personal data in the context of this implementing Regulation.
- (9) Information that prospective buyers of non-performing credit agreements need to perform their financial due diligence and valuation of those credit agreements may contain elements that the credit institutions consider confidential on the basis of legal confidentiality requirements, or on the basis of commercial considerations. Credit institutions should therefore determine which data fields are to be considered confidential and should ensure that all confidential information is shared through secure channels and only after appropriate confidentiality arrangements have been put in place between the credit institution and the prospective buyer. Such secure channels may be electronic virtual data rooms set up by the credit institutions to grant access to the prospective buyers to the necessary information. Credit institutions should ensure that such virtual data rooms meet the applicable industry standards for confidentiality and data security.
- (10) To facilitate the exchange of information, credit institutions should provide the information in electronic and machine-readable form, unless credit institutions and prospective buyers agree otherwise. Where credit institutions use electronic auction platforms or electronic transaction platforms to organise the sales or transfer process of non-performing credit agreements, specific requirements for the electronic and machine-readable format may be set out by such platforms.
- (11) As part of the negotiation of the sales or transfer transaction, credit institutions may agree with prospective buyers to provide additional information regarding non-performing credit agreements beyond what is required by data templates. To that end, the design of the templates should allow for the provision of such additional data fields. Such additional information should as a rule not contain additional personal data, in line with the principle of data minimisation and data protection by design and by default.
- (12) This Regulation is based on the draft implementing technical standards submitted to the Commission by the European Banking Authority. The European Banking Authority has conducted open public consultations on the draft implementing technical standards on which this Regulation is based, analysed the potential related costs and benefits and requested the opinion of the Banking Stakeholder Group established in accordance with Article 37 of Regulation (EU) No 1093/2010 of the European Parliament and of the Council ⁽⁹⁾.
- (13) The European Data Protection Supervisor was consulted on this Implementation Regulation in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁰⁾ and delivered an opinion on 25 July 2023,

⁽⁸⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁹⁾ Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12).

⁽¹⁰⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

HAS ADOPTED THIS REGULATION:

Article 1

Scope

1. This Regulation shall apply to the sales and transfers by credit institutions established in the Union of credit agreements that are classified as non-performing exposures in accordance with Article 47a of Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽¹⁾ that those credit institutions hold in their banking book, rather than in their trading book as defined in Article 4(1), point (86), of Regulation (EU) No 575/2013, and, that meet the time criteria set out in Article 16(7) of Directive (EU) 2021/2167.
2. This Regulation shall not apply to the following:
 - (a) sales of non-performing credit agreements as part of sales of branches, sales of business lines or sales of clients' portfolios which are not limited to non-performing credit agreements and transfers of non-performing credit agreements as part of an ongoing restructuring operation of the selling credit institution within insolvency, resolution or liquidation proceedings;
 - (b) sales or transfers of non-performing credit agreements through securitisation, where Regulation (EU) 2017/2402 applies and the provision of the related information is governed by Delegated Regulation (EU) 2020/1224 and Implementing Regulation (EU) 2020/1225;
 - (c) sales or transfers of non-performing credit agreements pursuant to credit default swap, total return swap and other derivative contracts, contracts of insurance and sub-participation contracts;
 - (d) sales or transfers of non-performing credit agreements pursuant to a financial collateral arrangement as defined in Article 2(1), point (a), of Directive 2002/47/EC of the European Parliament and of the Council ⁽²⁾ or a transaction that would be a securities financing transaction as defined in Article 4(1), point (139) of Regulation (EU) No 575/2013.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) 'buyer' means a credit purchaser, or a credit institution that receives a non-performing credit agreement in a transaction with another credit institution;
- (2) 'counterparty' means either a borrower or a protection provider in relation to the non-performing credit agreement being sold or transferred;
- (3) 'protection provider' means protection provider as defined in Article 1, point (13), of Regulation (EU) 2016/867 of the European Central Bank ⁽³⁾;

⁽¹⁾ 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).

⁽²⁾ Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements (OJ L 168, 27.6.2002, p. 43).

⁽³⁾ Regulation (EU) 2016/867 of the European Central Bank of 18 May 2016 on the collection of granular credit and credit risk data (OJ L 144, 1.6.2016, p. 44).

- (4) 'cut-off date' means the reference date for the provision of information by credit institutions;
- (5) 'non-performing credit agreement' is a credit agreement as defined in Article 3, point (13), of Directive (EU) 2021/2167 which is classified as a non-performing exposure in accordance with Article 47a (3), points (a), (b) and (c) of Regulation (EU) No 575/2013;

Article 3

Information to be provided by credit institutions

1. Credit institutions shall provide prospective buyers with the following information on each credit agreement:
 - (a) counterparty, as set out in Template 1 of Annex I;
 - (b) credit agreement, as set out in Template 3 of Annex I;
 - (c) collateral, guarantee and enforcement, as set out in Template 4.1 of Annex I;
 - (d) mortgage guarantee, as set out in Template 4.2 of Annex I;
 - (e) historical collection of repayments, as set out in Template 5 of Annex I.
2. Credit institutions shall provide the information referred to in paragraph 1 in accordance with the criteria and definitions laid down in the data glossary set out in Annex II and with the instructions set out in Annex III.
3. When providing the information specified in paragraph 1, credit institutions shall use the relationship table set out in Template 2 of Annex I which mentions the relations between the data fields.

Article 4

Information granularity, completeness, and accuracy

1. Credit institutions shall provide information for all data fields that are marked as mandatory in the data glossary set out in Annex II, except where those data fields are not applicable pursuant to the criteria specified in the instructions set out in Annex III, and with the exception of information concerning all of the following transactions:
 - (a) sales or transfers of a single non-performing credit agreement or non-performing credit agreements towards a single borrower;
 - (b) sales or transfers of non-performing credit agreements under or forming a part of syndicated credit agreement facilities;
 - (c) sales or transfers of non-performing credit agreement where the borrower is not domiciled in the Union, or has no registered office in the Union;
 - (d) sales or transfers of non-performing credit agreements by a credit institution to an undertaking which is a member of the same group as defined in Article 4(1), point (138), of Regulation (EU) No 575/2013;
 - (e) sales or transfers of non-performing credit agreements that the credit institution previously acquired from an entity other than a credit institution established in the Union and subject to the requirements of Regulation (EU) No 575/2013;

- (f) sales or transfers of unsecured non-performing credit agreements where a borrower is a natural person and where such credit agreements do not fall under the scope of Directive 2008/48/EC.
2. Credit institutions shall make reasonable efforts to provide information for the data fields that are not marked as mandatory in the data glossary set out in Annex II with exceptions for the transactions specified in paragraph 1, points (a) to (f).

Article 5

Operational procedures for the provision of information

1. Credit institutions shall provide prospective buyers with the information specified in Article 3 before entering into a contract for the sale or transfer of non-performing credit agreement, without prejudice to Article 6(2), point (b).
2. Credit institutions shall provide prospective buyers with the information specified in Article 3 in an electronic and machine-readable form, unless agreed otherwise between the credit institution and the prospective buyer.

Article 6

Treatment of personal data and confidential information

1. When providing the information referred to in Article 3, credit institutions shall identify information that is to be considered confidential pursuant to applicable Union law on data confidentiality or on banking secrecy, or pursuant to own internal rules or market practices and ensure adequate protection of such information in accordance with the applicable Union law on data confidentiality or banking secrecy.
2. Before providing the information referred to in Article 3, credit institutions and prospective buyers:
- (a) shall enter into confidentiality agreements drafted in conformity with applicable Union law;
 - (b) shall share personal data only insofar as necessary before entering into a contract for the transfer or sale of non-performing credit agreements.
3. Credit institutions shall use secure channels including virtual data rooms or similar electronic means to provide the information referred to in Article 3.

Article 7

Entry into force

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

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

Done at Brussels, 26 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Template 1: Counterparty

Index	Data field
1,00	Counterparty Group Identifier
1,01	Name of Counterparty Group
1,02	Counterparty Identifier
1,03	Name of Counterparty
1,04	Economic activity
1,05	Role of the counterparty
1,06	Legal Type of Counterparty
1,07	Date of birth
1,08	Residency of Counterparty
1,09	Counterparty deceased
1,10	National identifier (corporates)
1,11	National identifier (private individuals)
1,12	Source of National identifier
1,13	Legal Entity Identifier (LEI)
1,14	Address of Counterparty
1,15	City of Counterparty
1,16	Postal code of Counterparty
1,17	Country of Counterparty
1,18	Availability of e-mail address
1,19	Availability of telephone number
1,20	Date of Last Contact
1,21	Date of Latest Annual Financial Statements
1,22	Currency of Financial Statements
1,23	Fixed Assets
1,24	Current Assets
1,25	Cash and Cash Equivalent Items
1,26	Total Assets
1,27	Total Liabilities
1,28	Total Debt
1,29	Annual Turnover
1,30	Annual EBIT
1,31	Name of Insolvency/Restructuring Proceedings
1,32	Status of legal proceedings
1,33	Description of other legal measures
1,xx	

Template 2.1: Relationship borrower- loan

Index	2,00	2,01
Data field	Counterparty Identifier	Loan Identifier

Template 2.2: Relationship mortgage loan-protection:

Index	2,01	2,02	2,03
Data field	Loan identifier	Mortgage identifier	Protection identifier

Template 2.3: Relationship loan other than mortgage loan - protection (collateral, guarantee)

Index	2,01	2,03
Data field	Loan identifier	Protection Identifier

Template 2.4: Relationship guarantor- guarantee

Index	2,00	2,03
Data field	Counterparty identifier	Protection identifier

Template 3: Loan

Index	Data field
3,00	Cut-off Date
3,01	Loan Identifier
3,02	Inception date
3,03	Governing Law of Loan Agreement
3,04	Joint Counterparties
3,05	Asset Class
3,06	Type of instrument
3,07	Legal final maturity date
3,08	Currency
3,09	Principal amount
3,10	Accrued interest

3,11	Other balances
3,12	Legal Balance
3,13	Days in Past-Due
3,14	Interest Rate
3,15	Interest Rate Type
3,16	Description of Interest Rate Type
3,17	Interest rate spread/margin
3,18	Reference Rate
3,19	Interest rate reset frequency
3,20	Payment Frequency
3,21	Last Payment Date
3,22	Last Payment Amount
3,23	Date of the default status of the instrument
3,24	Loan legal status
3,25	Date of initiation of legal proceedings
3,26	Stage Reached in legal proceedings
3,27	Jurisdiction of Court
3,28	Date of Obtaining Order for Possession
3,29	Statute of limitations date
3,30	Syndicated Loan
3,31	Syndicated Portion
3,32	Securitised
3,33	Lease agreement
3,34	Start Date of Lease
3,35	End Date of Lease
3,36	Lease Break Option
3,37	Type of Lease
3,38	Forbearance measure
3,39	Type of Forbearance measure
3,40	End Date of Forbearance measure
3,41	Description of the Forbearance measures
3,42	Debt Forgiveness
3,43	Number of historical forbearance
3,xx	

Template 4.1: Collateral, guarantee and enforcement

Index	Data field
4,00	Protection identifier
4,01	Type of immovable property
4,02	Type of movable property, other collateral and guarantee
4,03	Address of immovable property
4,04	City of immovable property
4,05	Immovable property Postcode
4,06	Immovable property Country
4,07	Immovable property collateral cadaster identification number
4,08	Cadaster identification
4,09	Lien position
4,10	Higher Ranking Loan
4,11	Register of Deeds Number
4,12	Year of construction
4,13	Building Area (M2)
4,14	Land Area (M2)
4,15	Completion of immovable property
4,16	Value of Energy Performance Certificate
4,17	Type of occupancy
4,18	Currency of collateral and guarantee
4,19	Latest Internal Valuation Amount
4,20	Date of Latest Internal Valuation
4,21	Type of Appraisal Amount for the Latest Internal Valuation
4,22	Type of Latest Internal Valuation
4,23	Latest External Valuation Amount
4,24	Date of Latest External Valuation
4,25	Type of Appraisal Amount for the Latest External Valuation
4,26	Type of Latest External Valuation
4,27	Financial Guarantee Amount
4,28	ISIN
4,29	Enforcement Status
4,30	Enforcement Status Third Parties
4,31	Jurisdiction of Court
4,32	Currency of Enforcement
4,33	Indicator of Enforcement
4,34	Court Appraisal Amount

4,35	Date of Court Appraisal
4,36	Cash in Court
4,37	Sale Agreed Price
4,38	Next Auction Date
4,39	Court Auction Reserve Price for Next Auction
4,40	Last Auction Date
4,41	Court Auction Reserve Price for Last Auction
4,42	Number of Failed Auctions
4,xx	

Template 4.2: Mortgage guarantee

NEW Index	Data field
4,43	Mortgage identifier
4,44	Mortgage amount
4,45	Lien position
4,46	Higher ranking loan
4,47	Register of Deeds Number
4,xx	

Template 5: Historical collection of repayments

Index	Before the cut-off date													
	Data field		Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
5,00	Loan Identifier													
5,01	Type of Collection													
5,02	Name of External Collection Agent													
5,03	History of Total Repayments													
5,04	History of repayments-From Collateral Sales													
5,xx														

Index	Before the cut-off date													
	Data field		Month 13	Month 14	Month 15	Month 16	Month 17	Month 18	Month 19	Month 20	Month 21	Month 22	Month 23	Month 24
5,00	Loan Identifier													
5,01	Type of Collection													
5,02	Name of External Collection Agent													
5,03	History of Total Repayments													
5,04	History of repayments-From Collateral Sales													
5,xx														

Index	Before the cut-off date													
	Data field		Month 25	Month 26	Month 27	Month 28	Month 29	Month 30	Month 31	Month 32	Month 33	Month 34	Month 35	Month 36
5,00	Loan Identifier													
5,01	Type of Collection													
5,02	Name of External Collection Agent													
5,03	History of Total Repayments													
5,04	History of repayments-From Collateral Sales													
5,xx														

ANNEX II

Index	Template	Data field	Borrower type	Loan type	Description	Mandatory data fields	Field type	ESMA (RTS 2020/1224)	ANACREDIT (Anacredit Reporting Manual to ECB/2016/13)	FINREP (ITS 2021/451)	CRR	IAS/IFRS
1,00	Counterparty	Counterparty Group Identifier	Applicable to all	Applicable to all	Institution's internal identifier to uniquely identify each counterparty group. Where counterparty group is defined as a group of related counterparties. Where a group could just be a standalone counterparty or multiple counterparties. Each counterparty group should have one Counterparty Group Identifier.	Mandatory	Alphanumeric					
1,01	Counterparty	Name of Counterparty Group	Applicable to all	Applicable to all	Name used to refer to the counterparty group.	Mandatory	Alphanumeric					
1,02	Counterparty	Counterparty Identifier	Applicable to all	Applicable to all	Institution's internal identifier to uniquely identify each counterparty. Each counterparty must have one counterparty identifier at the cut-off date. This value cannot be used as the counterparty identifier for any other counterparty.	Mandatory	Alphanumeric		2.2.3; 12.4.1			
1,03	Counterparty	Name of Counterparty	Applicable to all	Applicable to all	Full legal name of the counterparty.	Mandatory	Alphanumeric		12.1			
1,04	Counterparty	Economic activity	Corporate	Applicable to all	Classification of the corporate counterparty according to its economic activity, in accordance with the NACE revision 2 statistical classification as laid down in Regulation (EC) No 1893/2006.	Mandatory	Choice populated by using the classification NACE codes-a level two, three or four NACE code in accordance with Regulation (EC) No 1893/2006.		12.4.15			
1,05	Counterparty	Role of the counterparty	Applicable to all	Applicable to all	Role of the counterparty ("Protection provider", "Borrower").	Mandatory	Choice: (a) Protection Provider; (b) Borrower.					
1,06	Counterparty	Legal Type of Counterparty	Applicable to all	Applicable to all	Type of the counterparty broken-down by sector as defined in Annex V of the Regulation (EU) N. 2021/451 ("Non-financial corporations-SMEs"; "Non-financial corporations- other than SMEs"; "Households").	Mandatory	Choice: (a) Non-financial corporations-SMEs; (b) Non-financial corporations-other than SMEs; (c) Households.			Annex V.Part 1. Paragraph 5(i); Paragraph 42 (e) (f)		

1,07	Counterparty	Date of birth	Private Individual	Applicable to all	Date of birth of the private individual counterparty.		dd/mm/yyyy					
1,08	Counterparty	Residency of Counterparty	Private Individual	Applicable to all	Indication whether the residency of the private individual counterparty is in the same country of the institution.	Mandatory	Boolean (Yes or No).					
1,09	Counterparty	Counterparty deceased	Private Individual	Applicable to all	Indication as to whether the private individual counterparty has passed away.		Boolean (Yes or No).	Annex X.NPEL9				
1,10	Counterparty	National identifier	Corporate	Applicable to all	A commonly used identification code which enables the unambiguous identification of the counterparty within its country of residency.	Mandatory	Alphanumeric					
1,11	Counterparty	National identifier	Private Individual	Applicable to all	A commonly used identification code which enables the unambiguous identification of the counterparty within its country of residency.		Alphanumeric					
1,12	Counterparty	Source of National identifier	Corporate	Applicable to all	Name of the country specific registration office which provides the counterparty national identifier.	Mandatory	Alphanumeric					
1,13	Counterparty	Legal Entity Identifier (LEI)	Corporate	Applicable to all	A legal entity identifier of the counterparty assigned in accordance with the International Organisation for Standardisations.		Choice populated by using ISO 17442.		12.4.2			
1,14	Counterparty	Address of Counterparty	Corporate	Applicable to all	Counterparty's street address, including the street number.	Mandatory	Alphanumeric		12.4.8			
1,15	Counterparty	City of Counterparty	Corporate	Applicable to all	Counterparty's city, town or village.	Mandatory	Alphanumeric		12.4.9			
1,16	Counterparty	Postal code of Counterparty	Applicable to all	Applicable to all	Counterparty's postal code.	Mandatory	Alphanumeric		12.4.10			
1,17	Counterparty	Country of Counterparty	Applicable to all	Applicable to all	Counterparty's country.	Mandatory	Choice populated by using ISO 3166-1 alpha-2 code of the country.		12.4.12			
1,18	Counterparty	Availability of e-mail address	Applicable to all	Applicable to all	Indicator whether the institution has the availability of an e-mail address of the counterparty.		Boolean (Yes or No).					

1,19	Counterparty	Availability of telephone number	Applicable to all	Applicable to all	Indicator whether the institution has the availability of a telephone number (mobile or landline) of the counterparty.		Boolean (Yes or No).					
1,20	Counterparty	Date of Last Contact	Applicable to all	Applicable to all	The most recent date of contact with the counterparty, by using any oral or written communication mean (i.e. letter, phone collection, e-mail) and provided that a reply has been received by the counterparty.		dd/mm/yyyy					
1,21	Counterparty	Date of Latest Annual Financial Statements	Corporate	Applicable to all	Date of the latest available Financial Statements.		dd/mm/yyyy					
1,22	Counterparty	Currency of Financial Statements	Corporate	Applicable to all	Currency in which the latest available financial statements are expressed in.		Choice populated by using ISO 4217 currency codes.					
1,23	Counterparty	Fixed Assets	Corporate	Applicable to all	Carrying amount of the corporate counterparty's fixed assets as per its latest available financial statements. Where 'Fixed Assets' is defined by IAS 16 (Property, Plant and Equipment) or similar according to other accounting standards, as assets whose use is for the business operation, where a value is assigned to them, and the useful economic life is more than one year.		Number					IAS 16.6
1,24	Counterparty	Current Assets	Corporate	Applicable to all	Carrying amount of the corporate counterparty's current assets, excluding cash and cash equivalent items as per its latest available financial statements. Where 'Current Assets' are assets that are defined by IAS 1.60, or similar according to other accounting standards, as expected to be realised in the entity's normal operating cycle, held primarily for the purpose of trading, and expected to be realised within 12 months after the reporting period.		Number					IAS 1.60; IAS 1.66

1,25	Counterparty	Cash and Cash Equivalent Items	Corporate	Applicable to all	Carrying amount of the corporate counterparty's cash and cash equivalent items as per its latest available financial statements. Where 'Cash and Cash Equivalents' are defined by IAS 7 or similar according to other accounting standards, as short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.		Number					IAS 7.6
1,26	Counterparty	Total Assets	Corporate	Applicable to all	Carrying amount of the corporate counterparty's total assets, as defined by the applicable accounting standard, as per its latest available financial statements.		Number					IAS 1.9(a), IG 6
1,27	Counterparty	Total Liabilities	Corporate	Applicable to all	Carrying amount of the corporate counterparty's total liabilities, as defined by the applicable accounting standard, as per its latest available financial statements.		Number					IAS 1.9(b), IG 6
1,28	Counterparty	Total Debt	Corporate	Applicable to all	Carrying amount of the corporate counterparty's total debt as defined by the IAS 32.11 (financial liabilities) or similar applicable accounting standard, as per its latest available financial statements. It's related to all formal, written financing agreements such as short-term loans payable, long-term loans payable, and bonds payable as per the latest available financial statements.		Number					IAS 32.11
1,29	Counterparty	Annual Turnover	Corporate	Applicable to all	Annual sales volume net of all discounts and sales taxes of the counterparty in accordance with Recommendation 2003/361/EC. Equivalent to the concept of 'total annual sales' in Article 153(4) of Regulation (EU) No 575/2013.		Number		12.4.22		Art. 153(4)	

1,30	Counterparty	Annual EBIT	Corporate	Applicable to all	Amount of annual Earnings Before Interest and Tax (EBIT) generated by the corporate counterparty as per the latest available financial statements.		Number					
1,31	Counterparty	Name of Insolvency/ Restructuring Proceedings	Applicable to all	Applicable to all	Name of any insolvency or restructuring proceedings to which the counterparty is subject.	Mandatory	Choice dependent on the country.					
1,32	Counterparty	Status of legal proceedings	Applicable to all	Applicable to all	Categories describing a counterparty's legal status in relation to its solvency based on the national legal framework. The institution must transpose the values listed in the 'Field type' column into the national legal framework.	Mandatory	(a) No legal action taken; (b) Under judicial administration, receivership or similar measures; (c) Bankruptcy/insolvency; (d) Other legal measures.	12.4.16				
1,33	Counterparty	Description of other legal measures	Applicable to all	Applicable to all	Description of the status of legal proceedings when 'Other legal measures' is selected in data field 'Status of legal proceedings'.		Alphanumeric	12.4.16				
1,xx	Counterparty											
2,00	Relationship	Counterparty Identifier	Applicable to all	Applicable to all	Institution's internal identifier to uniquely identify each counterparty. Each counterparty must have one counterparty identifier at the cut-off date. This value cannot be used as the counterparty identifier for any other counterparty.	Mandatory	Alphanumeric	2.2.3; 12.4.1				
2,01	Relationship	Loan Identifier	Applicable to all	Applicable to all	Institution's internal identifier to uniquely identify each loan under a single loan agreement. Each loan must have one loan identifier at the cut-off date. This value cannot be used as the loan identifier for any other loan under the same or different loan agreement.	Mandatory	Alphanumeric					

2,02	Relationship	Mortgage Identifier	Applicable to all	Secured loan	The institution's internal identifier for the Mortgage Agreement.	Mandatory	Alphanumeric					
2,03	Relationship	Protection Identifier	Applicable to all	Secured loan	Institution's internal identifier to uniquely identify each protection used to secure the loan (collateral or guarantee). Each protection must have one protection identifier at the cut-off date. This value cannot be used as the protection identifier for any other protection. Where the categories of the collateral and guarantee are those defined in the template F1 3.01 of Annexes III and IV to Implementing Regulation (EU) No 2021/451.	Mandatory	Alphanumeric		2.2.6	Annex III and Annex IV. F 1 3.01		
3,00	Loan	Cut-off Date	Applicable to all	Applicable to all	Reference date of the data included in the EBA NPL templates. In general, if not otherwise provided in the description of the field, the data refers to the cut-off date.	Mandatory	dd/mm/yyyy					
3,01	Loan	Loan Identifier	Applicable to all	Applicable to all	Institution's internal identifier to uniquely identify each loan under a single loan agreement. Each loan must have one loan identifier at the cut-off date. This value cannot be used as the loan identifier for any other loan under the same or different loan agreement.	Mandatory	Alphanumeric					
3,02	Loan	Inception date	Applicable to all	Applicable to all	The date on which the contractual relationship originated, i.e. the date on which the contract agreement became binding for all parties.	Mandatory	dd/mm/yyyy		3.4.4			
3,03	Loan	Governing Law of Loan Agreement	Applicable to all	Applicable to all	Jurisdiction governing the loan agreement. This does not necessarily correspond to the country where the loan agreement was originated.	Mandatory	Choice populated by using ISO 3166 ALPHA-2.	Annex X.NPEL 23				

3,04	Loan	Joint Counterparties	Applicable to all	Applicable to all	Number of counterparties who jointly owe under the loan. They are jointly responsible for payments to the lender arising under the loan agreement.	Mandatory	Choice: (a) no joint counterparties (b) two counterparties; (c) more than two counterparties.					
3,05	Loan	Asset Class	Applicable to all	Applicable to all	Asset class of the loan as defined in Article 2(1) of Commission Delegated Regulation (EU) 2020/1224.	Mandatory	Choice: (a) Residential real estate, (b) Commercial real estate, (c) Corporate, (d) Automobile, (e) Consumer, (f) Credit card, (g) Leasing, (h) Other	Article 2(1).				
3,06	Loan	Type of instrument	Applicable to all	Applicable to all	Classification of the loan according to the type of contractual terms agreed between the parties.	Mandatory	Choice populated according to the seller's segmentation. A suggested list is the following: (a) Deposits other than reverse repurchase agreements; (b) Overdraft; (c) Credit card debt; (d) Revolving credit other than overdrafts and credit card debt; (e) Credit lines other than revolving credit; (f) Reverse repurchase agreements; (g) Trade receivables; (h) Financial leases; (i) Other loans.		3.4.1			
3,07	Loan	Legal final maturity date	Applicable to all	Applicable to all	Contractual maturity date of the loan as at the cut-off date, taking into account any agreements amending initial contracts, including forbearance measures. This data field is required only when the field 'Days in Past-Due' is less than or equal to 365 days in past-due.		dd/mm/yyyy		3.4.6			

3,08	Loan	Currency	Applicable to all	Applicable to all	Currency denomination of the Loan, in accordance with the ISO's 4217 standard.	Mandatory	Choice populated by using ISO 4217 Currency Codes.		3.4.3			
3,09	Loan	Principal amount	Applicable to all	Applicable to all	The amount of outstanding principal as recognised on the balance sheet as at the cut-off date. The number does not include the amounts recognised under the field 'Accrued interest' and 'Other balances'.	Mandatory	Number					
3,10	Loan	Accrued interest	Applicable to all	Applicable to all	The amount of accrued interest on loans as defined in Regulation (EU) No 1071/2013 (ECB/2013/33) as at the cut-off date. In accordance with the general principle of accruals accounting, interest receivable on instruments should be subject to on-balance sheet recording as it accrues (i.e. on an accruals basis) rather than when it is actually received (i.e. on a cash basis).	Mandatory	Number		4.4.11			
3,11	Loan	Other balances	Applicable to all	Applicable to all	Total amount of other outstanding amounts recognised on the balance sheet as at the cut-off date. The number should incorporate other charges, commissions, fees and other outstanding amounts not recognised under the field 'Principal amount' or 'Accrued interest'.	Mandatory	Number					
3,12	Loan	Legal Balance	Applicable to all	Applicable to all	Total claim amount, including any on-balance sheet exposures (excluding any debt forgiveness), off-balance sheet exposures and penalty interests, which the lender is entitled to receive by the debtor as at the cut-off date.	Mandatory	Number					

3,13	Loan	Days in Past-Due	Applicable to all	Applicable to all	Number of days that the loan is currently past-due as at the cut-off date. In case of non-performing loans that are not past-due, the number is zero. The loan is 'past-due' when it meets the criteria of paragraph 96 of Part 2 of Annex V to Implementing Regulation (EU) No 2021/451.	Mandatory	Number					
3,14	Loan	Interest Rate	Applicable to all	Applicable to all	Annualised agreed rate or narrowly defined interest rate in accordance with Regulation (EU) No 1072/2013 of the European Central Bank (ECB/2013/34). It's applicable at the cut-off date, which takes into account any current forbearance measure. This data field is required only when the field 'Days in Past-Due' is less than or equal to 365 days in past-due.		Percentage		4.4.1			
3,15	Loan	Interest Rate Type	Applicable to all	Applicable to all	Classification of loans based on the base rate for establishing the interest rate for each payment period. It's applicable at the cut-off date, which takes into account any current forbearance measure. This data field is required only when the field 'Days in Past-Due' is less than or equal to 365 days in past-due.		Choice: (a) Fixed; (b) Variable; (c) Mixed.		3.4.8			
3,16	Loan	Description of Interest Rate Type	Applicable to all	Applicable to all	Description of interest rate type when "Mixed" is selected in field "Interest Rate Type". This data field is required only when the field 'Days in Past-Due' is less than or equal to 365 days in past-due.		Alphanumeric					
3,17	Loan	Interest rate spread/margin	Applicable to all	Applicable to all	Margin or spread (expressed as a percentage) to add to the reference rate that is used for the calculation of the interest rate in basis points. It's applicable at the cut-off date, which takes into account any current forbearance measure granted. This data field is required only when the field 'Days in Past-Due' is less than or equal to 365 days in past-due.		Percentage		3.4.12			

3,18	Loan	Reference Rate	Applicable to all	Applicable to all	Reference rate used for the calculation of the actual interest rate. Combination of the reference rate value and maturity value, applicable at the cut-off date when 'Variable' is selected in the field 'Interest Rate Type'. This data field is required only when the field 'Days in Past-Due' is less than or equal to 365 days in past-due.		Alphanumeric					
3,19	Loan	Interest rate reset frequency	Applicable to all	Applicable to all	Frequency at which the interest rate is reset after the initial fixed-rate period, if any. It's applicable at the cut-off date, which takes into account any current forbearance measure. This data field is required only when the field 'Days in Past-Due' is less than or equal to 365 days in past-due.		Choice: (a) Not resettable (b) Overnight (c) Monthly (d) Quarterly (e) Semi-annually (f) Annually (g) At creditor discretion (h) Other frequency		3.4.9			
3,20	Loan	Payment Frequency	Applicable to all	Applicable to all	Frequency of payments due, either of principal or interest, i.e. number of months between payments. It is based on the current loan agreement as at the cut-off date, which takes into account any current forbearance measure. This data field is required only when the field 'Days in Past-Due' is less than or equal to 365 days in past-due.		Choice: (a) Monthly (b) Quarterly (c) Semi-annually (d) Annually (e) Bullet (f) Zero coupon (g) Other		3.4.16			
3,21	Loan	Last Payment Date	Applicable to all	Applicable to all	Date that the last payment was made.		dd/mm/yyyy	Annex X.NPEL 30.				
3,22	Loan	Last Payment Amount	Applicable to all	Applicable to all	Amount of last payment.		Number					

3,23	Loan	Date of the default status of the instrument	Applicable to all	Applicable to all	The date on which the default status is considered to have occurred. Where default is as per Article 178 of Regulation (EU) No 575/2013 (CRR). In case of non-performing loans that are not in default status, this data field is not reported.	Mandatory	dd/mm/yyyy		4.4.5		Definition of default as of Article 178	
3,24	Loan	Loan legal status	Applicable to all	Applicable to all	Indication of the loan legal status as at the cut-off date.	Mandatory	Choice: (a) out of court settlement; (b) legal proceedings; (c) no legal or 'out of court' action taken.					
3,25	Loan	Date of initiation of legal proceedings	Applicable to all	Applicable to all	The date on which the legal proceedings were initiated. This date must be the most recent relevant date prior to the cut-off date and must only be reported if the field 'Loan legal status' has the value 'legal proceedings'.	Mandatory	dd/mm/yyyy					
3,26	Loan	Stage reached in legal proceedings	Applicable to all	Applicable to all	It is an indication of how advanced the relevant legal procedure has become as a result of various legal steps in the legal procedure having been completed for each secured or unsecured loan. The generic, standardised legal actions across countries are identified below. This is not an exhaustive list of legal actions and therefore the institution should make a value judgement as to whether they should add any additional legal actions to the generic standardised legal actions. Multiple selections of stages are allowed to be entered if applicable: (a) Initial stage; (b) A proof of claim has been filed by the seller; (c) A notice of intention to sell secured assets has been given; (d) A distribution has been made to the seller; (e) A notice of the end of the procedure has been given. This data field must only be reported if the field 'Loan legal status' has the value 'legal proceedings'.	Mandatory	alphanumeric					

3,27	Loan	Jurisdiction of Court	Applicable to all	Applicable to all	Location of the court where the court case is being heard. This field is required only when a court case has been initiated	Mandatory	Choice populated by using ISO 3166 ALPHA-2.	Annex X.NPEL20				
3,28	Loan	Date of Obtaining Order for Possession	Applicable to all	Secured loan	Date that the order for possession is granted by the court. This field is required only when an order for possession has been granted by the court.		dd/mm/yyyy	Annex X.NPEL21				
3,29	Loan	Statute of limitations date	Applicable to all	Applicable to all	Date when the loan expires and legal proceedings cannot be undertaken. This field is required only when it is applicable under the governing law of the loan agreement and the legal status of the loan.	Mandatory	dd/mm/yyyy					
3,30	Loan	Syndicated Loan	Applicable to all	Applicable to all	Indicator as to whether the loan is provided by a syndicate or consortium of two or more credit institutions. This means that in the case of a syndicated loan the institution holds less than 100% of the total loan.		Boolean (Yes or No).					
3,31	Loan	Syndicated Portion	Applicable to all	Applicable to all	Percentage of the portion held by the institution. Applicable when "Yes" is selected in field "Syndicated Loan".		Percentage	Annex X.NPEL 31				
3,32	Loan	Securitised	Applicable to all	Applicable to all	Indicator as to whether the loan has been securitised or within covered bond pool.		Boolean (Yes or No).					
3,33	Loan	Lease agreement	Applicable to all	Secured loan	Indicator as to whether the credit agreement contains a lease.	Mandatory	Boolean (Yes or No).					IFRS 16.9
3,34	Loan	Start Date of Lease	Applicable to all	Secured loan	Date that the current lease starts if 'yes' is selected in the field 'Lease agreement'.		dd/mm/yyyy					
3,35	Loan	End Date of Lease	Applicable to all	Secured loan	Date that the current lease ends if 'yes' is selected in the field 'Lease agreement'.		dd/mm/yyyy					

3,36	Loan	Lease Break Option	Applicable to all	Secured loan	Details of any lease break clause(s) if 'yes' is selected in the field 'Lease agreement'.		Alphanumeric					
3,37	Loan	Type of Lease	Applicable to all	Secured loan	Type of the lease agreement with the counterparty if 'yes' is selected in the field 'Lease agreement'.		Choice: (a) Triple Net (Tenant pays the base rental amount plus operating costs, including real estate taxes, insurance, maintenance, and repairs); (b) Net-Net Lease (Tenant pays the base rental amount, real estate taxes, and insurance premiums).					
3,38	Loan	Forbearance measure	Applicable to all	Applicable to all	Indicator as to whether forbearance measures are currently applied to the loan at the cut-off date.	Mandatory	Boolean (Yes or No).				Art. 47b	
3,39	Loan	Type of Forbearance measure	Applicable to all	Applicable to all	Types of forbearance as defined in accordance with the criteria and the definitions specified in paragraphs 357 and 358 of Part 2 of Annex V to Implementing Regulation (EU) No 2021/451. Applicable when 'yes' is selected in the field 'Forbearance measure'. Multiple choices are permitted.	Mandatory	Choice: (a) grace period/payment moratorium; (b) interest rate reduction; (c) extension of maturity/term; (d) rescheduled payments; (e) debt forgiveness; (f) debt asset swaps; (g) other forbearance measures.			Annex V,Part 2.357-358.		
3,40	Loan	End Date of Forbearance measure	Applicable to all	Applicable to all	Date that the current applicable forbearance measure ends. Applicable when 'yes' is selected in the field 'Forbearance measure'. In case of multiple forbearance measures, the most recent end date of the forbearance measures is considered.	Mandatory	dd/mm/yyyy	Annex X.NPEL 41				

3,41	Loan	Description of the Forbearance measures	Applicable to all	Applicable to all	Further comments/details on the forbearance measures, including the description of any clause to stop forbearance and multiple forbearance measures applied to the loan. Applicable when 'yes' is selected in the field 'Forbearance measure'.		Alphanumeric					
3,42	Loan	Debt Forgiveness	Applicable to all	Applicable to all	Gross carrying amount of the loan that was partially forgiven as part of current forbearance measure, including principal forgiveness agreed by external collection agencies, as at the cut-off date. Where debt forgiveness refers to a partial cancellation of the loan by the institution through forfeiture of right to legally recover it as specified in paragraph 358 of Part 2 of Annex V to Implementing Regulation (EU) No 2021/451. The gross carrying amount is defined in accordance with paragraph 34.Part 1 of Annex V to Implementing Regulation (EU) No 2021/451. Applicable when the category (e) debt forgiveness is selected in the field 'Type of Forbearance'.		Number			Annex V.Part 1.34 and Part 2.358		
3,43	Loan	Number of historical forbearance	Applicable to all	Applicable to all	Number of forbearance(s) that happened in the last two years. Applicable when 'yes' is selected in the field 'Forbearance measure'.		Number					
3,xx	Loan											
4,00	Collateral, guarantee and enforcement	Protection Identifier	Applicable to all	Secured loan	Institution's internal identifier to uniquely identify each protection used to secure the loan (collateral or guarantee). Each protection must have one protection identifier at the cut-off date. This value cannot be used as the protection identifier for any other protection. Where the categories of the collateral and guarantee are those defined in the template F1 3.01 of Annexes III and IV to Implementing Regulation (EU) No 2021/451.	Mandatory	Alphanumeric		2.2.6	Annex III and IV. F 13.01		

4.01	Collateral, guarantee and enforcement	Type of immovable property	Applicable to all	Secured loan	Type of the immovable property collateral. Applicable to all immovable (real estate) collateral.	Mandatory	Choice: (a) office (b) retail (c) industrial (d) residential (e) other					
4.02	Collateral, guarantee and enforcement	Type of movable property, other collateral and guarantee	Applicable to all	Secured loan	Type of movable property, other collateral and guarantee. Applicable to collateral (other than immovable property) and guarantees.	Mandatory	Choice populated according to the seller's segmentation. A suggested list is the following: (a) Auto mobile vehicles (b) Industrial and commercial vehicles (including commercial trucks, rail vehicles etc.) (c) Nautical vehicles and ships (includes Nautical leisure vehicles) (d) Aeroplanes (e) Industrial equipment (includes Machine tools and Energy related equipment and Floating charge) (f) Office equipment (g) Medical equipment (h) Goods and inventory (company's goods and products that are ready to sell, along with the raw materials that are used to produce them) (i) Other physical collateral (j) Equity and debt securities (k) Financial Guarantees (l) Life insurance policies pledged (m) Gold, currency and deposits (n) Other collateral					

4.03	Collateral, guarantee and enforcement	Address of immovable property	Applicable to all	Secured loan	Street address where the immovable property is located at, including flat/house, number or name. Applicable to all immovable (real estate) collateral.	Mandatory	Alphanumeric					
4.04	Collateral, guarantee and enforcement	City of immovable Property	Applicable to all	Secured loan	City where the immovable property is located at. Applicable to all immovable (real estate) collateral.	Mandatory	Choice populated by using UN/LOCODE.					
4.05	Collateral, guarantee and enforcement	Immovable property Postcode	Applicable to all	Secured loan	Postcode where the immovable Property is located at. Applicable to all immovable (real estate) collateral, unless there is no postal code for land or alike.	Mandatory	Alphanumeric					
4.06	Collateral, guarantee and enforcement	Immovable property Country	Applicable to all	Secured loan	Region or country where the immovable property collateral is located. Applicable to all immovable (real estate) collateral.	Mandatory	Choice populated by using ISO 3166 ALPHA-2 of the region or country in which the collateral is located.					
4.07	Collateral, guarantee and enforcement	Immovable property collateral cadaster identification number	Applicable to all	Secured loan	The identification number under which the immovable property collateral is recorded in the cadaster.		Alphanumeric					
4.08	Collateral, guarantee and enforcement	Cadaster identification	Applicable to all	Secured loan	The name and/or identification code of the official register (cadaster) showing details of ownership, boundaries and value of the immovable property (collateral).		Alphanumeric					

4,09	Collateral, guarantee and enforcement	Lien position	Applicable to all	Secured loan	The highest ranking position held by the institution in relation to the collateral other than mortgage guarantee, which determines the order in which the law recognises the institution's claims against the collateral in a foreclosure. In case the loan has several liens on one collateral, the highest claim held by the institution is reported in this field. Applicable if the lien is recorded against the title to the collateral in the official deed records. In the case of mortgage guarantees, this field is not filled under this template but in the Template 4.2: Mortgage guarantee.	Mandatory	Number						
4,10	Collateral, guarantee and enforcement	Higher Ranking Loan	Applicable to all	Secured loan	The amount that higher ranking claimants/holders of first position liens are entitled to receive before the institution in a foreclosure of the collateral other than mortgage guarantee. The purpose of this field is to provide an indication of the extent to which the institution will be able to recoup the outstanding debt from the collateral in a foreclosure after first position liens have been settled in full. Applicable if the institution does not hold the first position lien in relation to the collateral. In the case of mortgage guarantees, this field is not filled under this template but in the Template 4.2: Mortgage guarantee.	Mandatory	Number						

4,11	Collateral, guarantee and enforcement	Register of Deeds Number	Applicable to all	Secured loan	Registration number under which the institution's lien against the title to the collateral other mortgage guarantee is recorded in the official deed records. Applicable if the institution has a lien on the collateral. In the case of mortgage guarantees, this field is not filled under this template but in the Template 4.2: Mortgage guarantee.		Alphanumeric					
4,12	Collateral, guarantee and enforcement	Year of construction	Applicable to all	Secured loan	The year in which the collateral was constructed.							
4,13	Collateral, guarantee and enforcement	Building Area (M2)	Applicable to all	Secured loan	Building area (square metres) of the immovable property. Applicable to all immovable (real estate) collateral.		Number					
4,14	Collateral, guarantee and enforcement	Land Area (M2)	Applicable to all	Secured loan	Land area surrounding the immovable property (square metres). Applicable to all immovable (real estate) collateral.		Number					
4,15	Collateral, guarantee and enforcement	Completion of immovable property	Applicable to all	Secured loan	Indicator as to whether the construction of the immovable property is complete.		Boolean (Yes or No).					
4,16	Collateral, guarantee and enforcement	Value of Energy Performance Certificate	Applicable to all	Secured loan	For immovable property collateral, value stated on the Energy Performance Certificate as defined in the EU Energy Efficiency Directive 2012. Applicable to all immovable (real estate) collateral.		Choice: (a) A; (b) B; (c) C; (d) D; (e) E; (f) F; (g) G.					

4,17	Collateral, guarantee and enforcement	Type of Occupancy	Applicable to all	Secured loan	Type of occupancy for immovable property collateral. If the property has a mixed use, it can be classified according to its dominant use (based for example on the surface areas dedicated to each use). Applicable to all immovable (real estate) collateral.		Choice: (a) Owner-occupied; (b) Rented; (c) Other.					
4,18	Collateral, guarantee and enforcement	Currency of collateral and guarantee	Applicable to all	Secured loan	Currency that the valuation and cash flows related to the collateral or guarantee are expressed in. Applicable to all type of collateral (immovable and movable property) and guarantees.	Mandatory	Choice field populated by using ISO 4217 Currency Codes.					
4,19	Collateral, guarantee and enforcement	Latest Internal Valuation Amount	Applicable to all	Secured loan	The value of the collateral as established for the relevant type of collateral following the chosen internal valuation approach, when last assessed at or prior to the cut-off date. This reflects the value of the collateral, without considering any (regulatory) haircuts. This data field is required when the institution has performed a recent internal valuation before or as at the cut-off date.	Mandatory	Number					
4,20	Collateral, guarantee and enforcement	Date of Latest Internal Valuation	Applicable to all	Secured loan	Date that the latest internal valuation as reported in the field 'latest internal valuation amount' took place at or prior to the cut-off date. Applicable when the institution has performed a recent internal valuation before or as at the cut-off date.	Mandatory	dd/mm/yyyy					

4.21	Collateral, guarantee and enforcement	Type of Appraisal Amount for the Latest Internal Valuation	Applicable to all	Secured loan	The type of appraisal amount applied for the latest internal valuation of the collateral: market value, book value, liquidation value, other. The market value is the expected price of the collateral at which it would change hands between a willing and informed buyer and seller. The liquidation value is the expected value of the collateral if it were to be liquidated, presumably at a loss (because it is allowed insufficient time to sell on the open market). The book value is the value of the collateral determined by reference to an intrinsic characteristic such as its cost, its principal balance or the amount that a third party is contractually obligated to pay to acquire, settle or discharge it. The type of appraisal amount is further complemented by information about the method applied for the valuation in the field 'Type of Latest Internal Valuation'. Applicable when the institution has performed an internal valuation before or as at the cut-off date.	Mandatory	Choice: (a) market value, (b) liquidation value, (c) book value, (d) other						
4.22	Collateral, guarantee and enforcement	Type of Latest Internal Valuation	Applicable to all	Secured loan	Type of the latest internal valuation for the collateral as reported in the field 'Latest internal valuation amount'. Applicable when the institution has performed an internal valuation before or as at the cut-off date.		Choice populated according to the seller's segmentation. A suggested list is the following: (a) Full Appraisal; (b) Drive-by; (c) Automated Valuation Model; (d) Indexed; (e) Desktop; (f) Managing or Estate Agent; (g) Purchase Price; (h) Hair Cut; (i) Mark to market; (j) Counterparties Valuation; (k) Other.						

4,23	Collateral, guarantee and enforcement	Latest External Valuation Amount	Applicable to all	Secured loan	The value of the collateral as established for the relevant type of collateral following the chosen external valuation approach, when last assessed at or prior to the cut-off date. This reflects the value of the collateral, without considering any (regulatory) haircuts. This data field is required when the institution has asked for a recent external valuation before or as at the cut-off date.	Mandatory	Number					
4,24	Collateral, guarantee and enforcement	Date of Latest External Valuation	Applicable to all	Secured loan	Date that the latest external valuation as reported in the field 'latest external valuation amount' took place at or prior to the cut-off date. Applicable when the institution has asked for a recent external valuation performed before or as at the cut-off date.	Mandatory	dd/mm/yyyy					
4,25	Collateral, guarantee and enforcement	Type of Appraisal Amount for the Latest External Valuation	Applicable to all	Secured loan	The type of appraisal amount applied for the latest external valuation of the collateral: market value, book value, liquidation value, other. The market value is the expected price of the collateral at which it would change hands between a willing and informed buyer and seller. The liquidation value is the expected value of the collateral if it were to be liquidated, presumably at a loss (because it is allowed insufficient time to sell on the open market). The book value is the value of the collateral determined by reference to an intrinsic characteristic such as its cost, its principal balance or the amount that a third party is contractually obligated to pay to acquire, settle or discharge it. The type of appraisal amount is further complemented by information about the method applied for the valuation in the field 'Type of Latest External Valuation'. Applicable when the institution has had an external valuation performed before or as at the cut-off date.	Mandatory	Choice: (a) market value, (b) liquidation value, (c) book value, (d) other					

4,26	Collateral, guarantee and enforcement	Type of Latest External Valuation	Applicable to all	Secured loan	Type of the latest external valuation for the collateral as reported in the field 'Latest external valuation amount'. Applicable when the institution has had an external valuation performed before or as at the cut-off date.		Choice: (a) Full Appraisal; (b) Drive-by; (c) Automated Valuation Model; (d) Indexed; (e) Desktop; (f) Managing or Estate Agent; (g) Purchase Price; (h) Hair Cut; (i) Mark to market; (j) Counterparties Valuation; (k) Other.					
4,27	Collateral, guarantee and enforcement	Financial Guarantee Amount	Applicable to all	Secured loan	Maximum amount of the guarantee that can be considered as defined in paragraph 119 of Annex V, Part 2 to Commission Implementing Regulation (EU) 2021/451, i.e. for financial guarantees received, the 'maximum amount of the guarantee that can be considered' is the maximum amount the guarantor would have to pay if the guarantee is called on. Applicable when "Financial Guarantees" is selected in the field "Type of movable property, other collateral and guarantee".	Mandatory	Number			Annex V.Part 2.119		
4,28	Collateral, guarantee and enforcement	ISIN	Applicable to all	Secured loan	ISIN number in accordance with the ISIN Holdings data. Applicable when 'Equity and debt Securities' is selected in the field 'Type of movable property, other collateral and guarantee'.		Number					
4,29	Collateral, guarantee and enforcement	Enforcement Status	Applicable to all	Secured loan	Indicator as to whether the collateral has entered into the enforcement process as at cut-off date. Applicable to all type of collateral (immovable and movable property).	Mandatory	Boolean (Yes or No).	Annex X.NPEC 7				

4,30	Collateral, guarantee and enforcement	Enforcement Status Third Parties	Applicable to all	Secured loan	Indicator as to whether any other secured creditors have taken steps to enforce security over the collateral as at the cut-off date. Applicable to all type of collateral (immovable and movable property)		Boolean (Yes or No).	Annex X.NPEC 8				
4,31	Collateral, guarantee and enforcement	Jurisdiction of Court	Applicable to all	Secured loan	Country of the court responsible for execution of the enforcement process. Applicable when 'yes' is selected in the field 'Enforcement status'.	Mandatory	Choice populated by using ISO 3166 ALPHA-2.					
4,32	Collateral, guarantee and enforcement	Currency of Enforcement	Applicable to all	Secured loan	Currency that the items related to enforcement are expressed in. Applicable when 'yes' is selected in the field 'Enforcement status'.		Choice populated by using ISO 4217 Currency Codes.					
4,33	Collateral, guarantee and enforcement	Indicator of Enforcement	Applicable to all	Secured loan	Indicator as to whether the enforcement process has been entered into by the corporate or private individual counterparty. Applicable when 'yes' is selected in the field 'Enforcement status'.		Boolean (Yes or No).					
4,34	Collateral, guarantee and enforcement	Court Appraisal Amount	Applicable to all	Secured loan	Court appraisal amount of the collateral. Applicable when 'yes' is selected in the field 'Enforcement status'.	Mandatory	Number	Annex X.NPEC 12				
4,35	Collateral, guarantee and enforcement	Date of Court Appraisal	Applicable to all	Secured loan	Date that the court appraisal happened. Applicable if a court appraisal has occurred, when 'yes' is selected in the field 'Enforcement status'.	Mandatory	dd/mm/yyyy	Annex X.NPEC 13				
4,36	Collateral, guarantee and enforcement	Cash in court	Applicable to all	Secured loan	Cash in court from sold assets awaiting for disbursement to the institution.		Number					

4,37	Collateral, guarantee and enforcement	Sale Agreed Price	Applicable to all	Secured loan	Agreed price for the disposal of the collateral. Applicable when 'yes' is selected in the field 'Enforcement status'.	Mandatory	Number	Annex X.NPEC 19				
4,38	Collateral, guarantee and enforcement	Next Auction Date	Applicable to all	Secured loan	Date of the next intended auction to sell the collateral. Applicable when 'yes' is selected in the field 'Enforcement status'.	Mandatory	dd/mm/yyyy	Annex X.NPEC 23				
4,39	Collateral, guarantee and enforcement	Court Auction Reserve Price for Next Auction	Applicable to all	Secured loan	Court set reserve price for next auction. The amount is the minimum price required by the court. Applicable when 'yes' is selected in the field 'Enforcement status'.	Mandatory	Number	Annex X.NPEC 24				
4,40	Collateral, guarantee and enforcement	Last Auction Date	Applicable to all	Secured loan	Date that the last auction was performed in order to sell the collateral. Applicable when 'yes' is selected in the field 'Enforcement status'.	Mandatory	dd/mm/yyyy	Annex X.NPEC 25				
4,41	Collateral, guarantee and enforcement	Court Auction Reserve Price for Last Auction	Applicable to all	Secured loan	Court set reserve price for last auction. This is the minimum price required by the court. Applicable when 'yes' is selected in the field 'Enforcement status'.		Number	Annex X.NPEC 26				
4,42	Collateral, guarantee and enforcement	Number of Failed Auctions	Applicable to all	Secured loan	Number of failed previous auctions for the collateral. Applicable when 'yes' is selected in the field 'Enforcement status'.		Number	Annex X.NPEC 27				
4,xx	Collateral, guarantee and enforcement											
4,43	Mortgage guarantee	Mortgage Identifier	Applicable to all	Secured loan	The institution's internal identifier for the Mortgage Agreement.	Mandatory	Alphanumeric					

4,44	Mortgage guarantee	Mortgage amount	Applicable to all	Secured loan	The maximum amount (including any fees, expenses, and liens on the immovable property) that the institution is entitled to receive in a foreclosure of the immovable property, which serves as collateral for the mortgage, as registered in the official deed register. Applicable if a mortgage lien has been established on the collateral.	Mandatory	Number					
4,45	Mortgage guarantee	Lien position		Secured loan	The highest ranking position held by the institution in relation to the collateral which determines the order in which the law recognises the institution's claims against the collateral in a foreclosure. In case the loan has several liens on one collateral, the highest claim held by the institution is reported in this field. Applicable if a mortgage lien is recorded against the title to the collateral in the official deed records.	Mandatory	Number					
4,46	Mortgage guarantee	Higher ranking loan		Secured loan	The amount that higher ranking claimants/holders of first position liens are entitled to receive before the institution in a foreclosure of the collateral. The purpose of this field is to provide an indication of the extent to which the institution will be able to recoup the outstanding debt from the collateral in a foreclosure after first position liens have been settled in full. Applicable if the institution does not have the first mortgage lien position in relation to the collateral.	Mandatory	Number					

[illegible]

ANNEX III

Instructions for filling templates for loan-by-loan information

This Annex III contains instructions for the use of the data templates for non-performing loans, provided for in Annex I, and of the data glossary set out in Annex II. The instructions are structured into two parts. Part 1 contains general instructions including references, conventions applicable to the templates and an explanation of how to use the data glossary. Part 2 provides specific instructions in relation to the data templates.

PART 1

GENERAL INSTRUCTIONS

1. REFERENCES

In addition to the definitions laid down in Article 2, the following definitions and abbreviations shall apply for data templates for non-performing loans and for the data glossary:

- (a) 'loan': this term is conventionally used in data templates to refer to 'credit agreements' as defined in Article 3, point (13), of Directive (EU) 2021/2167;
- (b) 'secured loan': means a loan for which either collateral has been pledged or financial guarantees have been received, including the unsecured part of a partially secured or partially guaranteed exposure;
- (c) 'commercial real estate': means any income-producing real estate, either existing or under development, with the exception of social housing and of property owned by end-users, as defined in Article 2 of the Commission Delegated Regulation (EU) 2020/1224 of 16 October 2019;
- (d) 'residential real estate': means any immovable property, available for dwelling purposes, including buy-to-let housing or property, that is acquired, built or renovated by a private household and that is not qualified as commercial real estate, as defined in Article 2 of the Commission Delegated Regulation (EU) 2020/1224 of 16 October 2019;
- (e) 'IAS' or 'IFRS': means the 'International Accounting Standards', as defined in Article 2 of Regulation (EC) No 1606/2002 of the European Parliament and of the Council;
- (f) 'FINREP': means the financial information templates referred to in Annex V of Commission Implementing Regulation (EU) 2021/451;
- (g) 'ANACREDIT': means the common granular analytical credit database referred to in Regulation (EU) No 2016/867 of the European Central Bank.

2. DATA GLOSSARY

The data glossary, which is an integral part of the data templates, contains all the information on the data fields to be provided in the data templates for non performing loans. That information allows credit institutions and prospective buyers to understand how each data field should be used/completed, the applicability of each field in relation to both the borrower type and the loan type. The data glossary also provides references to the EU legal acts that use similar data fields.

With the data glossary, credit institutions are able to identify their internally available data for the valuation of transactions concerning non-performing loans and compare those data with the data glossary. Specifically, the data glossary contains a list of all the data fields included in the data templates for non-performing loans with their specifications, including:

- (a) the index number for each data field;
- (b) the label of each data field;
- (c) a description of the information that should be provided in each data field;
- (d) the borrower type to which each data field is applicable, including corporates, private individuals or all;

- (e) the loan type to which each data field is applicable, including secured loan or all (secured and unsecured loans);
- (f) which data fields are marked as 'Mandatory';
- (g) the field type, which can be one of the following: 'Boolean', 'Choice', 'Date (DD/MM/YYYY)', 'Alphanumeric', 'Percentage' and 'Number';
- (h) references to the EU legal acts that use similar data fields.

3. CONVENTIONS

Unless stated otherwise in the 'description' column of the data glossary, credit institutions shall data populate all data fields with the data at the as of the cut-off date.

In the data glossary, the 'field type' column sets out the choice of format standards for 'Boolean', 'Choice', 'Alphanumeric', 'Number', 'Percentage' and 'Date' fields. However, the parties involved in the transaction may agree to use different format standards.

Where the field type is 'Boolean', the field choice is 'Yes' or 'No'.

Where the field type is 'Choice', credit institutions shall select from a list the choice that is applicable to the data field. The choice field shall be entered as the full name of the choice option. For example, where the choice field is '(a) Private individual', the credit institution shall enter 'Private individual' into the data template.

Where the field type is 'Alphanumeric', credit institutions shall enter free text into that data field. That free text may consist either of alphabetical and numerical symbols, or of a finite sequence of characters.

Where the field type is a 'Number', credit institutions shall enter a number expressed to two decimal places. Unless stated otherwise in the data glossary, all numerical values are expressed as positive numbers. Furthermore, where relevant credit institutions shall provide the amounts in their own currency.

Where the field type is a 'Percentage', credit institutions shall enter a percentage expressed as a ratio to two decimal places.

Where the field type is a 'Date', credit institutions shall use the format 'DD/MM/YYYY'.

4. MANDATORY DATA FIELDS AND ADDITIONAL INFORMATION

Credit institutions shall provide a value for all data fields that are marked in the data glossary as mandatory, except where those data are not relevant for the underwriting criteria specified in the description of the data field or are not relevant in respect of the borrower type or the loan type.

For data fields that are not marked as mandatory in the data glossary, credit institutions shall make reasonable efforts to provide information. However, when those data are not available under the template format, credit institutions may provide those data in a different format or not provide those data at all.

Credit institutions that agree with a prospective buyer to provide more information than required by this Regulation by using the template format, shall add rows with their own specified index (1,xx.1; 3,xx; 4,xx; 5,xx) under the template concerned and in the data glossary. For such additional information, credit institutions may use the 2018 version 1.1 EBA NPL transaction data templates as a reference. Such additional information should as a rule not contain additional personal data, in line with the principle of data minimisation and data protection by design and by default.

PART 2

TEMPLATE RELATED INSTRUCTIONS

1. COUNTERPARTY (Template 1)

Template 1 provides the information necessary to identify the counterparty where that counterparty may assume the role of 'borrower' or 'protection provider' in relation to different loan contracts. The counterparty may, in turn, be a private individual or a corporate. Where the counterparty is a corporate, it may or may not be part of a counterparty group. In addition, Template 1 covers some information on any insolvency or restructuring proceedings to which the counterparty is subject. Credit institutions shall provide further information on any legal proceeding in relation to a particular loan in Template 3.

Credit institutions shall provide the information required by Template 1 in accordance with the specifications laid down in the data glossary of Annex II. Template 1 is linked to the other templates by the use of the counterparty identifier, which is also included in Template 2. Credit institutions may provide additional information in accordance with Part 1, 'General instructions', Section 4.

2. RELATIONSHIP (Templates 2.1; 2.2; 2.3; 2.4)

Template 2 provides the relationship between Template 1 and the other templates by using unique identifiers applied to each counterparty, loan, mortgage guarantee and protection. Credit institutions shall specify those identifiers at the cut-off date to identify the non-performing loan that are object to a sale or transfer transaction.

Template 2.1 shows the relationship between borrowers and loans. One borrower may have several loans that are identified by the related loan identifiers. A loan may in turn have one or more counterparties.

Template 2.2 shows the relationship between mortgage loans and protections (collateral, guarantee). A mortgage deed may relate to a pledge of collateral or to several collaterals, which relate in turn to a loan or several loans. On the other hand, a collateral may refer to one or multiple mortgage deeds.

Template 2.3 shows the relationship between loans other than mortgage loans and protections (collateral, guarantee). A loan may have several collaterals, and a collateral may be related to several loans.

Template 2.4, shows the relationships between the guarantee received and its protection provider.

Credit institutions shall provide the information required by Template 2 in accordance with the specifications laid down in the data glossary of Annex II.

3. LOAN (Template 3)

Template 3 provides information on the contractual loan agreement, including any lease agreement and forbearance measure granted. In addition, template 3 covers information on any legal proceeding referred to the loan, including, among others, the legal status, the stage reached in legal proceedings and the date of initiation of legal proceedings.

Credit institutions shall provide the information required by Template 3 in accordance with the specifications laid down in the data glossary of Annex II. Template 3 is linked to the other templates by the use of the loan identifier, which is also included in Template 2. Credit institutions may provide additional information in accordance with Part 1 'General instructions', Section 4.

4. COLLATERAL, GUARANTEE AND ENFORCEMENT (Templates 4.1; 4.2)

Template 4.1 provides information on any collateral, including immovable and movable property collateral, and guarantees which secure a loan. In addition, the template covers relevant information on any applicable enforcement procedure.

Credit institutions that are a lessee in a lease contract shall provide information on any lease asset (i.e., right-of-use assets) recognised in their financial statements in accordance with the applicable accounting standards.

Credit institutions shall also provide the latest estimated value of any collateral before or at the cut-off date. The latest estimate value may be calculated either internally by the credit institution, or by an external valuer. Credit institutions shall provide the latest evaluation (internal or external), when it is available. When both internal and external valuations are available, credit institutions may provide the prospective buyer with both values with the related valuation dates.

In case of mortgage guarantees, credit institutions shall provide the information on 'mortgage amount', 'lien position', and 'higher ranking loan' in Template 4.2.

Credit institutions shall provide the information required by Template 4 in accordance with the specifications laid down in the data glossary of Annex II. Template 4.1 and template 4.2 are linked to the other templates by the use of the protection identifier and the mortgage identifier, which are also included in Template 2. Credit institutions may provide additional information in accordance with Part 1 'General instructions', Section 4.

5. HISTORICAL COLLECTION OF REPAYMENTS (Template 5)

Template 5 provides information on the historical collection for each loan before the cut-off date, including when the credit institution has used an external collection agent.

Credit institutions shall aggregate the total historical repayment amounts per month and present those amounts in separate columns, covering a minimum period of 36 months before the cut-off date.

Credit institutions shall provide the information required by Template 5 in accordance with the specifications laid down in the data glossary of Annex II. Template 5 is linked to the other templates by the use of the loan identifier, which is also included in Templates 2 and 3. Credit institutions may provide additional information in accordance with Part 1 'General instructions', Section 4. Credit institutions may provide a longer time series before the cut-off date.

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2084**of 27 September 2023****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 provides 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 that 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 fresh meat of poultry and game birds.
- (5) Canada has notified the Commission of an outbreak of highly pathogenic avian influenza (HPAI) in poultry in the province of Alberta, which was confirmed on 11 September 2023 by laboratory analysis (RT-PCR).
- (6) The United Kingdom has notified the Commission of an outbreak of HPAI in poultry on the Isle of Lewis, Scotland, which was confirmed on 25 August 2023 by laboratory analysis (RT-PCR).
- (7) The United States has notified the Commission of an outbreak of HPAI in poultry in the state of New Jersey, which was confirmed on 15 September 2023 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) Following these recent outbreaks of HPAI, the veterinary authorities of Canada, the United Kingdom and the United States established restricted zones of at least 10 km around the affected establishments and implemented a stamping-out policy to control the presence of HPAI and limit the spread of that disease.
- (9) Canada, the United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territories and the measures taken to prevent the further spread of HPAI.
- (10) That information has been evaluated by the Commission. The Commission considers that, in view of the animal health situation in the areas under restrictions established by the veterinary authorities of Canada, the United Kingdom and the United States, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat of poultry and game birds from those areas should be suspended, in order to protect the animal health status of the Union.
- (11) The United Kingdom and the United States have provided updated information to the Commission in relation to the epidemiological situation on their territories as regards HPAI that gave rise to the suspension of the entry of certain products into the Union, as set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404.
- (12) In particular, the United Kingdom has submitted updated information on the epidemiological situation in relation to three outbreaks of HPAI in poultry establishments in the county of Aberdeenshire and on the Isle of Lewis, Scotland, which were confirmed on 9 July 2023 and 8 August 2023.
- (13) Furthermore, the United States has submitted updated information on the epidemiological situation on its territory in relation to two outbreaks of HPAI in poultry establishments in the state of New York, which were confirmed on 12 April 2023 and 17 April 2023.
- (14) The United Kingdom and the United States have also submitted information on the measures that were taken to prevent the further spread of HPAI. In particular, following those outbreaks of that disease, the United Kingdom and the United States have implemented a stamping out policy in order to control and limit the spread of that disease, and they have also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on their territories.
- (15) The Commission has evaluated the information submitted by the United Kingdom and the United States and considers that the United Kingdom and the United States have provided appropriate guarantees that the animal health situation that gave rise to the suspensions, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of poultry commodities from the concerned zones of the United Kingdom and the United States from which entry into the Union had been suspended, should be reauthorised.
- (16) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should therefore be amended to take account of the current epidemiological situation as regards HPAI in Canada, the United Kingdom and the United States.
- (17) Taking into account the current epidemiological situation in Canada, the United Kingdom and the United States as regards HPAI, and in order to avoid unnecessary disruption of trade with the United Kingdom and the United States, the amendments to be made to Annexes V and XIV 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

Entry into force and applicability

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, 27 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

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

(1) Annex V is amended as follows:

(a) in Part 1, Section B is amended as follows:

(i) in the entry for Canada, the following row for the zone CA-2.191 is added after the row for the zone CA-2.190:

'CA Canada	CA-2.191	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		11.9.2023';	
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(ii) in the entry for the United Kingdom, the row for the zone GB-2.307 is replaced by the following:

'GB United Kingdom	GB-2.307	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.7.2023	11.9.2023';
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(iii) in the entry for the United Kingdom, the rows for zones GB-2.309 and GB-2.310 are replaced by the following:

'GB United Kingdom	GB-2.309	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		8.8.2023	15.9.2023
	GB-2.310		N, P1		8.8.2023	12.9.2023';

(iv) in the entry for the United Kingdom, the following row for the zone GB-2.321 is added after the row for the zone GB-2.320:

'GB United Kingdom	GB-2.321	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		25.8.2023';	
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(v) in the entry for the United States, the rows for the zones US-2.451 and US-2.452 are replaced by the following:

'US United States	US-2.451	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		12.4.2023	20.9.2023
	US-2.452		N, P1		17.4.2023	20.9.2023';

(vi) in the entry for the United States, the following row for the zone US-2.459 is added after the row for the zone US-2.458:

'US United States	US-2.459	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		15.9.2023';	
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(b) Part 2 is amended as follows:

- (i) in the entry for Canada, the following description of the zone CA-2.191 is added after the description of the zone CA-2.190:

'Canada	CA-2.191	Alberta: Latitude 49.47, Longitude -112.25 The municipalities involved are: 3km PZ: New Dayton 10km SZ: Judson and Wrentham';
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- (ii) in the entry for the United Kingdom, the following description of the zone GB-2.321 is added after the description of the zone GB-2.320:

'United Kingdom	GB-2.321	Ness, Isle of Lewis, Scotland, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N58.47 and Long: W6.29';
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- (iii) in the entry for the United States, the following description of the zone US-2.459 is added after the description of the zone US-2.458:

'United States	US-2.459	State of New Jersey Union 01 Union County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 74.1690838°W 40.7406971°N)';
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(2) in Annex XIV, in Part 1, Section B is amended as follows:

- (a) in the entry for Canada, the following rows for the zone CA-2.191 are added after the rows for the zone CA-2.190:

'CA Canada	CA-2.191	POU, RAT	N, P1		11.9.2023	
		GBM	P1		11.9.2023';	

- (b) in the entry for the United Kingdom, the rows for the zone GB-2.307 are replaced by the following:

'GB United Kingdom	GB-2.307	POU, RAT	N, P1		9.7.2023	11.9.2023
		GBM	P1		9.7.2023	11.9.2023';

- (c) in the entry for the United Kingdom, the rows for the zones GB-2.309 and GB-2.310 are replaced by the following:

'GB United Kingdom	GB-2.309	POU, RAT	N, P1		8.8.2023	15.9.2023
		GBM	P1		8.8.2023	15.9.2023
	GB-2.310	POU, RAT	N, P1		8.8.2023	12.9.2023
		GBM	P1		8.8.2023	12.9.2023';

- (d) in the entry for the United Kingdom, the following rows for the zone GB-2.321 are added after the rows for the zone GB-2.320:

'GB United Kingdom	GB-2.321	POU, RAT	N, P1		25.8.2023	
		GBM	P1		25.8.2023';	

- (e) in the entry for the United States, the rows for the zones US-2.451 and US-2.452 are replaced by the following:

'US United States	US-2.451	POU, RAT	N, P1		12.4.2023	20.9.2023
		GBM	P1		12.4.2023	20.9.2023
	US-2.452	POU, RAT	N, P1		17.4.2023	20.9.2023
		GBM	P1		17.4.2023	20.9.2023';

- (f) in the entry for the United States, the following rows for the zone US-2.459 are added after the rows for the zone US-2.458:

'US United States	US-2.459	POU, RAT	N, P1		15.9.2023	
		GBM	P1		15.9.2023'.	

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2085**of 27 September 2023****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, 27 September 2023.

*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	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	219,7	24	BR

⁽¹⁾ Nomenclature laid down by Commission Implementing Regulation (EU) 2020/1470 of 12 October 2020 on the nomenclature of countries and territories for the European statistics on international trade in goods and on the geographical breakdown for other business statistics (OJ L 334, 13.10.2020, p. 2).’

COMMISSION REGULATION (EU) 2023/2086**of 28 September 2023****amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation (EU) No 231/2012 as regards the use of buffered vinegar as a preservative and acidity regulator****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽¹⁾, and in particular Articles 10(3) and 14 thereof,

Having regard to Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽²⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) Commission Regulation (EU) No 231/2012 ⁽³⁾ lays down specifications for food additives that are listed in Annexes II and III to Regulation (EC) No 1333/2008.
- (3) Pursuant to Article 3(1) of Regulation (EC) No 1331/2008, the Union list of food additives and specifications for food additives may be updated either on the initiative of the Commission or following an application from a Member State or an interested party.
- (4) In March 2021, an application was submitted to the Commission for the authorisation of use of buffered vinegar as a preservative and acidity regulator in a broad variety of food categories. The application was subsequently made available to the Member States pursuant to Article 4 of Regulation (EC) No 1331/2008.
- (5) In the opinion published on 1 July 2022 ⁽⁴⁾, the European Food Safety Authority ('the Authority') evaluated the safety of the proposed use of buffered vinegar as a food additive. As acetic acid and its salts are the primary constituents of buffered vinegar, the Authority referred to its previous assessment of acetic acid as a pesticide active substance in 2013 ⁽⁵⁾ in which it concluded that the establishment of an acceptable daily intake (ADI) for acetic acid is not considered necessary. Such conclusion is reached for substances of a very low safety concern and only if there is reliable information for both exposure and toxicity and there is a low probability of adverse health effects in humans at doses that do not induce nutritional imbalance in animals ⁽⁶⁾. Taking into account the assessment of acetic acid in 2013 and that buffered vinegar dissociates into the acetic anion, a natural constituent of the human diet and of the human body for which extensive data on its biological effects exist, the Authority assessed the safety of buffered vinegar without biological or toxicological data obtained with this food additive and concluded that there is no safety concern for the use of buffered vinegar as a food additive at the proposed maximum use levels.

⁽¹⁾ OJ L 354, 31.12.2008, p. 16.

⁽²⁾ OJ L 354, 31.12.2008, p. 1.

⁽³⁾ Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).

⁽⁴⁾ EFSA Journal 2022;20(7):7351.

⁽⁵⁾ EFSA Journal 2013;11(1):3060.

⁽⁶⁾ EFSA Journal 2014;12(6):3697; Statement on a conceptual framework for the risk assessment of certain food additives re-evaluated under Commission Regulation (EU) No 257/2010.

- (6) Part C of Annex II to Regulation (EC) No 1333/2008 defines all groups of additives. Group I of Part C lists food additives, except for colours and sweeteners, for which there is no need for a numerical acceptable daily intake and which are authorised for use in many foods in accordance with the *quantum satis* principle as defined in Article 3(2), point (h) of that Regulation. The outcome of the safety assessment of buffered vinegar allows its inclusion in Part C, Group I, of Annex II to Regulation (EC) No 1333/2008.
- (7) Buffered vinegar is a liquid or dried product prepared by adding sodium/potassium hydroxides (E 524-525) and sodium/potassium carbonates (E 500-501) to vinegar, which is compliant with European Standard EN 13188:2000 and is exclusively obtained from an agricultural source origin (except wood/cellulose) by a double (alcoholic and acetous) fermentation. Buffered vinegar is intended for use as an alternative to other authorised preservatives or acidity regulators, in particular to acetic acid and its salts (E 260-263). Buffering increases pH and allows the use as a preservative or acidity regulator in many food categories without impacting the quality of foods.
- (8) It is therefore appropriate to authorise the use of buffered vinegar as a food additive and to assign E 267 as the E-number to that additive.
- (9) The specifications for buffered vinegar (E 267) should be included in the Annex to Regulation (EU) No 231/2012 as this additive is included in the Union list of food additives laid down in Annex II to Regulation (EC) No 1333/2008 for the first time.
- (10) Regulations (EC) No 1333/2008 and (EU) No 231/2012 should therefore be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1333/2008 is amended in accordance with Annex I to this Regulation.

Article 2

The Annex to Regulation (EU) No 231/2012 is amended in accordance with Annex II to this Regulation.

Article 3

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

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

Done at Brussels, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex II to Regulation (EC) No 1333/2008 is amended as follows:

- (a) in Part B, point 3 'Additives other than colours and sweeteners', the following new entry is inserted after the entry for food additive E 263, Calcium acetate:

'E 267	Buffered vinegar'
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- (b) in Part C, Group I, the entry for E 267 is inserted after the entry for E 263, Calcium acetate:

'E 267	Buffered vinegar	<i>quantum satis</i>
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- (c) Part E is amended as follows:

- (1) in category 01.7.1 (Unripened cheese excluding products falling in category 16), the entry for E 267 (Buffered vinegar) is inserted after the entry for E 260, Acetic acid:

'E 267	Buffered vinegar	<i>quantum satis</i>	only mozzarella'
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- (2) in category 01.7.4 (Whey cheese), the entry for E 267 (Buffered vinegar) is inserted after the entry for E 260, Acetic acid:

'E 267	Buffered vinegar	<i>quantum satis</i>
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- (3) in category 04.2.3 (Canned or bottled fruit and vegetables), the entry for E 267 (Buffered vinegar) is inserted after the entry for E 263, Calcium acetate:

'E 267	Buffered vinegar	<i>quantum satis</i>
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- (4) in category 06.4.1 (Fresh pasta), the entry for E 267 (Buffered vinegar) is inserted before the entry for E 270, Lactic acid:

'E 267	Buffered vinegar	<i>quantum satis</i>
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- (5) in category 06.4.3 (Fresh pre-cooked pasta), the entry for E 267 (Buffered vinegar) is inserted before the entry for E 270, Lactic acid:

'E 267	Buffered vinegar	<i>quantum satis</i>
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- (6) in category 06.4.4 (Potato Gnocchi), the entry for E 267 (Buffered vinegar) is inserted after the entry for E 200-202, Sorbic acid-potassium acid:

'E 267	Buffered vinegar	<i>quantum satis</i>	only fresh refrigerated potato gnocchi'
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- (7) in category 07.1.1 (Bread prepared solely with the following ingredients: wheat flour, water, yeast or leaven, salt), the entry for E 267 (Buffered vinegar) is inserted after the entry for E 263, Calcium acetate:

	'E 267	Buffered vinegar	<i>quantum satis</i>			
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- (8) in category 07.1.2 (Pain courant français; Friss búzakenyér, fehér és félbarna kenyerek), the entry for E 267 (Buffered vinegar) is inserted after the entry for E 263, Calcium acetate:

	'E 267	Buffered vinegar	<i>quantum satis</i>			
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- (9) in category 08.2 (Meat preparations as defined by Regulation (EC) No 853/2004), the entry for E 267 (Buffered vinegar) is inserted after the entry for E 263, Calcium acetate:

	'E 267	Buffered vinegar	<i>quantum satis</i>		only prepacked preparations of fresh minced meat and meat preparations to which other ingredients than additives or salt have been added'
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ANNEX II

In the Annex to Regulation (EU) No 231/2012, the following new entry is inserted after the entry for food additive E 263 CALCIUM ACETATE:

E 267 BUFFERED VINEGAR	
Synonyms	Buffered vinegar (liquid); buffered vinegar (powder)
Definition	Buffered vinegar is a liquid or dried product prepared by adding buffering agents to vinegar. The buffering agents used are sodium/potassium hydroxides (E 524 to E 525) and sodium/potassium carbonates (E 500 to E 501). The vinegar is compliant with the European Standard EN 13188:2000 and is exclusively obtained from an agricultural source origin (except wood/cellulose) by double fermentation, alcoholic and acetous. The primary constituents of buffered vinegar are acetic acid and its salts.
Assay	Liquid: 15–40 % (w/w) acetic acid equivalents
	Powder: 55–75 % (w/w) acetic acid equivalents
	2 to 20 % (w/w) free acetic acid
Description	Liquid: colourless to brown viscous liquid
	Powder: white to creamy-white crystalline powder
Identification	Liquid: pH 4,75–7,5
	Powder: pH 4,75–6,75 (10 % aqueous solution)
Purity	
Cations	Liquid: Not more than 10 % sodium and 30 % potassium
	Powder: Not more than 30 % sodium and 40 % potassium
Water content	Powder: Not more than 18 % (Karl Fischer Method)
Ethanol	Not more than 0,5 % w/w
Arsenic	Not more than 0,05 mg/kg
Lead	Not more than 0,05 mg/kg
Cadmium	Not more than 0,05 mg/kg
Mercury	Not more than 0,05 mg/kg'

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2087**of 28 September 2023****granting a Union authorisation for the biocidal product family 'Lysoform IPA Surface' in accordance with Regulation (EU) No 528/2012 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 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 44(5), first subparagraph, thereof,

Whereas:

- (1) On 25 November 2022, Lysoform Dr Hans Rosemann GmbH submitted to the European Chemicals Agency ('the Agency') an application in accordance with Article 43(1) of Regulation (EU) No 528/2012 and Article 4 of Commission Implementing Regulation (EU) No 414/2013 ⁽²⁾ for authorisation of a same biocidal product family, as referred to in Article 1 of that Regulation, named 'Lysoform IPA Surface', for product-types 2 and 4, as described in Annex V to Regulation (EU) No 528/2012. The application was recorded under case number BC-DP082158-26 in the Register for Biocidal Products ('the Register'). The application also indicated the application number of the related reference biocidal product family 'Lyso IPA Surface Disinfection', recorded in the Register under case number BC-GX025200-35.
- (2) The same biocidal product family 'Lysoform IPA Surface' contains propan-2-ol as the active substance, included in the Union list of approved active substances referred to in Article 9(2) of Regulation (EU) No 528/2012 for product-types 2 and 4.
- (3) On 31 March 2023, the Agency submitted to the Commission its opinion ⁽³⁾ and the draft summary of the biocidal product characteristics ('SPC') of 'Lysoform IPA Surface' in accordance with Article 6 of Implementing Regulation (EU) No 414/2013.
- (4) The opinion concludes that the proposed differences between the same biocidal product family and the related reference biocidal product family are limited to information which can be the subject of an administrative change in accordance with Commission Implementing Regulation (EU) No 354/2013 ⁽⁴⁾, and that based on the assessment of the related reference biocidal product family 'Lyso IPA Surface Disinfection' and subject to compliance with the draft SPC, the same biocidal product family meets the conditions laid down in Article 19(1) and (6) of Regulation (EU) No 528/2012.
- (5) On 31 March 2023, the Agency transmitted to the Commission the draft SPC in all the official languages of the Union in accordance with Article 44(4) of Regulation (EU) No 528/2012.
- (6) The Commission concurs with the opinion of the Agency and considers it therefore appropriate to grant a Union authorisation for the same biocidal product family 'Lysoform IPA Surface'.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 414/2013 of 6 May 2013 specifying a procedure for the authorisation of same biocidal products in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 125, 7.5.2013, p. 4).

⁽³⁾ ECHA opinion for 'Lysoform IPA Surface', 31 March 2023, <https://echa.europa.eu/opinions-on-union-authorisation>.

⁽⁴⁾ Commission Implementing Regulation (EU) No 354/2013 of 18 April 2013 on changes of biocidal products authorised in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 109, 19.4.2013, p. 4).

- (7) The expiry date of this authorisation is aligned to the expiry date of the reference biocidal product family 'Lyso IPA Surface Disinfection'.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

A Union authorisation with authorisation number EU-0030790-0000 is hereby granted to Lysoform Dr Hans Rosemann GmbH for the making available on the market and use of the same biocidal product family 'Lysoform IPA Surface' in accordance with the summary of the biocidal product characteristics set out in the Annex.

The Union authorisation is valid from 19 October 2023 until 30 November 2030.

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, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Summary of product characteristics for a biocidal product family

Lysoform IPA Surface

Product type 2 – Disinfectants and algacides not intended for direct application to humans or animals (Disinfectants)

Product type 4 – Food and feed area (Disinfectants)

Authorisation number: EU-0030790-0000

R4BP asset number: EU-0030790-0000

PART I

FIRST INFORMATION LEVEL

1. ADMINISTRATIVE INFORMATION

1.1. Family name

Name	Lysoform IPA Surface
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1.2. Product type(s)

Product type(s)	PT02 – Disinfectants and algacides not intended for direct application to humans or animals (Disinfectants) PT04 – Food and feed area (Disinfectants)
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1.3. Authorisation holder

Name and address of the authorisation holder	Name	Lysoform Dr Hans Rosemann GmbH
	Address	Kaiser-Wilhelm-Str. 133, 12247 Berlin Germany
Authorisation number	EU-0030790-0000	
R4BP asset number	EU-0030790-0000	
Date of the authorisation	19 October 2023	
Expiry date of the authorisation	30 November 2030	

1.4. Manufacturer(s) of the biocidal products

Name of manufacturer	Lysoform Dr Hans Rosemann GmbH
Address of manufacturer	Kaiser-Wilhelm-Straße 133, 12247 Berlin Germany
Location of manufacturing sites	Kaiser-Wilhelm-Straße 133, 12247 Berlin Germany
Name of manufacturer	Imeco
Address of manufacturer	Boschstr. 5, 63768 Hösbach Germany

Location of manufacturing sites	Boschstr. 5, 63768 Hösbach Germany Neue Straße 2-4, 09471 Königswalde Germany
Name of manufacturer	A.F.P. GmbH
Address of manufacturer	Otto Brenner Straße 16, 21337 Lüneburg Germany
Location of manufacturing sites	Otto Brenner Straße 16, 21337 Lüneburg Germany
Name of manufacturer	Sterisol AB
Address of manufacturer	Kronoängsgatan 3, 592 23 Vadstena Sweden
Location of manufacturing sites	Kronoängsgatan 3, 592 23 Vadstena Sweden
Name of manufacturer	WHR GmbH
Address of manufacturer	Am Galgenturm 2, 97638 Mellrichstadt Germany
Location of manufacturing sites	Am Galgenturm 2, 97638 Mellrichstadt Germany
Name of manufacturer	Hygan GmbH Srl
Address of manufacturer	Meucci-Str. 5, 39055 Leifers Laives (BZ) Italy
Location of manufacturing sites	Meucci-Str. 5, 39055 Leifers Laives (BZ) Italy
Name of manufacturer	Laboratoire Sarbec SA
Address of manufacturer	10 rue du Vertuquet, 59960 Neuville-en-Ferrain France
Location of manufacturing sites	10 rue du Vertuquet, 59960 Neuville-en-Ferrain France
Name of manufacturer	Dr Schumacher GmbH
Address of manufacturer	Am Roggenfeld 3, 34323 Malsfeld Germany
Location of manufacturing sites	Am Roggenfeld 3, 34323 Malsfeld Germany Jeleniogórska 12, 59-800 Lubań Poland

1.5. Manufacturer(s) of the active substance(s)

Active substance	Propan-2-ol
Name of manufacturer	Ineos Solvents Germany GmbH (formerly Sasol)
Address of manufacturer	Römerstraße 733, 47443 Moers Germany
Location of manufacturing sites	Römerstraße 733, 47443 Moers Germany Shamrockstr. 88, 44643 Herne Germany
Active substance	Propan-2-ol
Name of manufacturer	Shell Chemicals Europe B.V.
Address of manufacturer	Postbus 2334, 3000 CH Rotterdam Netherlands
Location of manufacturing sites	Shell Nederland Raffinaderij B.V., Vondelingenweg 601, 3196 KK Rotterdam-Pernis Netherlands

2. **PRODUCT FAMILY COMPOSITION AND FORMULATION**2.1. **Qualitative and quantitative information on the composition of the family**

Common name	IUPAC name	Function	CAS number	EC number	Content (%)	
					Min	Max
Propan-2-ol		Active Substance	67-63-0	200-661-7	63,1	63,1

2.2. **Type(s) of formulation**

Formulation(s)	Any other liquid (AL), ready-to-use Any other liquid (AL), ready-to-use, wipes impregnated with disinfectant formulation
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PART II

SECOND INFORMATION LEVEL – META SPC(S)

META SPC 11. **META SPC 1 ADMINISTRATIVE INFORMATION**1.1. **Meta SPC 1 identifier**

Identifier	Superfucid®
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1.2. **Suffix to the authorisation number**

Number	1-1
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1.3. **Product type(s)**

Product type(s)	PT02 – Disinfectants and algacides not intended for direct application to humans or animals (Disinfectants) PT04 – Food and feed area (Disinfectants)
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2. **META SPC 1 COMPOSITION**2.1. **Qualitative and quantitative information on the composition of the meta SPC 1**

Common name	IUPAC name	Function	CAS number	EC number	Content (%)	
					Min	Max
Propan-2-ol		Active Substance	67-63-0	200-661-7	63,1	63,1

2.2. Type(s) of formulation of the meta SPC 1

Formulation(s)	Any other liquid (AL), ready-to-use
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3. HAZARD AND PRECAUTIONARY STATEMENTS OF THE META SPC 1

Hazard statements	Highly flammable liquid and vapour. Causes serious eye irritation. May cause drowsiness or dizziness. Repeated exposure may cause skin dryness or cracking.
Precautionary statements	Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. – No smoking. Keep container tightly closed. Ground and bond container and receiving equipment. Use explosion-proof electrical/ventilating/lighting equipment. Use non-sparking tools. Take action to prevent static discharges. Avoid breathing vapours. Avoid breathing spray. Use only outdoors or in a well-ventilated area. Wear eye protection. IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Call a POISON CENTER or doctor if you feel unwell. If eye irritation persists: Get medical advice. If eye irritation persists: Get medical attention. In case of fire: Use alcohol-resistant foam, carbon dioxide or water mist to extinguish. Store in a well-ventilated place. Keep cool. Store locked up. Dispose of contents to/container to an approved waste disposal plant.

4. AUTHORISED USE(S) OF THE META SPC 1

4.1. Use description

Table 1

Use # 1 disinfection of surfaces – spraying

Product type	PT02 – Disinfectants and algacides not intended for direct application to humans or animals (Disinfectants)
Where relevant, an exact description of the authorised use	-

Target organism(s) (including development stage)	Scientific name: Bacteria Common name: - Development stage: - Scientific name: Yeast Common name: - Development stage: -
Field(s) of use	Indoor Disinfection of clean non-porous surfaces such as small work surfaces in medical and non-medical areas as well as surfaces in cleanrooms (class A/B)
Application method(s)	Method: Spraying Detailed description: Product will be sprayed directly on the surface.
Application rate(s) and frequency	Application Rate: Ready-to-use. Do not apply more than 25 ml/m ² . Dilution (%): - Number and timing of application: -
Category(ies) of users	Industrial Professional
Pack sizes and packaging material	Bottle: 125-1 000 ml packaging material: HDPE Clack cap material: PP; Fine mist-sprayer: complex system (PE-LD, PP, PBT, POM, EVA, stainless steel); Spray head: complex system (PP, PE, POM, Synthetic oil, Silicon oil)

4.1.1. Use-specific instructions for use

Spray ready-to-use product onto the surfaces and allow to take effect for at least 1 minute at room temperature (20 ± 2 °C).

4.1.2. Use-specific risk mitigation measures

The following personal risk mitigation measure can be applied for refilling procedure unless it can be replaced by technical and/or organisational measures: Wear eye protection during handling of the product.

4.1.3. Where specific to the use, the particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment

See general directions for use.

4.1.4. *Where specific to the use, the instructions for safe disposal of the product and its packaging*

4.1.5. *Where specific to the use, the conditions of storage and shelf-life of the product under normal conditions of storage*

See general directions for use.

4.2. Use description

Table 2

Use # 2 – disinfection of surfaces – wiping

Product type	PT02 – Disinfectants and algacides not intended for direct application to humans or animals (Disinfectants)
Where relevant, an exact description of the authorised use	-
Target organism(s) (including development stage)	Scientific name: Bacteria Common name: - Development stage: - Scientific name: Yeast Common name: - Development stage: -
Field(s) of use	Indoor Disinfection of clean non-porous surfaces such as small work surfaces in medical and non-medical areas as well as surfaces in cleanrooms (class A/B)
Application method(s)	Method: Wiping Detailed description: Product is applied on wipes by pouring, spraying or soaking and the surface is thoroughly wiped with the soaked wipe afterwards (wet-wiping).
Application rate(s) and frequency	Application Rate: Ready-to-use. Do not apply more than 25 ml/m². Dilution (%): - Number and timing of application: -
Category(ies) of users	Industrial Professional

Pack sizes and packaging material	Bottle: 125-1 000 ml packaging material: HDPE Clack cap material: PP Fine mist-sprayer: complex system (PE-LD, PP, PBT, POM, EVA, stainless steel); Spray head: complex system (PP, PE, POM, Synthetic oil, Silicon oil) Canister: 5-30 L packaging material: HDPE closure material: HDPE
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4.2.1. *Use-specific instructions for use*

Apply the ready-to-use product on wipes by pouring, spraying or soaking and wipe the surface thoroughly with the wet wipe (wet-wiping). Allow to take effect for at least 5 minutes at room temperature (20 ± 2 °C).

4.2.2. *Use-specific risk mitigation measures*

The following personal risk mitigation measure can be applied for refilling procedure unless it can be replaced by technical and/or organisational measures: Wear eye protection during handling of the product.

4.2.3. *Where specific to the use, the particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment*

See general directions for use.

4.2.4. *Where specific to the use, the instructions for safe disposal of the product and its packaging*

4.2.5. *Where specific to the use, the conditions of storage and shelf-life of the product under normal conditions of storage*

See general directions for use.

4.3. **Use description**

Table 3

Use # 3 – disinfection of surfaces with food and feed contact – spraying

Product type	PT04 – Food and feed area (Disinfectants)
Where relevant, an exact description of the authorised use	-

Target organism(s) (including development stage)	Scientific name: Bacteria Common name: - Development stage: - Scientific name: Yeast Common name: - Development stage: - Scientific name: Viruses Common name: - Development stage: -
Field(s) of use	Indoor Disinfection of clean non-porous surfaces in kitchens and food industry including cleanrooms (class A/B)
Application method(s)	Method: Spraying Detailed description: Product will be sprayed directly on the surface.
Application rate(s) and frequency	Application Rate: Ready-to-use. Do not apply more than 25 ml/m ² . Dilution (%): - Number and timing of application: -
Category(ies) of users	Industrial Professional
Pack sizes and packaging material	Bottle: 125-1 000 ml packaging material: HDPE Clack cap material: PP Fine mist-sprayer: complex system (PE-LD, PP, PBT, POM, EVA, stainless steel) Spray head: complex system (PP, PE, POM, Synthetic oil, Silicon oil)

4.3.1. Use-specific instructions for use

Spray ready-to-use product onto the surface and allow to take effect at room temperature (20 ± 2 °C) for at least 1 (bactericidal and yeasticidal activity) or 2 minutes (virucidal activity).

4.3.2. Use-specific risk mitigation measures

The following personal risk mitigation measure can be applied for disinfection of food processing machinery and for refilling procedure unless it can be replaced by technical and/or organisational measures: Wear eye protection during handling of the product.

4.3.3. *Where specific to the use, the particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment*

See general directions for use.

4.3.4. *Where specific to the use, the instructions for safe disposal of the product and its packaging*

4.3.5. *Where specific to the use, the conditions of storage and shelf-life of the product under normal conditions of storage*

See general directions for use.

4.4. Use description

Table 4

Use # 4 – disinfection of surfaces with food and feed contact – wiping

Product type	PT04 – Food and feed area (Disinfectants)
Where relevant, an exact description of the authorised use	-
Target organism(s) (including development stage)	Scientific name: Bacteria Common name: - Development stage: - Scientific name: Yeast Common name: - Development stage: - Scientific name: Viruses Common name: - Development stage: -
Field(s) of use	Indoor Disinfection of clean non-porous surfaces in kitchens and food industry including cleanrooms (class A/B)
Application method(s)	Method: Wiping Detailed description: Product is applied on wipes by pouring, spraying or soaking and the surface is thoroughly wiped with the soaked wipe afterwards (wet-wiping).
Application rate(s) and frequency	Application Rate: Ready-to-use. Do not apply more than 25 ml/m². Dilution (%): - Number and timing of application: -
Category(ies) of users	Industrial Professional

Pack sizes and packaging material	Bottle: 125-1 000 ml packaging material: HDPE Clack cap material: PP Fine mist-sprayer: complex system (PE-LD, PP, PBT, POM, EVA, stainless steel); Spray head: complex system (PP, PE, POM, Synthetic oil, Silicon oil) Canister: 5-30 L packaging material: HDPE closure material: HDPE
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4.4.1. Use-specific instructions for use

Apply the ready-to-use product on wipes by pouring, spraying or soaking and wipe the surface thoroughly with the wet wipe (wet-wiping). Allow to take effect for at least 5 minutes at room temperature (20 ± 2 °C).

4.4.2. Use-specific risk mitigation measures

The following personal risk mitigation measure can be applied for disinfection of food processing machinery and for refilling procedure unless it can be replaced by technical and/or organisational measures: Wear eye protection during handling of the product.

4.4.3. Where specific to the use, the particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment

See general directions for use.

4.4.4. Where specific to the use, the instructions for safe disposal of the product and its packaging

4.4.5. Where specific to the use, the conditions of storage and shelf-life of the product under normal conditions of storage

See general directions for use.

5. GENERAL DIRECTIONS FOR USE ⁽¹⁾ OF THE META SPC 1

5.1. Instructions for use

Clean the surface carefully before use.

Remove excess water from the surface before disinfection, if appropriate.

Do not apply more than 25 ml/m².

Make sure to wet surfaces completely.

Used wipes must be disposed in a closed container.

⁽¹⁾ Instructions for use, risk mitigation measures and other directions for use under this section are valid for any authorised uses within the meta SPC 1.

5.2. Risk mitigation measures

The product must only be applied for disinfection of small surfaces.

Ensure adequate ventilation to prevent the formation of explosive atmospheres.

Avoid contact with eyes.

Apply a funnel for refilling.

Keep out of reach of children and pets.

Keep children and pets away from rooms where disinfection is taking place. Provide adequate ventilation before children and pets enter treated rooms. This does not apply to hospital patient rooms.

5.3. Particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment

First aid:

In case of accident: Call a poison centre or a doctor.

IF INHALED: Remove person to fresh air and keep comfortable for breathing.

If on skin: Wash with water. If skin irritation occurs: Get medical advice.

IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. If eye irritation persists: Get medical advice/attention.

IF SWALLOWED: Call a POISON CENTER or doctor/physician if you feel unwell.

5.4. Instructions for safe disposal of the product and its packaging

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5.5. Conditions of storage and shelf-life of the product under normal conditions of storage

Shelf-life: 36 months

Keep container tightly closed.

Store in a well-ventilated place.

Protect from sunlight.

Store at room temperature in the original container.

6. OTHER INFORMATION

The product contains propan-2-ol (CAS No: 67-63-0), for which a European reference value of 129,28 mg/m³ for the professional user was agreed and used for the risk assessment of the product.

7. THIRD INFORMATION LEVEL: INDIVIDUAL PRODUCTS IN THE META SPC 1

7.1. Trade name(s), authorisation number and specific composition of each individual product

Trade name(s)	Superficid®	Market area: EU
	Desocid rapid	Market area: EU
	Neoseptin rapid	Market area: EU
	Novosept rapid	Market area: EU
	Novoseptin rapid	Market area: EU

	Lyorthol rapid	Market area: EU			
	Cosmo rapid	Market area: EU			
	Fordesin rapid	Market area: EU			
	Saltero rapid	Market area: EU			
	Prop70 rapid	Market area: EU			
	Aldovet rapid	Market area: EU			
	Vetfarm rapid	Market area: EU			
	MDI rapid	Market area: EU			
	Antiseptica rapid	Market area: EU			
	Sterisol Surface	Market area: EU			
	MENNO® I-QUICK plus	Market area: EU			
Authorisation number	EU-0030790-0001 1-1				
Common name	IUPAC name	Function	CAS number	EC number	Content (%)
Propan-2-ol		Active Substance	67-63-0	200-661-7	63,1

7.2. Trade name(s), authorisation number and specific composition of each individual product

Trade name(s)	Superficid® pure	Market area: EU
	Desocid rapid pure	Market area: EU
	Neoseptin rapid pure	Market area: EU
	Novosept rapid pure	Market area: EU
	Novoseptin rapid pure	Market area: EU
	Lyorthol rapid pure	Market area: EU
	Cosmo rapid pure	Market area: EU
	Fordesin rapid pure	Market area: EU
	Saltero rapid pure	Market area: EU
	Prop70 rapid pure	Market area: EU
	Aldovet rapid pure	Market area: EU
	Vetfarm rapid pure	Market area: EU
	MDI rapid pure	Market area: EU
	Antiseptica rapid pure	Market area: EU
	Sterisol Surface pure	Market area: EU
	BTS 6000	Market area: EU
	MENNO® I-QUICK	Market area: EU
	EWA® DES ready	Market area: EU
	Kiehl-Rapinol	Market area: EU
	Des A	Market area: EU

Authorisation number	EU-0030790-0002 1-1				
Common name	IUPAC name	Function	CAS number	EC number	Content (%)
Propan-2-ol		Active Substance	67-63-0	200-661-7	63,1

META SPC 2**1. META SPC 2 ADMINISTRATIVE INFORMATION****1.1. Meta SPC 2 identifier**

Identifier	Descorapid®
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1.2. Suffix to the authorisation number

Number	1-2
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1.3. Product type(s)

Product type(s)	PT02 – Disinfectants and algacides not intended for direct application to humans or animals (Disinfectants) PT04 – Food and feed area (Disinfectants)
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2. META SPC 2 COMPOSITION**2.1. Qualitative and quantitative information on the composition of the meta SPC 2**

Common name	IUPAC name	Function	CAS number	EC number	Content (%)	
					Min	Max
Propan-2-ol		Active Substance	67-63-0	200-661-7	63,1	63,1

2.2. Type(s) of formulation of the meta SPC 2

Formulation(s)	Any other liquid (AL), ready-to-use, wipes impregnated with disinfectant formulation
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3. HAZARD AND PRECAUTIONARY STATEMENTS OF THE META SPC 2

Hazard statements	Highly flammable liquid and vapour. Causes serious eye irritation. May cause drowsiness or dizziness. Repeated exposure may cause skin dryness or cracking.
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Precautionary statements	Keep away from heat, hot surfaces, sparks, open flames and other ignition sources. – No smoking. Keep container tightly closed. Ground and bond container and receiving equipment. Use explosion-proof electrical/ventilating/lighting equipment. Use non-sparking tools. Take action to prevent static discharges. Avoid breathing vapours. Avoid breathing spray. Use only outdoors or in a well-ventilated area. Wear eye protection. IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Call a POISON CENTER or doctor if you feel unwell. If eye irritation persists: Get medical advice. If eye irritation persists: Get medical attention. In case of fire: Use alcohol-resistant foam, carbon dioxide or water mist to extinguish. Store in a well-ventilated place. Keep cool. Store locked up. Dispose of contents to/ container to an approved waste disposal plant.
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4. AUTHORISED USE(S) OF THE META SPC 2

4.1. Use description

Table 5

Use # 1 – disinfection of surfaces – wiping

Product type	PT02 – Disinfectants and algacides not intended for direct application to humans or animals (Disinfectants)
Where relevant, an exact description of the authorised use	-
Target organism(s) (including development stage)	Scientific name: Bacteria Common name: - Development stage: - Scientific name: Yeast Common name: - Development stage: -
Field(s) of use	Indoor Disinfection of clean non-porous surfaces such as small work surfaces in medical and non-medical areas as well as surfaces in cleanrooms (class A/B)

Application method(s)	Method: Wiping Detailed description: Product will be wiped directly on the surface.
Application rate(s) and frequency	Application Rate: Ready-to-use wipes Dilution (%): - Number and timing of application: -
Category(ies) of users	Industrial Professional
Pack sizes and packaging material	Can: 100-150 wipes Packaging: HDPE Closure material: HDPE Pack: 100-150 wipes Packaging: PET/PE

4.1.1. *Use-specific instructions for use*

Thoroughly wipe the surface with the wipe and allow to take effect for at least 5 minutes at room temperature (20 ± 2 °C).

4.1.2. *Use-specific risk mitigation measures*

See general directions for use.

4.1.3. *Where specific to the use, the particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment*

See general directions for use.

4.1.4. *Where specific to the use, the instructions for safe disposal of the product and its packaging*

4.1.5. *Where specific to the use, the conditions of storage and shelf-life of the product under normal conditions of storage*

See general directions for use.

4.2. **Use description**

Table 6

Use # 2 – disinfection of surfaces with food and feed contact – wiping

Product type	PT04 – Food and feed area (Disinfectants)
Where relevant, an exact description of the authorised use	-

Target organism(s) (including development stage)	Scientific name: Bacteria Common name: - Development stage: - Scientific name: Yeast Common name: - Development stage: - Scientific name: Viruses Common name: - Development stage: -
Field(s) of use	Indoor Disinfection of clean non-porous surfaces in kitchens and food industry including cleanrooms (class A/B)
Application method(s)	Method: Wiping Detailed description: Product will be wiped directly on the surface.
Application rate(s) and frequency	Application Rate: Ready-to-use wipes Dilution (%): - Number and timing of application: -
Category(ies) of users	Industrial Professional
Pack sizes and packaging material	Can: 100-150 wipes Packaging: HDPE Closure material: HDPE Pack: 100-150 wipes Packaging: PET/PE

4.2.1. Use-specific instructions for use

Thoroughly wipe the surface with the wipe and allow to take effect for at least 5 minutes at room temperature (20 ± 2 °C).

4.2.2. Use-specific risk mitigation measures

See general directions for use.

4.2.3. Where specific to the use, the particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment

See general directions for use.

4.2.4. *Where specific to the use, the instructions for safe disposal of the product and its packaging*

4.2.5. *Where specific to the use, the conditions of storage and shelf-life of the product under normal conditions of storage*

See general directions for use.

5. **GENERAL DIRECTIONS FOR USE ^(*) OF THE META SPC 2**

5.1. **Instructions for use**

Clean the surface carefully before use.

Remove excess water from the surface before disinfection, if appropriate.

Make sure to wet surfaces completely.

Used wipes must be disposed in a closed container.

5.2. **Risk mitigation measures**

The product must only be applied for disinfection of small surfaces.

Ensure adequate ventilation to prevent the formation of explosive atmospheres.

Avoid contact with eyes.

Keep out of reach of children and pets.

Keep children and pets away from rooms where disinfection is taking place. Provide adequate ventilation before children and pets enter treated rooms. This does not apply to hospital patient rooms.

5.3. **Particulars of likely direct or indirect effects, first aid instructions and emergency measures to protect the environment**

First aid:

In case of accident: Call a poison centre or a doctor.

IF INHALED: Remove person to fresh air and keep comfortable for breathing.

If on skin: Wash with water. If skin irritation occurs: Get medical advice.

IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. If eye irritation persists: Get medical advice/attention.

IF SWALLOWED: Call a POISON CENTER or doctor/physician if you feel unwell.

5.4. **Instructions for safe disposal of the product and its packaging**

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5.5. **Conditions of storage and shelf-life of the product under normal conditions of storage**

Shelf-life: 24 months

Keep container tightly closed.

Store in a well-ventilated place.

Protect from sunlight.

Store at room temperature in the original container.

(*) Instructions for use, risk mitigation measures and other directions for use under this section are valid for any authorised uses within the meta SPC 2.

6. OTHER INFORMATION

The product contains propan-2-ol (CAS No: 67-63-0), for which a European reference value of 129,28 mg/m³ for the professional user was agreed and used for the risk assessment of the product.

7. THIRD INFORMATION LEVEL: INDIVIDUAL PRODUCTS IN THE META SPC 2

7.1. Trade name(s), authorisation number and specific composition of each individual product

Trade name(s)	Descorapid® Tücher	Market area: EU
	Desocid Tücher	Market area: EU
	Neoseptin Tücher	Market area: EU
	Novosept Tücher	Market area: EU
	Novoseptin Tücher	Market area: EU
	Lyorthol Tücher	Market area: EU
	Cosmo Tücher	Market area: EU
	Fordessin Tücher	Market area: EU
	Saltero Tücher	Market area: EU
	Prop70 Tücher	Market area: EU
	Manosafe Tücher	Market area: EU
	Dermoguard Tücher	Market area: EU
	Dermosafe Tücher	Market area: EU
	Aldovet Tücher	Market area: EU
	Vetfarm Tücher	Market area: EU
	MDI Tücher	Market area: EU
	Antiseptica Tücher	Market area: EU
	Antiseptica wipes	Market area: EU
	MENNO®WIP	Market area: EU
	Descorapid® wipes	Market area: EU
	Desocid wipes	Market area: EU
	Neoseptin wipes	Market area: EU
	Novosept wipes	Market area: EU
	Novoseptin wipes	Market area: EU
	Lyorthol wipes	Market area: EU
	Cosmo wipes	Market area: EU
	Fordessin wipes	Market area: EU
	Saltero wipes	Market area: EU
	Prop70 wipes	Market area: EU
	Manosafe wipes	Market area: EU
	Dermoguard wipes	Market area: EU
	Dermosafe wipes	Market area: EU
	Aldovet wipes	Market area: EU

	Vetfarm wipes		Market area: EU		
	MDI wipes		Market area: EU		
	Antiseptica wipes		Market area: EU		
Authorisation number	EU-0030790-0003 1-2				
Common name	IUPAC name	Function	CAS number	EC number	Content (%)
Propan-2-ol		Active Substance	67-63-0	200-661-7	63,1

7.2. Trade name(s), authorisation number and specific composition of each individual product

Trade name(s)	Superfucid® pure wipes		Market area: EU		
	Desocid rapid pure wipes		Market area: EU		
	Neoseptin rapid pure wipes		Market area: EU		
	Novosept rapid pure wipes		Market area: EU		
	Novoseptin rapid pure wipes		Market area: EU		
	Lyorthol rapid pure wipes		Market area: EU		
	Cosmo rapid pure wipes		Market area: EU		
	Fordesin rapid pure wipes		Market area: EU		
	Saltero rapid pure wipes		Market area: EU		
	Prop70 rapid pure wipes		Market area: EU		
	Aldovet rapid pure wipes		Market area: EU		
	Vetfarm rapid pure wipes		Market area: EU		
	MDI rapid pure wipes		Market area: EU		
	Antiseptica rapid pure wipes		Market area: EU		
	Authorisation number	EU-0030790-0004 1-2			
Common name	IUPAC name	Function	CAS number	EC number	Content (%)
Propan-2-ol		Active Substance	67-63-0	200-661-7	63,1

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2088**of 28 September 2023**

approving reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate as an active substance for use in biocidal products of product-type 8 in accordance with Regulation (EU) No 528/2012 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 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) Didecylmethylpoly(oxyethyl)ammonium propionate was approved as an existing active substance for use in biocidal products of product-type 8 by Commission Implementing Regulation (EU) 2016/1093 ⁽²⁾.
- (2) Didecylmethylpoly(oxyethyl)ammonium propionate is also included in the list of existing active substances of Annex II to Commission Delegated Regulation (EU) No 1062/2014 ⁽³⁾ for product-types 2, 4 and 10, referred to with its chemical name 'poly(oxy-1,2-ethanediy),.alpha.-[2-(didecylmethylammonio)ethyl]-.omega.-hydroxy-, propanoate (salt) ('Bardap 26').
- (3) On 22 November 2022, the Biocidal Products Committee of the European Chemicals Agency (the 'Agency') adopted the opinions on the applications for approval of the active substance for use in biocidal products of product-types 2 ⁽⁴⁾ and 4 ⁽⁵⁾, and submitted them to the Commission in accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014.
- (4) In those opinions, the Agency concluded that the substance composition and reference specification was consistent with the active substance assessed and approved under product-type 8, but that the name of the substance in the list of Annex II to Delegated Regulation (EU) No 1062/2014 and, consequently, in Implementing Regulation (EU) 2016/1093 was not appropriate. Therefore, pursuant to Article 13 of Delegated Regulation (EU) No 1062/2014, the identity of the active substance didecylmethylpoly(oxyethyl)ammonium propionate was redefined to reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate ('DMPAP').

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2016/1093 of 6 July 2016 approving didecylmethylpoly(oxyethyl)ammonium propionate as an existing active substance for use in biocidal products of product-type 8 (OJ L 182, 7.7.2016, p. 1).

⁽³⁾ 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).

⁽⁴⁾ Biocidal Products Committee Opinion on the application for approval of the active substance reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate; product-type 2; ECHA/BPC/363/2022.

⁽⁵⁾ Biocidal Products Committee Opinion on the application for approval of the active substance reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate; product-type 4; ECHA/BPC/364/2022.

- (5) Consequently, the identity of the active substance also needs to be changed in Implementing Regulation (EU) 2016/1093. As a number of changes related to the redefinition of the substance need to be made in Implementing Regulation (EU) 2016/1093, in the interests of clarity, that Regulation should be replaced.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate is approved as an active substance for use in biocidal products of product-type 8, subject to the conditions set out in the Annex.

Article 2

Implementing Regulation (EU) 2016/1093 is repealed.

Article 3

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

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

Done at Brussels, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate ('DMPAP')	reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate EC No: - CAS No: -	86,1 % w/w dry weight	1 January 2018	31 December 2027	8	The authorisation of biocidal products is subject to the following conditions: (a) the product assessment pays particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance; (b) the product assessment pays particular attention to: (i) industrial and professional users; (ii) groundwater for wood in service that will be exposed to frequent weathering; (c) labels and, where provided, safety data sheets of products authorised indicate that industrial or professional application is conducted within a contained area or on impermeable hard standing with bunding, and that freshly treated timber is stored after treatment under shelter or on impermeable hard standing, or both, to prevent direct losses to soil or water, and that any losses from the application of the product are collected for reuse or disposal.

⁽¹⁾ The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2089**of 28 September 2023**

approving reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate as an active substance for use in biocidal products of product-types 2 and 4 in accordance with Regulation (EU) No 528/2012 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 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 didecylmethylpoly(oxyethyl) ammonium propionate.
- (2) Didecylmethylpoly(oxyethyl)ammonium propionate has been evaluated for use in biocidal products of product-type 2, private area and public health area disinfectants and other biocidal products, and product-type 4, food and feed area disinfectants, as described in Annex V to Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾, which correspond to product-type 2, disinfectants and algicides not intended for direct application to humans or animals, and product-type 4, food and feed area disinfectants, as described in Annex V to Regulation (EU) No 528/2012.
- (3) Italy was designated as the rapporteur Member State and its evaluating competent authority submitted the assessment reports together with its conclusions to the Commission on 27 July 2010. After the submission of the assessment reports, discussions took place in technical meetings organised by the Commission and, after 1 September 2013, by the European Chemicals Agency (the 'Agency').
- (4) It follows 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 are to be assessed under the evaluation criteria of Directive 98/8/EC.
- (5) During the examination of didecylmethylpoly(oxyethyl)ammonium propionate, the identity of this active substance has been redefined in accordance with Article 13 of Delegated Regulation (EU) No 1062/2014 to reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate ('DMPAP').

⁽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).

- (6) In accordance with Article 75(1), second subparagraph, point (a), 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 opinions of the Agency ECHA/BPC/363/2022 ⁽⁴⁾ and ECHA/BPC/364/2022 ⁽⁵⁾ on 22 November 2022, having regard to the conclusions of the evaluating competent authority.
- (7) According to those opinions, biocidal products of product-types 2 and 4 containing DMPAP may be expected to satisfy the requirements corresponding to those laid down in Article 5(1), points (b), (c) and (d), of Directive 98/8/EC, provided that certain requirements concerning their use are complied with.
- (8) Taking into account the opinions of the Agency, it is appropriate to approve DMPAP as an active substance for use in biocidal products of product-types 2 and 4 subject to compliance with certain conditions.
- (9) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate is approved as an active substance for use in biocidal products of product-types 2 and 4 subject to the conditions set out in the Annex.

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, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁴⁾ Biocidal Products Committee Opinion on the application for approval of the active substance reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate; Product-type 2; ECHA/BPC/363/2022.

⁽⁵⁾ Biocidal Products Committee Opinion on the application for approval of the active substance reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate; Product-type 4; ECHA/BPC/364/2022.

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate ("DMPAP")	reaction mass of N,N-didecyl-N-(2-hydroxyethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-hydroxyethoxy)ethyl)-N-methylammonium propionate and N,N-didecyl-N-(2-(2-(2-hydroxyethoxy)ethoxy)ethyl)-N-methylammonium propionate EC No: - CAS No: -	86,1 % w/w dry weight	1 February 2025	31 January 2035	2	The authorisation of biocidal products is subject to the following conditions: (a) the product assessment pays particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance; (b) the product assessment pays particular attention to: (i) professional users; (ii) environment: groundwater.
					4	The authorisation of biocidal products is subject to the following conditions: (a) the product assessment pays particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union-level risk assessment of the active substance; (b) the product assessment pays particular attention to: (i) professional users; (ii) environment: groundwater. (c) for products that may lead to residues in food or feed, it shall be assessed whether new maximum residue levels (MRLs) need to be set or the existing MRLs need to be amended in accordance with Regulation (EC) No 470/2009 of the European Parliament and of the Council ⁽²⁾ or Regulation (EC) No 396/2005 of the European Parliament and of the Council ⁽³⁾ , and any appropriate risk mitigation measures shall be taken to ensure that such MRLs are not exceeded; (d) products containing DMPAP are not incorporated in materials and articles intended to come into contact with food that falls within the scope of Regulation (EC) No 1935/2004 of the European Parliament and of the Council ⁽⁴⁾ , unless the Commission has established specific limits on the migration of DMPAP into food or it has been established pursuant to that Regulation that such limits are not necessary.

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- (¹) The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.
- (²) Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).
- (³) Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).
- (⁴) Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC (OJ L 338, 13.11.2004, p. 4).
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COMMISSION IMPLEMENTING REGULATION (EU) 2023/2090**of 28 September 2023**

laying down rules for the application of Regulation (EU) 2023/1231 of the European Parliament and of the Council as regards the content and the model form of the plant health label for plants for planting other than seed potatoes, and for machinery and vehicles which have been operated for agricultural or forestry purposes, entering into Northern Ireland from other parts of the United Kingdom, for placing on the market

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2023/1231 of the European Parliament and of the Council of 14 June 2023 on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland ⁽¹⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) Regulation (EU) 2023/1231 lays down specific rules relating to, inter alia, the entry into Northern Ireland from other parts of the United Kingdom of consignments of plants for planting other than seed potatoes, and of machinery and vehicles which have been operated for agricultural or forestry purposes, for dispatch and sale by professional operators ('the consignments').
- (2) In particular, Article 10(1) of Regulation (EU) 2023/1231 provides that the consignments before entering into Northern Ireland, are to be subject to specific rules regarding their entry into Northern Ireland from other parts of the United Kingdom and their placing on the market in Northern Ireland, and to a plant health label requirement, subject to compliance with certain conditions, including written guarantees being provided by the United Kingdom in accordance with Article 10(1), point (g), of that Regulation ('the written guarantees').
- (3) The written guarantees are to give assurance that a process of authorisation and registration of professional operators is in place to ensure that the consignments are dispatched in accordance with Regulation (EU) 2023/1231, including official procedures to ensure their compliance with that Regulation and to address non-compliance, and that official controls are carried out on the consignments before their entry into Northern Ireland at sanitary and phytosanitary (SPS) Inspection Facilities of first arrival in Northern Ireland that comply with the requirements set out in Annex II to that Regulation, and that those official controls are carried out in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council ⁽²⁾. The written guarantees are also to give assurance that official controls, evidenced through a control plan, and surveillance measures are carried out covering the movements of the consignments from the SPS Inspection Facilities of first arrival in Northern Ireland to their place of destination in Northern Ireland to ensure that the consignments will not subsequently be moved to a Member State.

⁽¹⁾ OJ L 165, 29.6.2023, p. 103.

⁽²⁾ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).

- (4) The United Kingdom, in its letters of 4, 11 and 15 September 2023, states that the process of authorisation and registration of professional operators in parts of the United Kingdom other than Northern Ireland and in Northern Ireland is in place, and the official procedures to ensure compliance by those operators with Regulation (EU) 2023/1231, and to address cases of non-compliance, will be adopted and implemented by 1 October 2023.
- (5) The United Kingdom, in its letters of 4, 11 and 15 September 2023, further states that SPS Inspection Facilities of first arrival in Northern Ireland will comply with the requirements set out in Part 1 of Annex II to Regulation (EU) 2023/1231 by 1 October 2023, and that official controls will be carried out on consignments at SPS Inspection Facilities in accordance with Regulation (EU) 2017/625.
- (6) The United Kingdom, in its letters of 4, 11 and 15 September 2023, also states that, from 1 October 2023, official controls and surveillance measures will be carried out covering the movements of the consignments from the SPS Inspection Facilities of first arrival in Northern Ireland to their place of destination in Northern Ireland.
- (7) In accordance with Article 4(3) of Regulation (EU) 2023/1231, the Commission services carried out a Commission control in Northern Ireland from 11 to 14 September 2023 on the verification of compliance of the SPS Inspection Facilities in Northern Ireland with the requirements set out in Part 1 of Annex II to Regulation (EU) 2023/1231. The report of 15 September 2023, drawn up following that Commission control, concludes that the SPS Inspection Facilities of Belfast Port, Larne Harbour and Warrenpoint Port comply with the requirements set out in Part 1 of Annex II to Regulation (EU) 2023/1231.
- (8) The United Kingdom has provided the necessary written guarantees required by Article 10(1), point (g), of Regulation (EU) 2023/1231 in its letters of 4, 11 and 15 September 2023. It is thus appropriate to lay down rules on the content and the model form of the plant health label referred to in Article 10(3) of that Regulation.
- (9) The plant health label to be used for the entry into Northern Ireland from other parts of the United Kingdom of the consignments, should indicate all the elements necessary for their identification and traceability, including the registration number of the professional operator concerned, the traceability code, and a reference to the applicable Union legislation. In particular, the plant health label should indicate the botanical name of the plant species or taxon concerned, and, optionally, the name of the plant variety. In the case of machinery and vehicles, the plant health label should, in addition, indicate the name of the object concerned.
- (10) The format of the plant health label should be standardised to ensure its visibility and make it distinct from other labels that might accompany the plants for planting other than seed potatoes, and the machinery and vehicles concerned. To ensure transparency and appropriate information for producers and users, the plant health label should contain the indications 'NI plant health label' and 'for use in the United Kingdom only'.
- (11) In the interest of legal certainty and to avoid any unnecessary disruption to trade, this Regulation should enter into force as a matter of urgency.
- (12) The written guarantees provided by the United Kingdom state that all conditions referred to in Article 10(1) of Regulation (EU) 2023/1231 will be met from 1 October 2023. This Regulation should, therefore, apply from that date, to ensure legal certainty and to avoid any unnecessary disruption to trade.
- (13) 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

Subject matter and scope

This Regulation lays down rules on the content and the model form of the plant health label referred to in Article 10(1), point (b), of Regulation (EU) 2023/1231, required for the entry into Northern Ireland from other parts of the United Kingdom, and the placing on the market in Northern Ireland, of the following consignments ('the plant health label'):

- (a) plants for planting other than seed potatoes;
- (b) machinery and vehicles which have been operated for agricultural or forestry purposes before entering into Northern Ireland.

Article 2

Plant health label requirements and model form of plant health label

1. The plant health label shall contain the following elements:
 - (a) at the top part of the plant health label, the words 'NI plant health label';
 - (b) the letter 'A.', followed by:
 - (i) in the case of plants for planting, the botanical name of the plant species or taxon concerned and, optionally, the name of the plant variety; or
 - (ii) in the case of machinery or a vehicle, the name of the object;
 - (c) the letter 'B.', followed by the registration number of the professional operator;
 - (d) the letter 'C.', followed by:
 - (i) in the case of plants for planting, the traceability code of the plant for planting; or,
 - (ii) in the case of machinery or a vehicle, the traceability code of the object;
 - (e) the letter 'D.', followed by:
 - (i) a QR code referring to a page on the official websites of the competent authorities of the United Kingdom, relevant to the professional operator in Northern Ireland receiving the consignments referred to in Article 1 and informing that professional operator of the applicable Union legislation with an explicit reference to Regulation (EU) 2023/1231 and this Regulation; or
 - (ii) the indication 'complies with Article 10 of Regulation (EU) 2023/1231';
 - (f) at the bottom part of the plant health label, the words 'for use in the United Kingdom only'.
2. The plant health label shall comply with the model form set out in the Annex.

Article 3

Entry into force and application

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

It shall apply from 1 October 2023.

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

Done at Brussels, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Model form of the plant health label for plants for planting other than seed potatoes, and machinery and vehicles which have been operated for agricultural or forestry purposes before entering into Northern Ireland, referred to in Article 2

(flag of the United Kingdom)

NI plant health label

A. **xxx**

B. **xxx**

C. **xxx**

D. **xxx**

For use in the United Kingdom only

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2091**of 28 September 2023****laying down rules for the application of Regulation (EU) 2023/1231 of the European Parliament and of the Council as regards the requirements for the entry into Northern Ireland from other parts of the United Kingdom of consignments of tubers of *Solanum tuberosum* L. for planting (seed potatoes), their use in Northern Ireland, and the model form of the plant health label for seed potatoes****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2023/1231 of the European Parliament and of the Council of 14 June 2023 on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland ⁽¹⁾, and in particular Article 11(3) thereof,

Whereas:

- (1) Regulation (EU) 2023/1231 lays down specific rules relating to, inter alia, the entry into Northern Ireland from other parts of the United Kingdom of consignments of tubers of *Solanum tuberosum* L. for planting (seed potatoes) for placing on the market.
- (2) In particular, Article 11(1) of Regulation (EU) 2023/1231 provides that the entry into Northern Ireland from other parts of the United Kingdom of consignments of seed potatoes for placing on the market is to be subject to specific rules and to a plant health label requirement, subject to compliance with certain conditions, including written guarantees to be provided by the United Kingdom in accordance with Article 11(1), point (f), of that Regulation.
- (3) The written guarantees are to give assurance that a process of registration and authorisation of professional operators is in place, including official procedures to ensure compliance with Regulation (EU) 2023/1231 and address non-compliance, and that official controls on consignments of seed potatoes at sanitary and phytosanitary (SPS) Inspection Facilities of first arrival in Northern Ireland that comply with the requirements set out in Annex II to that Regulation are carried out in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council ⁽²⁾, and that official controls and surveillance measures are carried out covering the movements of those consignments from the SPS Inspection Facilities of first arrival in Northern Ireland to their place of destination in Northern Ireland to ensure that those consignments will not subsequently be moved to a Member State.
- (4) The United Kingdom, in its letters of 4, 11 and 15 September 2023, states that the process of authorisation and registration of professional operators in parts of the United Kingdom other than Northern Ireland and in Northern Ireland is in place, and the official procedures to ensure compliance by those operators with Regulation (EU) 2023/1231 and to address non-compliance will be adopted and implemented by 1 October 2023.

⁽¹⁾ OJ L 165, 29.6.2023, p. 103.

⁽²⁾ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).

- (5) The United Kingdom, in its letters of 4, 11 and 15 September 2023, further states that SPS Inspection Facilities of first arrival in Northern Ireland will comply with the requirements set out in Part 1 of Annex II to Regulation (EU) 2023/1231 by 1 October 2023, and that official controls will be carried out on these consignments at SPS Inspection Facilities in accordance with Regulation (EU) 2017/625.
- (6) The United Kingdom, in its letters of 4 September 2023 also states that, from 1 October 2023, official controls and surveillance measures will be carried out covering the movements of those consignments from the SPS Inspection Facilities of first arrival in Northern Ireland to their place of destination in Northern Ireland.
- (7) In accordance with Article 4(3) of Regulation (EU) 2023/1231, the Commission services carried out a Commission control in Northern Ireland from 11 to 14 September 2023 on the verification of compliance of the SPS Inspection Facilities in Northern Ireland with the requirements set out in Part 1 of Annex II to Regulation (EU) 2023/1231. The report of 15 September 2023, drawn up following the Commission control, concludes that the SPS Inspection Facilities of Belfast Port, Larne Harbour, and Warrenpoint Port comply with the requirements set out in Part 1 of Annex II to Regulation (EU) 2023/1231.
- (8) As the United Kingdom has provided the necessary written guarantees, required by Article 11(1), point (f), of Regulation (EU) 2023/1231 in its letters of 4, 11 and 15 September 2023, it is thus appropriate to lay down rules on the requirements for the entry into Northern Ireland from other parts of the United Kingdom of consignments of seed potatoes and their use in Northern Ireland, and on the model form of the plant health label required to accompany those consignments, as referred to in Article 11(3) of that Regulation.
- (9) To ensure the maximum possible level of plant health on the island of Ireland, rules should be laid down concerning the plant health label for each consignment of seed potatoes, the registration and inspection of the seed potatoes' sites of production in Northern Ireland, the inspection of the seed potatoes and sites of production thereof in parts of the United Kingdom other than Northern Ireland, and the annual reporting of the quantities of seed potatoes introduced into Northern Ireland from other parts of the United Kingdom.
- (10) The plant health label to be used for the entry into, and the use in, Northern Ireland of seed potatoes should indicate all the elements necessary for their identification and traceability. In particular, the plant health label should indicate the botanical name of the seed potatoes, the registration number of the professional operator concerned, and the traceability code of the seed potatoes. A reference to the applicable Union legislation should also be included in the plant health label.
- (11) The format of the plant health label should be standardised to ensure its visibility and to make it distinct from other labels that might accompany the goods concerned. To ensure transparency and give appropriate information to producers and users, the plant health label should contain the indications 'NI plant health label' and 'for use in the United Kingdom only'.
- (12) In the interest of legal certainty and to avoid any unnecessary disruption to trade, this Regulation should enter into force as a matter of urgency.
- (13) The written guarantees provided by the United Kingdom state that all the conditions referred to in Article 11(1), point (f), of Regulation (EU) 2023/1231 will be met from 1 October 2023. This Regulation should, therefore, apply from that date to ensure legal certainty and avoid any unnecessary disruption to trade.
- (14) 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

Subject matter and scope

This Regulation lays down rules on the requirements for the entry into Northern Ireland from other parts of the United Kingdom of consignments of seed potatoes and their use in Northern Ireland, and on the model form of the plant health label required to accompany those consignments, as referred to in Article 11(3) of Regulation (EU) 2023/1231.

Article 2

Requirements for the entry into Northern Ireland from other parts of the United Kingdom of consignments of seed potatoes, and their use in Northern Ireland

The entry into Northern Ireland from other parts of the United Kingdom of consignments of seed potatoes, and their use in Northern Ireland, shall be subject to compliance with all of the following requirements:

- (a) the seed potatoes are intended for registered professional operators in Northern Ireland;
- (b) the seed potatoes originate in parts of the United Kingdom other than Northern Ireland, in production sites that have been officially inspected and found to comply with Union requirements concerning:
 - (i) Union quarantine pests, protected zone quarantine pests and Union regulated non-quarantine pests ('RNQPs'), referred to in Articles 5(2), 32(1) and 37(2) of Regulation (EU) 2016/2031 of the European Parliament and of the Council ^(*);
 - (ii) pests subject to Union measures laid down in Commission implementing acts adopted pursuant to Article 30(1) of Regulation (EU) 2016/2031;
- (c) the seed potatoes have been officially inspected in parts of the United Kingdom other than Northern Ireland, at the production sites or the packaging facilities, and found to comply with Union requirements concerning:
 - (i) Union quarantine pests, protected zone quarantine pests and RNQPs referred to in Articles 5(2), 32(1) and 37(2) of Regulation (EU) 2016/2031;
 - (ii) pests subject to Union measures laid down in Commission implementing acts adopted pursuant to Article 30(1) of Regulation (EU) 2016/2031;
- (d) after their entry into Northern Ireland, the seed potatoes shall only be grown in sites of production in Northern Ireland, which are registered for this purpose by the competent authorities of the United Kingdom;
- (e) after their entry into Northern Ireland, the seed potatoes, as well as the plants grown from them, shall be subject to annual official inspections in their sites of production in Northern Ireland to ensure compliance with Union requirements concerning Union quarantine pests, protected zone quarantine pests and RNQPs referred to in Articles 5(2), 32(1) and 37(2) of Regulation (EU) 2016/2031, and pests subject to Union measures laid down in Commission implementing acts adopted pursuant to Article 30(1) of that Regulation;

^(*) Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4).

- (f) the quantities of seed potatoes entered into Northern Ireland from other parts of the United Kingdom and the results of the inspections referred to in points (b), (c) and (e) shall be reported to the Commission by the United Kingdom by 30 June of each year concerning the entries between 1 May of year n-1 and 30 April of year n;
- (g) the entry into Northern Ireland of the consignments shall comply with the applicable rules laid down in Regulation (EU) 2017/625.

Article 3

Plant health label requirements and model form of plant health label

1. The plant health label for the consignments of seed potatoes referred to in Article 11(1), point (b), of Regulation (EU) 2023/1231 shall contain the following elements:
 - (a) at the top part of the plant health label, the words 'NI plant health label';
 - (b) the letter 'A.', followed by the botanical name of the seed potatoes;
 - (c) the letter 'B.', followed by the registration number of the professional operator;
 - (d) the letter 'C.', followed by the traceability code of the seed potatoes;
 - (e) the letter 'D.', followed by:
 - (i) a QR code referring to a page on the official websites of the competent authorities of the United Kingdom, relevant to the professional operator receiving the consignments of seed potatoes and informing that professional operator of the applicable Union legislation with an explicit reference to Regulation (EU) 2023/1231 and this Regulation; or
 - (ii) the indication 'complies with Article 11 of Regulation (EU) 2023/1231';
 - (f) at the bottom part of the plant health label, the words 'for use in the United Kingdom only'.
2. The plant health label for the consignments of seed potatoes shall comply with the model form set out in the Annex.

Article 4

Entry into force and application

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

It shall apply from 1 October 2023.

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

Done at Brussels, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Model form of the plant health label for consignments of seed potatoes referred to in Article 3

(flag of the United Kingdom)

NI plant health label

A. **xxx**

B. **xxx**

C. **xxx**

D. **xxx**

For use in the United Kingdom only

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2092**of 28 September 2023****on fixing the representative prices, import duties and additional import duties applicable to molasses in the sugar sector from 1 October 2023**

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 and 193a thereof,

Whereas:

- (1) Commission Regulation (EC) No 951/2006 ⁽²⁾ provides that the cif import price for molasses of the standard quality defined in Article 27 of that Regulation is to be considered the 'representative price'.
- (2) For the purposes of fixing the representative prices, account must be taken of all the information provided for in Article 29 of Regulation (EC) No 951/2006, except in the cases provided for in Article 30 of that Regulation and those prices should be fixed, where appropriate, in accordance with the method provided for in Article 33 of that Regulation.
- (3) Prices not relating to the standard quality should be adjusted upwards or downwards, according to the quality of the molasses offered, in accordance with Article 32 of Regulation (EC) No 951/2006.
- (4) Pursuant to Article 40 of the Regulation (EC) No 951/2006, where the molasses representative price referred to in Article 34(2) plus the import duty applicable to cane molasses falling within CN code 1703 10 00, or to beet molasses falling within CN code 1703 90 00, exceed, for the product in question, 8,21 EUR/100 kg, the import duties shall be suspended and replaced by the amount of the difference found by the Commission.
- (5) Should the import duties be suspended pursuant to Article 40 of Regulation (EC) No 951/2006, specific amounts for these duties should be fixed at the same time as the representative prices.
- (6) Where there is a difference between the trigger price for the product concerned and the representative price, additional import duties should be fixed in accordance with Article 39 of Regulation (EC) No 951/2006.
- (7) The representative prices, import duties and additional import duties applicable to the imports of molasses covered by CN codes 1703 10 00 and 1703 90 00 should be fixed in accordance with Article 34 and Article 40 of Regulation (EC) No 951/2006.
- (8) Commission Implementing Regulation (EU) 2022/1675 ⁽³⁾ should therefore be repealed.
- (9) 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 second day following that of its publication,

⁽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) 2022/1675 of 29 September 2022 fixing the representative prices, import duties and additional import duties applicable to molasses in the sugar sector from 1 October 2022 (OJ L 252, 30.9.2022, p. 14).

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices, the import duties and additional import duties applicable to the import of molasses covered by CN codes 1703 10 00 and 1703 90 00 are set out in the Annex to this Regulation.

Article 2

Implementing Regulation (EU) 2022/1675 is repealed.

Article 3

This Regulation shall enter into force on the second 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, 28 September 2023.

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

ANNEX

**REPRESENTATIVE PRICES, IMPORT DUTIES AND ADDITIONAL IMPORT DUTIES APPLICABLE
TO MOLASSES IN THE SUGAR SECTOR FROM 1 OCTOBER 2023**

(in EUR)

CN code	Representative price per 100 kg net of the product concerned	Import duty per 100 kg net of the product concerned ⁽¹⁾	Additional duty per 100 kg net of the product concerned
1703 10 00 ⁽²⁾	23,22	0	-
1703 90 00 ⁽²⁾	19,57	0	-

⁽¹⁾ This amount replaces, in accordance with Article 40 of Regulation (EC) No 951/2006, the rate of the Common Customs Tariff duty fixed for these products.

⁽²⁾ For the standard quality as defined in Article 27 of Regulation (EC) No 951/2006.

DECISIONS

COUNCIL DECISION (EU) 2023/2093

of 25 September 2023

appointing a member, proposed by the Federal Republic of Germany, of the Committee of the Regions

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to Council Decision (EU) 2019/852 of 21 May 2019 determining the composition of the Committee of the Regions ⁽¹⁾,

Having regard to the proposal of the German Government,

Whereas:

- (1) Pursuant to Article 300(3) of the Treaty, the Committee of the Regions is to consist of representatives of regional and local bodies who either hold a regional or local authority electoral mandate or are politically accountable to an elected assembly.
- (2) On 10 December 2019, the Council adopted Decision (EU) 2019/2157 ⁽²⁾, appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025.
- (3) A member's seat on the Committee of the Regions has become vacant following the end of the national mandate on the basis of which Mr Gerry WOOP was proposed for appointment.
- (4) The German Government has proposed Mr Florian HAUER, representative of a regional body who is politically accountable to an elected assembly, *Staatssekretär für Bundes- und Europaangelegenheiten und Internationales, Bevollmächtigter des Landes Berlin beim Bund* (Permanent Secretary for Federal and European Affairs and International Relations, State of Berlin Delegate to the Federation), as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025,

HAS ADOPTED THIS DECISION:

Article 1

Mr Florian HAUER, representative of a regional body who is politically accountable to an elected assembly, *Staatssekretär für Bundes- und Europaangelegenheiten und Internationales, Bevollmächtigter des Landes Berlin beim Bund* (Permanent Secretary for Federal and European Affairs and International Relations, State of Berlin Delegate to the Federation), is hereby appointed as a member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2025.

Article 2

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

⁽¹⁾ OJ L 139, 27.5.2019, p. 13.

⁽²⁾ Council Decision (EU) 2019/2157 of 10 December 2019 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2020 to 25 January 2025 (OJ L 327, 17.12.2019, p. 78).

Done at Brussels, 25 September 2023.

For the Council
The President
H. GÓMEZ HERNÁNDEZ

COUNCIL IMPLEMENTING DECISION (EU) 2023/2094**of 25 September 2023****amending Implementing Decision (EU) 2018/485 as regards an extension of the authorisation for Denmark to apply a special measure derogating from Article 75 of Directive 2006/112/EC on the common system of value added tax**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By Council Implementing Decision (EU) 2018/485 ⁽²⁾, Denmark was authorised to apply a special measure derogating from Article 75 of Directive 2006/112/EC to apply a flat-rate scheme for the private use of light goods vehicles with a maximum authorised total weight of three tonnes which have been registered solely for business (the 'special measure'). The special measure is set to expire on 31 December 2023.
- (2) By letter registered with the Commission on 21 March 2023, Denmark requested an authorisation to continue to apply the special measure beyond 31 December 2023.
- (3) Pursuant to Article 395(2), second subparagraph, of Directive 2006/112/EC, the Commission transmitted the request submitted by Denmark to the other Member States by letters dated 3 and 4 May 2023. By letter dated 5 May 2023, the Commission notified Denmark that it had all the information necessary for appraisal of that request.
- (4) The continued application of the special measure would allow taxable persons who have registered a vehicle solely for business to use that vehicle for private purposes, and to calculate the taxable amount of the deemed supply of services pursuant to Article 75 of Directive 2006/112/EC on a daily flat-rate basis, rather than lose their right to deduct the value added tax (VAT) incurred on the purchase cost of that vehicle.
- (5) The simplified calculation method under the special measure should, however, be limited to 20 days of use for private purposes for each calendar year.
- (6) According to the information provided by Denmark in its request, the factual situation justifying the application of the special measure has not changed. Denmark submitted to the Commission, together with its request, a report reviewing the flat-rate amount to be paid per day for the private use of a vehicle registered solely for business. In that report Denmark maintains that the amount of VAT charged per day remains unchanged at DKK 40.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

⁽²⁾ Council Implementing Decision (EU) 2018/485 of 19 March 2018 authorising Denmark to apply a special measure derogating from Article 75 of Directive 2006/112/EC on the common system of value added tax (OJ L 81, 23.3.2018, p. 13).

- (7) Denmark submits that the special measure has worked very well in recent years and has been used by an increasing number of taxable persons. Denmark also maintains that the special measure has the aim of simplifying the VAT obligations of taxable persons who make occasional private use of a vehicle that was registered solely for business, thereby simplifying the procedure for collecting VAT. However, it would remain possible for a taxable person to choose to register a light goods vehicle as being used for both business and private purposes. In doing so, the taxable person would lose the right to deduct the VAT incurred on the purchase cost of the vehicle but would not be required to pay a daily charge for any use for private purposes.
- (8) The authorisation of the special measure does not deprive taxable persons of the right to deduct fully the input VAT on a vehicle registered solely for business that is used occasionally for private use and is consistent with the general rules on deduction as set out in Directive 2006/112/EC.
- (9) It is therefore appropriate to extend the application of the special measure. That extension should be limited in time to allow the Commission to evaluate the effectiveness and appropriateness of the special measure. The authorisation of the special measure should therefore expire on 31 December 2026.
- (10) In the event that Denmark requests a further extension of the special measure beyond 31 December 2026, it should submit a report to the Commission together with its extension request by 31 March 2026.
- (11) According to information provided by Denmark, the special measure will only have a negligible effect on the overall amount of the tax revenue Denmark collects at the stage of final consumption and it will have no adverse impact on the Union's own resources accruing from VAT.
- (12) Implementing Decision (EU) 2018/485 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 3 of Implementing Decision (EU) 2018/485, the second and third paragraphs are replaced by the following:

‘It shall apply from 1 January 2018 to 31 December 2026.

Any request for extension of the measure provided for in this Decision shall be submitted to the Commission by 31 March 2026 and shall be accompanied by a report which includes a review of the measure.’.

Article 2

This Decision shall take effect on the date of its notification.

Article 3

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 25 September 2023.

For the Council
The President
F. GRANDE-MARLASKA GÓMEZ

COUNCIL DECISION (CFSP) 2023/2095**of 28 September 2023****amending Decision (CFSP) 2020/1465 on a European Union action in support of the United Nations Verification and Inspection Mechanism in Yemen (UNVIM)**

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) On 18 September 2018, based on a request by the United Nations Verification and Inspection Mechanism (UNVIM), the Council adopted Decision (CFSP) 2018/1249 ⁽¹⁾ on a European Union action in support of UNVIM.
- (2) On 12 October 2020, based on a request by UNVIM, the Council adopted Decision (CFSP) 2020/1465 ⁽²⁾ and renewed Union action in support of UNVIM for a period of 12 months.
- (3) On 15 November 2021, based on another request by UNVIM, the Council amended Decision (CFSP) 2020/1465 by means of Decision (CFSP) 2021/1991 ⁽³⁾ in order to extend Union action in support of UNVIM for a period of 12 months, until 30 September 2022.
- (4) On 29 September 2022, based on a request by UNVIM, the Council adopted Decision (CFSP) 2022/1682 ⁽⁴⁾ and extended Union action in support of UNVIM for a period of 12 months, until 30 September 2023.
- (5) On 12 December 2022, the Council in its conclusions on Yemen reaffirmed the Union's principled commitment to the unity, sovereignty, independence and territorial integrity of Yemen, and to supporting United Nations peace efforts and United Nations Special Envoy in mediation efforts. In this context, the Union reiterated its full support for UNVIM, pledged to continue its financial contributions and encouraged other donors to also provide support. The Union furthermore called on the Government of Yemen and the coalition to support UNVIM to carry its operational inspection and verification activities in Hodeidah, Jeddah and King Abdullah Port.
- (6) On 10 July 2023, the United Nations Security Council Resolution UNSCR 2691 (2023) extended the mandate of the United Nations Mission to support the Hodeidah Agreement in order to support implementation of the agreement on the City of Hodeidah and the ports of Hodeidah, Saleef and Ras Issa set out in the Stockholm Agreement concluded on 13 December 2018 by the parties to the conflict in Yemen and endorsed by UNSCR 2451 (2018) and UNSCR 2452 (2019).
- (7) UNVIM requested further support from the Union for one year.
- (8) The Union should renew its support to UNVIM for one year for the implementation of its mandate.
- (9) A new financial reference amount should therefore be added to cover the period from 1 October 2023 until 30 September 2024,

⁽¹⁾ Council Decision (CFSP) 2018/1249 of 18 September 2018 on a European Union action in support of the United Nations Verification and Inspection Mechanism in Yemen (OJ L 235, 19.9.2018, p. 14).

⁽²⁾ Council Decision (CFSP) 2020/1465 of 12 October 2020 on a European Union action in support of the United Nations Verification and Inspection Mechanism in Yemen (OJ L 335 13.10.2020, p. 13).

⁽³⁾ Council Decision (CFSP) 2021/1991 of 15 November 2021 amending Decision (CFSP) 2020/1465 on a European Union action in support of the United Nations Verification and Inspection Mechanism in Yemen (UNVIM) (OJ L 405, 16.11.2021, p. 12).

⁽⁴⁾ Council Decision (CFSP) 2022/1682 of 29 September 2022 amending Decision (CFSP) 2020/1465 on a European Union action in support of the United Nations Verification and Inspection Mechanism in Yemen (OJ L 252, 30.9.2022, p. 76).

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2020/1465 is hereby amended as follows:

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

- ‘1. The financial reference amount for the implementation of the project referred to in Article 1 shall be:
- EUR 2 059 838 for the period from 1 October 2020 until 28 February 2022,
 - EUR 2 200 000 for the period from 1 March 2022 until 30 September 2022,
 - EUR 2 200 000 for the period from 1 October 2022 until 30 September 2023,
 - EUR 2 200 000 for the period from 1 October 2023 until 30 September 2024.’;

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

‘It shall expire on 30 September 2024.’.

Article 2

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

It shall apply from 1 October 2023.

Done at Brussels, 28 September 2023.

For the Council

The President

F. GRANDE-MARLASKA GÓMEZ

COUNCIL DECISION (EU) 2023/2096**of 28 September 2023**

on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part as regards the modification of Annex XXVIII-B (Rules applicable to telecommunication services) and Annex XXVIII-C (Rules applicable to postal and courier services) to that Agreement

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community, and their Member States of the one part, and the Republic of Moldova, of the other part ⁽¹⁾ (the 'Agreement') entered into force on 1 July 2016.
- (2) Article 436(3) of the Agreement provides that the EU-Republic of Moldova Association Council (the 'Association Council') is to have the power to update or amend the Annexes to the Agreement.
- (3) Pursuant to Article 438(2) of the Agreement, the Association Council may delegate to the Association Committee any of its powers, including the power to take binding decisions.
- (4) By Decision No 3/2014 ⁽²⁾, the Association Council delegated the power to update or amend the Annexes to the Agreement which relate, inter alia, to Chapter 6 (Establishment, trade in services and electronic commerce) of Title V (Trade and Trade-related Matters) of the Agreement to the Association Committee in Trade configuration, to the extent that there are no specific provisions in Chapter 6 relating to the update or the amendment of those Annexes. There are no specific provisions in Chapter 6 relating to the update or the amendment of those Annexes.
- (5) The Association Committee in Trade configuration should adopt a decision modifying Annex XXVIII-B (Rules applicable to telecommunication services) and Annex XXVIII-C (Rules applicable to postal and courier services) in the course of 2023.
- (6) As stated in the preamble to the Agreement and in accordance with Articles 230 and 240 of the Agreement, the Union and the Republic of Moldova ('Moldova') recognise the importance of the approximation of Moldova's existing legislation to that of the Union, meaning that Moldova is to ensure that its existing laws and future legislation will be gradually made compatible with the Union *acquis*. In addition, Article 102 of the Agreement provides that Moldova is to carry out approximation of its legislation to the EU acts and international instruments referred to in Annex XXVIII-B to the Agreement, according to the provisions of that Annex.
- (7) Moldova has requested further integration with regard to the roaming sector in the Union, and to update the Agreement in order to include recent Union *acquis* on telecommunications and postal and courier services.

⁽¹⁾ OJ L 260, 30.8.2014, p. 4.

⁽²⁾ Decision No 3/2014 of the EU-Republic of Moldova Association Council of 16 December 2014 on the delegation of certain powers by the Association Council to the Association Committee in Trade configuration (OJ L 110, 29.4.2015, p. 40).

- (8) Considering that Annex XXVIII-B (Rules applicable to telecommunication services) to the Agreement should be complemented by the relevant EU acts relating to roaming on public mobile communications networks, and other recent Union *acquis* relating to telecommunication services, it is necessary to add the relevant acts to that Annex. It is also necessary to delete certain acts already included in that Annex where they have been replaced or amended by more recent acts.
- (9) Considering that Annex XXVIII-C (Rules applicable to postal and courier services) should be complemented by recent Union *acquis* relating to postal and courier services, it is necessary to add the relevant acts to that Annex.
- (10) It is therefore appropriate to establish the position to be taken on the Union's behalf within the Association Committee in Trade configuration, as the Decision modifying Annex XXVIII-B (Rules applicable to telecommunication services) and Annex XXVIII-C (Rules applicable to postal and courier services) to the Agreement will be binding upon the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, as regards the modification of Annex XXVIII-B (Rules applicable to telecommunication services) and Annex XXVIII-C (Rules applicable to postal and courier services) to that Agreement, shall be based on the draft Decision of that Committee attached to this Decision.

Article 2

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

Done at Brussels, 28 September 2023.

For the Council

The President

F. GRANDE-MARLASKA GÓMEZ

DRAFT**DECISION No .../2023 OF THE EU-REPUBLIC OF MOLDOVA ASSOCIATION COMMITTEE IN
TRADE CONFIGURATION****of ...****amending Annex XXVIII-B (Rules applicable to telecommunication services) and Annex XXVIII-C
(Rules applicable to postal and courier services) to the Association Agreement between the
European Union and the European Atomic Energy Community and their Member States, of the one
part, and the Republic of Moldova, of the other part**

THE ASSOCIATION COMMITTEE IN TRADE CONFIGURATION,

Having regard to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, and in particular Articles 102, 230 and 240 thereof,

Having regard to Decision No 3/2014 of the EU-Republic of Moldova Association Council of 16 December 2014 on the delegation of certain powers by the Association Council to the Association Committee in Trade configuration ⁽¹⁾,

Whereas:

- (1) The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part (the 'Agreement') entered into force on 1 July 2016.
- (2) Article 1(2), point (g), of the Agreement provides that the aim of the Agreement is, *inter alia*, to establish conditions for enhanced economic and trade relations leading towards gradual integration of the Republic of Moldova ('Moldova') in the EU internal market, including by setting up a Deep and Comprehensive Free Trade Area, which will provide for far-reaching regulatory approximation and market access liberalisation, in compliance with the rights and obligations arising out of World Trade Organization membership and the transparent application of those rights and obligations.
- (3) Article 102 of the Agreement provides that Moldova is to carry out approximation of its legislation to the EU acts and international instruments referred to in Annex XXVIII-B to the Agreement, according to the provisions of that Annex.
- (4) Article 230 of the Agreement provides that Moldova is to carry out approximation of its legislation to the EU acts and international instruments referred to in Annex XXVIII-C to the Agreement, according to the provisions of that Annex.
- (5) Moldova has requested further market access liberalisation with regard to roaming.
- (6) Rules on roaming form part of the EU telecommunications *acquis* but they were not included in Annex XXVIII-B (Rules applicable to telecommunication services) when the Agreement was concluded. Therefore, Annex XXVIII-B should be complemented by the relevant EU acts relating to roaming.

⁽¹⁾ OJ EU L 110, 29.4.2015, p. 40.

- (7) At the current stage of economic and legal development of the EU internal market relating to telecommunications services, the relevant EU acts concerning roaming are the following: Commission Implementing Regulation (EU) 2016/2286 ⁽²⁾, Regulation (EU) 2018/1971 ⁽³⁾ and Directive (EU) 2018/1972 ⁽⁴⁾ of the European Parliament and of the Council, Commission Delegated Regulation (EU) 2021/654 ⁽⁵⁾ and Regulation (EU) 2022/612 of the European Parliament and of the Council ⁽⁶⁾.
- (8) Article 1(4) of Regulation (EU) 2022/612 and Articles 3(2) and 3(3) of Commission Delegated Regulation (EU) 2021/654 refer to reference exchange rates published by the European Central Bank in the *Official Journal of the European Union*. At present, the European Central Bank does not publish exchange rates for the Moldovan leu. An adaptation is therefore needed with respect to those provisions in order to provide for the use of the exchange rates between the euro and the Moldovan leu published by the National Bank of Moldova for as long as the European Central Bank does not publish exchange rates for the Moldovan leu.
- (9) In addition, the Union *acquis* referred to in Annex XXVIII-B has evolved since the last update of the Annex dated 4 October 2019, and the Union *acquis* referred to in Annex XXVIII-C has evolved since the entry into force of the Agreement.
- (10) It is therefore necessary to update and amend Annexes XXVIII-B and XXVIII-C to the Agreement by adding the relevant EU acts to Annexes XXVIII-B and XXVIII-C and deleting certain acts which they replace.
- (11) On 16 December 2014, the Association Council, by means of Decision No 3/2014, delegated to the Association Committee in Trade configuration, as referred to in Article 438(3) of the Agreement, the power to update or amend certain trade-related Annexes to the Agreement.
- (12) Once Moldova considers that a particular EU legal act has been properly enacted and implemented, Moldova will submit the relevant transposition tables, together with an official English translation of the implementing Moldovan legal act, to the EU co-secretary of the Association Committee in Trade configuration,

HAS ADOPTED THIS DECISION:

Article 1

Annex XXVIII-B (Rules applicable to telecommunication services) to the Agreement is hereby amended as set out in Annex I to this Decision.

Article 2

Annex XXVIII-C (Rules applicable to postal and courier services) to the Agreement is hereby amended as set out in Annex II to this Decision.

- ⁽²⁾ Commission Implementing Regulation (EU) 2016/2286 of 15 December 2016 laying down detailed rules on the application of fair use policy and on the methodology for assessing the sustainability of the abolition of retail roaming surcharges and on the application to be submitted by a roaming provider for the purposes of that assessment (OJ EU L 344 17.12.2016, p. 46).
- ⁽³⁾ Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009 (OJ EU L 321, 17.12.2018, p. 1).
- ⁽⁴⁾ Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (OJ EU L 321 17.12.2018, p. 36).
- ⁽⁵⁾ Commission Delegated Regulation (EU) 2021/654 of 18 December 2020 supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council by setting a single maximum Union-wide mobile voice termination rate and a single maximum Union-wide fixed voice termination rate (OJ EU L 137, 22.4.2021, p. 1).
- ⁽⁶⁾ Regulation (EU) 2022/612 of the European Parliament and of the Council of 6 April 2022 on roaming on public mobile communications networks within the Union (OJ EU L 115, 13.4.2022, p. 1).

Article 3

This Decision has been established in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, and Swedish languages, each text being equally authentic.

Article 4

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

Done at ..., ...

For the Association Committee in Trade configuration

The Chair

The Secretaries

ANNEX I

1. Annex XXVIII-B (Rules applicable to telecommunication services) shall be amended by adding the following EU acts:

Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (recast) ('EECC').

Timetable: the provisions of Directive (EU) 2018/1972 shall be implemented within 1 year after the date of entry into force of this Decision.

Regulation (EU) 2022/612 of the European Parliament and of the Council of 6 April 2022 on roaming on public mobile communications networks within the Union (recast).

The provisions of Regulation (EU) 2022/612 shall, for the purposes of this Agreement, be read with the following adaptation: Article 1(4) refers to reference exchange rates published by the European Central Bank in the *Official Journal of the European Union*. For as long as the European Central Bank does not publish exchange rates for the Moldovan leu, exchange rates between the euro and the Moldovan leu published by the National Bank of Moldova should be used for the purposes of applying Article 1(4). The reference periods and conditions laid down in Article 1(4) remain unchanged.

Timetable: the provisions of Regulation (EU) 2022/612 shall be implemented within 2 years after the date of entry into force of this Decision.

Commission Implementing Regulation (EU) 2016/2286 of 15 December 2016 laying down detailed rules on the application of fair use policy and on the methodology for assessing the sustainability of the abolition of retail roaming surcharges and on the application to be submitted by a roaming provider for the purposes of that assessment.

Timetable: the provisions of Commission Implementing Regulation (EU) 2016/2286 shall be implemented within 2 years after the date of entry into force of this Decision.

Commission Delegated Regulation (EU) 2021/654 of 18 December 2020 supplementing Directive (EU) 2018/1972 of the European Parliament and of the Council by setting a single maximum Union-wide mobile voice termination rate and a single maximum Union-wide fixed voice termination rate.

The provisions of Commission Delegated Regulation (EU) 2021/654 shall, for the purposes of this Agreement, be read with the following adaptation: Article 3(2) and 3(3) refers to reference exchange rates published by the European Central Bank in the *Official Journal of the European Union*. For as long as the European Central Bank does not publish exchange rates for the Moldovan leu, exchange rates between the euro and the Moldovan leu published by the National Bank of Moldova should be used for the purposes of applying Article 3(2) and 3(3). The reference periods and conditions laid down in Article 3(2) and 3(3) remain unchanged.

Timetable: the provisions of Commission Delegated Regulation (EU) 2021/654 shall be implemented before the Roaming Regulation and shall be implemented within 2 years after the date of entry into force of this Decision.

Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009.

- The national regulatory authority of Moldova with primary responsibility for overseeing the day-to-day operation of the markets for electronic communications networks and services shall participate fully in the work of the Board of Regulators of BEREC, the working groups of BEREC and the Management Board of the BEREC Office: the national regulatory authority of Moldova shall have the same rights and obligations as the national regulatory authorities of the EU Member States, except for the right to vote and for the Chairmanship of the Board of Regulators and of the Management Board.
- In light thereof, the national regulatory authority of Moldova shall be represented at an appropriate level in accordance with the provisions of the BEREC Regulation. In accordance with the relevant rules of the EU regulations mentioned above, BEREC and the BEREC Office shall, as the case may be, assist the national regulatory authority of Moldova in the performance of its tasks.
- The national regulatory authority of Moldova shall take the utmost account of any guideline, opinion, recommendation, common position and best practices adopted by BEREC with the aim of ensuring the consistent implementation of the regulatory framework for electronic communications.

Timetable: the provisions of Regulation (EU) 2018/1971 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Regulation (EU) 2019/2243 of 17 December 2019 establishing a template for the contract summary to be used by providers of publicly available electronic communications services pursuant to Directive (EU) 2018/1972 of the European Parliament and of the Council.

Timetable: the provisions of Commission Implementing Regulation (EU) 2019/2243 shall be implemented within 1 year after the date of entry into force of this Decision.

Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks.

Timetable: the provisions of Directive 2014/61/EU shall be implemented before the Roaming Regulation and within 1 year after the date of entry into force of this Decision.

Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (OJ L 310, 26.11.2015, p. 1), as amended by: Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 (OJ L 321, 17.12.2018, p. 1).

Timetable: the provisions of Regulation (EU) 2015/2120 shall be implemented before the Roaming Regulation and within 1 year after the date of entry into force of this Decision.

Commission Decision 2007/176/EC of 11 December 2006 establishing a list of standards and/or specifications for electronic communications networks, services and associated facilities and services and replacing all previous versions (OJ L 86, 27.3.2007, p. 11), as amended by: Commission Decision 2008/286/EC of 17 March 2008 (OJ L 93, 4.4.2008, p. 24).

Timetable: the provisions of Commission Decision 2007/176/EC shall be implemented within 2 years after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2015/296 of 24 February 2015 establishing procedural arrangements for cooperation between Member States on electronic identification pursuant to Article 12(7) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market.

Timetable: the provisions of Commission Implementing Decision (EU) 2015/296 shall be implemented within 3 years after the date of entry into force of this Decision.

Commission Implementing Regulation (EU) 2015/1501 of 8 September 2015 on the interoperability framework pursuant to Article 12(8) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market.

Timetable: the provisions of Commission Implementing Regulation (EU) 2015/1501 shall be implemented within 3 years after the date of entry into force of this Decision.

Commission Implementing Regulation (EU) 2015/1502 of 8 September 2015 on setting out minimum technical specifications and procedures for assurance levels for electronic identification means pursuant to Article 8(3) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market.

Timetable: the provisions of Commission Implementing Regulation (EU) 2015/1502 shall be implemented within 3 years after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2015/1984 of 3 November 2015 defining the circumstances, formats and procedures of notification pursuant to Article 9(5) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market.

Timetable: the provisions of Commission Implementing Decision (EU) 2015/1984 shall be implemented within 3 years after the date of entry into force of this Decision.

Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast).

Timetable: the provisions of Directive (EU) 2019/1024 shall be implemented within 2 years after the date of entry into force of this Decision.

Commission Implementing Regulation (EU) 2023/138 of 21 December 2022 laying down a list of specific high-value datasets and the arrangements for their publication and re-use.

Timetable: the provisions of Commission Implementing Regulation (EU) 2023/138 shall be implemented within 2 years after the date of entry into force of this Decision.

Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act).

Timetable: the provisions of Regulation (EU) 2022/2065 shall be implemented within 3 years after the date of entry into force of this Decision.

Commission Recommendation (EU) 2018/334 of 1 March 2018 on measures to effectively tackle illegal content online.

Timetable: the provisions of Commission Recommendation (EU) 2018/334 shall be implemented within 2 years after the date of entry into force of this Decision.

Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act).

Timetable: the provisions of Regulation (EU) 2022/1925 shall be implemented within 3 years after the date of entry into force of this Decision.

Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services (Platform-to-Business Regulation).

Timetable: the provisions of Regulation (EU) 2019/1150 shall be implemented within 2 years after the date of entry into force of this Decision.

Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 on addressing unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulations (EC) No 2006/2004 and (EU) 2017/2394 and Directive 2009/22/EC (Geo-blocking Regulation).

Timetable: the provisions of Regulation (EU) 2018/302 shall be implemented within 2 years after the date of entry into force of this Decision.

Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications), as amended by Directive 2009/136/EC of the European Parliament and of the Council.

Timetable: the provisions of Directive 2002/58/EC shall be implemented within 1 year after the date of entry into force of this Decision.

RADIO SPECTRUM LEGISLATION

Decision 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme.

Timetable: the provisions of Decision 243/2012/EU of the European Parliament and of the Council shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision 2013/195/EU of 23 April 2013 defining the practical arrangements, uniform formats and a methodology in relation to the radio spectrum inventory established by Decision No 243/2012/EU of the European Parliament and of the Council establishing a multiannual radio spectrum policy programme.

Timetable: the provisions of Commission Implementing Decision 2013/195/EU shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2016/687 of 28 April 2016 on the harmonisation of the 694-790 MHz frequency band for terrestrial systems capable of providing wireless broadband electronic communications services and for flexible national use in the Union.

Timetable: the provisions of Commission Implementing Decision (EU) 2016/687 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2016/2317 of 16 December 2016 amending Decision 2008/294/EC and Implementing Decision 2013/654/EU, in order to simplify the operation of mobile communications on board aircraft (MCA services) in the Union.

Timetable: the provisions of Commission Implementing Decision (EU) 2016/2317 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2017/191 of 1 February 2017 amending Decision 2010/166/EU, in order to introduce new technologies and frequency bands for mobile communication services on board vessels (MCV services) in the European Union.

Timetable: the provisions of Commission Implementing Decision (EU) 2017/191 shall be implemented within 1 year after the date of entry into force of this Decision.

Decision (EU) 2017/899 of the European Parliament and of the Council of 17 May 2017 on the use of the 470-790 MHz frequency band in the Union.

Timetable: the provisions of Decision (EU) 2017/899 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2017/1483 of 8 August 2017 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices and repealing Decision 2006/804/EC.

Timetable: the provisions of Commission Implementing Decision (EU) 2017/1483 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2017/2077 of 10 November 2017 amending Decision 2005/50/EC on the harmonisation of the 24 GHz range radio spectrum band for the time-limited use by automotive short-range radar equipment in the Community.

Timetable: the provisions of Commission Implementing Decision (EU) 2017/2077 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2018/661 of 26 April 2018 amending Implementing Decision (EU) 2015/750 on the harmonisation of the 1 452-1 492 MHz frequency band for terrestrial systems capable of providing electronic communications services in the Union as regards its extension in the harmonised 1 427-1 452 MHz and 1 492-1 517 MHz frequency bands.

Timetable: the provisions of Commission Implementing Decision (EU) 2018/661 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2018/1538 of 11 October 2018 on the harmonisation of radio spectrum for use by short-range devices within the 874-876 and 915-921 MHz frequency bands.

Timetable: the provisions of Commission Implementing Decision (EU) 2018/1538 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2019/235 of 24 January 2019 on amending Decision 2008/411/EC as regards an update of relevant technical conditions applicable to the 3 400-3 800 MHz frequency band.

Timetable: the provisions of Commission Implementing Decision (EU) 2019/235 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2019/785 of 14 May 2019 on the harmonisation of radio spectrum for equipment using ultra-wideband technology in the Union and repealing Decision 2007/131/EC.

Timetable: the provisions of Commission Implementing Decision (EU) 2019/785 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2019/1345 of 2 August 2019 amending Decision 2006/771/EC on updating harmonised technical conditions in the area of radio spectrum use for short-range devices.

Timetable: the provisions of Commission Implementing Decision (EU) 2019/1345 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2019/784 of 14 May 2019 on harmonisation of the 24,25-27,5 GHz frequency band for terrestrial systems capable of providing wireless broadband electronic communications services in the Union.

Timetable: the provisions of Commission Implementing Decision (EU) 2019/784 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2020/590 of 24 April 2020 amending Decision (EU) 2019/784 as regards an update of relevant technical conditions applicable to the 24,25-27,5 GHz frequency band.

Timetable: the provisions of Commission Implementing Decision (EU) 2020/590 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2020/636 of 8 May 2020 amending Decision 2008/477/EC as regards an update of relevant technical conditions applicable to the 2 500-2 690 MHz frequency band.

Timetable: the provisions of Commission Implementing Decision (EU) 2020/636 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2020/667 of 6 May 2020 amending Commission Implementing Decision 2012/688/EU as regards an update of relevant technical conditions applicable to the frequency bands 1 920-1 980 MHz and 2 110-2 170 MHz.

Timetable: the provisions of Commission Implementing Decision (EU) 2020/667 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Regulation (EU) 2020/1070 of 20 July 2020 on specifying the characteristics of small-area wireless access points pursuant to Article 57 paragraph 2 of Directive (EU) 2018/1972 of the European Parliament and the Council establishing the European Electronic Communications Code.

Timetable: the provisions of Commission Implementing Regulation (EU) 2020/1070 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2020/1426 of 7 October 2020 on the harmonised use of radio spectrum in the 5 875-5 935 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS) and repealing Decision 2008/671/EC.

Timetable: the provisions of Commission Implementing Decision (EU) 2020/1426 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2021/1067 of 17 June 2021 on the harmonised use of radio spectrum in the 5 945-6 425 MHz frequency band for the implementation of wireless access systems including radio local area networks (WAS/RLANs).

Timetable: the provisions of Commission Implementing Decision (EU) 2021/1067 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2021/1730 of 28 September 2021 on the harmonised use of the paired frequency bands 874.4-880.0 MHz and 919.4-925.0 MHz and of the unpaired frequency band 1 900-1 910 MHz for Railway Mobile Radio.

Timetable: the provisions of Commission Implementing Decision (EU) 2021/1730 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2022/172 of 7 February 2022 amending Implementing Decision (EU) 2018/1538 on the harmonisation of radio spectrum for use by short-range devices within the 874-876 and 915-921 MHz frequency bands.

Timetable: the provisions of Commission Implementing Decision (EU) 2022/172 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2022/173 of 7 February 2022 on the harmonisation of the 900 MHz and 1 800 MHz frequency bands for terrestrial systems capable of providing electronic communications services in the Union and repealing Decision 2009/766/EC.

Timetable: the provisions of Commission Implementing Decision (EU) 2022/173 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2022/179 of 8 February 2022 on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of wireless access systems including radio local area networks and repealing Decision 2005/513/EC.

Timetable: the provisions of Commission Implementing Decision (EU) 2022/179 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2022/180 of 8 February 2022 amending Decision 2006/771/EC as regards the update of harmonised technical conditions in the area of radio spectrum use for short-range devices.

Timetable: the provisions of Commission Implementing Decision (EU) 2022/180 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2022/2307 of 23 November 2022 amending Implementing Decision (EU) 2022/179 as regards designating and making available the 5 150-5 250 MHz, 5 250-5 350 MHz and 5 470-5 725 MHz frequency bands in accordance with the technical conditions set out in the Annex.

Timetable: the provisions of Commission Implementing Decision (EU) 2022/2307 shall be implemented within 1 year after the date of entry into force of this Decision.

Commission Implementing Decision (EU) 2022/2324 of 23 November 2022 amending Decision 2008/294/EC, to include additional access technologies and measures for the operation of mobile communications services on aircraft (MCA services) in the Union.

Timetable: the provisions of Commission Implementing Decision (EU) 2022/2324 shall be implemented within 1 year after the date of entry into force of this Decision

2. Annex XXVIII-B (Rules applicable to telecommunication services) shall be amended by deleting the following acts:
- Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive), as amended by Directive 2009/140/EC of the European Parliament and of the Council of 25 November 2009.
 - Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive), as amended by Directive 2009/140/EC of the European Parliament and of the Council of 25 November 2009.
 - Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive), as amended by Directive 2009/140/EC of the European Parliament and of the Council.
 - Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive), as amended by Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 and Regulation (EU) 2015/2120 of the European Parliament and of the Council.
 - Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information, as amended by Directive 2013/37/EU of the European Parliament and of the Council.
 - Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information.
 - Commission Decision 2005/513/EC of 11 July 2005 on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of wireless access systems including radio local area networks (WAS/RLANs).
 - Commission Decision 2007/90/EC of 12 February 2007 amending Decision 2005/513/EC on the harmonised use of radio spectrum in the 5 GHz frequency band for the implementation of Wireless Access Systems including Radio Local Area Networks (WAS/RLANs).
 - Commission Decision 2006/804/EC of 23 November 2006 on harmonisation of the radio spectrum for radio frequency identification (RFID) devices operating in the ultra high frequency (UHF) band.
 - Commission Decision 2007/131/EC of 21 February 2007 on allowing the use of the radio spectrum for equipment using ultra-wideband technology in a harmonised manner in the Community.
 - Commission Decision 2009/343/EC of 21 April 2009 amending Decision 2007/131/EC on allowing the use of the radio spectrum for equipment using ultra-wideband technology in a harmonised manner in the Community.
 - Commission Implementing Decision 2014/702/EU of 7 October 2014 amending Decision 2007/131/EC on allowing the use of the radio spectrum for equipment using ultra-wideband technology in a harmonised manner in the Community.
 - Commission Decision 2008/671/EC of 5 August 2008 on the harmonised use of radio spectrum in the 5 875–5 905 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS).
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ANNEX II

Annex XXVIII-C (Rules applicable to postal and courier services) shall be amended by adding the following EU acts:

- Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services.
- Commission Implementing Regulation (EU) 2018/1263 of 20 September 2018 establishing the forms for the submission of information by parcel delivery service providers pursuant to Regulation (EU) 2018/644 of the European Parliament and of the Council.

Timetable: the provisions of Regulation (EU) 2018/644 and Commission Implementing Regulation (EU) 2018/1263 shall be implemented within 1 year after the date of entry into force of this Decision.

COUNCIL DECISION (CFSP) 2023/2097**of 28 September 2023****concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) On 31 July 2014, the Council adopted Decision 2014/512/CFSP ⁽¹⁾, which concerns restrictive measures in view of Russia's actions destabilising the situation in Ukraine.
- (2) On 23 June 2023, the Council adopted Decision (CFSP) 2023/1217 ⁽²⁾, which amended Decision 2014/512/CFSP and introduced further restrictive measures to suspend the broadcasting activities in the Union, or directed at the Union, of certain media outlets referred to in point (3) of the Annex to Decision (CFSP) 2023/1217. Pursuant to Article 1, point (24) of Decision (CFSP) 2023/1217, the applicability of such measures in respect of one or several of those media outlets is subject to a further decision by the Council.
- (3) Having examined the respective cases, the Council has concluded that the restrictive measures referred to in Article 4g of Decision 2014/512/CFSP should apply as of 1 October 2023 in respect of all entities referred to in point (3) of the Annex to Decision (CFSP) 2023/1217,

HAS ADOPTED THIS DECISION:

Article 1

The restrictive measures referred to in Article 4g of Decision 2014/512/CFSP shall apply as of 1 October 2023 in respect of all entities referred to in point (3) of the Annex to Decision (CFSP) 2023/1217.

Article 2

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

Done at Brussels, 28 September 2023.

For the Council

The President

F. GRANDE-MARLASKA GÓMEZ

⁽¹⁾ Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13).

⁽²⁾ Council Decision (CFSP) 2023/1217 of 23 June 2023 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 159 I, 23.6.2023, p. 451).

COUNCIL DECISION (EU) 2023/2098
of 28 September 2023
appointing a European Prosecutor of the European Public Prosecutor's Office

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') ⁽¹⁾, and in particular Article 16 thereof,

Having regard to Council Implementing Decision (EU) 2018/1696 of 13 July 2018 on the operating rules of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') ⁽²⁾,

Having regard to Council Decision (EU) 2023/133 of 17 January 2023 appointing the members of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 ⁽³⁾,

Having regard to the reasoned opinion and the ranking of the candidates drawn up by the selection panel,

Whereas:

- (1) The EPPO was established by Regulation (EU) 2017/1939.
- (2) The European Prosecutors are to supervise investigations and prosecutions in accordance with Article 12 of Regulation (EU) 2017/1939.
- (3) The mandates of eight European Prosecutors appointed for a non-renewable period of 3 years by Council Implementing Decision (EU) 2020/1117 ⁽⁴⁾ expired on 28 July 2023. To ensure the continuity of functioning of the EPPO College, which consists of the European Chief Prosecutor and one European Prosecutor per participating Member State, it is necessary for the Council to appoint all eight European Prosecutors for those positions which became vacant from 29 July 2023.
- (4) Implementing Decision (EU) 2018/1696 lays down the operating rules of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 (the 'operating rules of the selection panel').
- (5) Pursuant to Article 16(1) of Regulation (EU) 2017/1939, each participating Member State is to nominate three candidates for the position of European Prosecutor from among candidates who are active members of the public prosecution service or judiciary of the relevant Member State, whose independence is beyond doubt and who possess the qualifications required for appointment to high prosecutorial or judicial office in their respective Member States, and who have relevant practical experience of national legal systems, of financial investigations and of international judicial cooperation in criminal matters.
- (6) The Netherlands has nominated its candidates for one of the positions which became vacant from 29 July 2023.

⁽¹⁾ OJ L 283, 31.10.2017, p. 1.

⁽²⁾ OJ L 282, 12.11.2018, p. 8.

⁽³⁾ OJ L 17, 19.1.2023, p. 90.

⁽⁴⁾ Council Implementing Decision (EU) 2020/1117 of 27 July 2020 appointing the European Prosecutors of the European Public Prosecutor's Office (OJ L 244, 29.7.2020, p. 18).

- (7) The selection panel drew up the reasoned opinion and the ranking for each of the candidates nominated by the Netherlands who fulfilled the conditions set out in Article 16(1) of Regulation (EU) 2017/1939 and submitted them to the Council, which received them on 8 September 2023.
- (8) Pursuant to the fourth paragraph of Rule VII.2 of the operating rules of the selection panel, the selection panel ranked the candidates according to their qualifications and experience. The ranking indicates the selection panel's order of preference but is not binding on the Council.
- (9) In accordance with Article 16(2) of Regulation (EU) 2017/1939, after having received the reasoned opinion of the selection panel, the Council is to select and appoint one of the candidates to be the European Prosecutor of the participating Member State in question.
- (10) In accordance with Article 16(3) of Regulation (EU) 2017/1939, the Council, acting by simple majority, is to select and appoint the European Prosecutors for a non-renewable term of 6 years.
- (11) The Council assessed the respective merits of the candidates taking into account the reasoned opinion submitted by the selection panel.
- (12) On the basis of an assessment of the respective merits of the candidates, the Council followed the non-binding order of preference indicated by the selection panel for the candidates nominated by the Netherlands,

HAS ADOPTED THIS DECISION:

Article 1

The following person is hereby appointed European Prosecutor of the EPPO for a non-renewable period of 6 years from 1 November 2023:

— Ms Miranda DE MEIJER ⁽³⁾.

Article 2

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

Done at Brussels, 28 September 2023

For the Council

The President

F. GRANDE-MARLASKA GÓMEZ

⁽³⁾ Nominated by the Netherlands.

COMMISSION DECISION (EU) 2023/2099**of 28 September 2023****confirming the participation of Ireland in Regulation (EU) 2022/850 of the European Parliament and of the Council on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and in particular Article 4 thereof,

Having regard to the notification by Ireland of its wish to accept and be bound by Regulation (EU) 2022/850 of the European Parliament and of the Council of 30 May 2022 on a computerised system for the cross-border electronic exchange of data in the area of judicial cooperation in civil and criminal matters (e-CODEX system), and amending Regulation (EU) 2018/1726 ⁽¹⁾,

Whereas:

- (1) By letter to the Commission of 28 June 2023, Ireland notified its wish, in accordance with Article 4 of Protocol (No 21), to accept and be bound by Regulation (EU) 2022/850.
- (2) There are no conditions attached to the participation of Ireland in Regulation (EU) 2022/850 and there is no need for transitional measures.
- (3) The participation of Ireland in Regulation (EU) 2022/850 should therefore be confirmed.
- (4) In order to allow Ireland to apply Regulation (EU) 2022/850 as soon as possible, this Decision should enter into force on the day following that of its publication,

HAS ADOPTED THIS DECISION:

Article 1

The participation of Ireland in Regulation (EU) 2022/850 is confirmed.

Article 2

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

Done at Brussels, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

⁽¹⁾ OJ L 150, 1.6.2022, p. 1.

COMMISSION IMPLEMENTING DECISION (EU) 2023/2100**of 28 September 2023****postponing the expiry date of the approval of copper (II) oxide for use in biocidal products of product-type 8 in accordance with Regulation (EU) No 528/2012 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 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 14(5) thereof,

After consulting the Standing Committee on Biocidal Products,

Whereas:

- (1) Copper (II) oxide was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council ⁽²⁾ as an active substance for use in biocidal products of product-type 8. Pursuant to Article 86 of Regulation (EU) No 528/2012, it is therefore considered approved under that Regulation subject to the conditions set out in Annex I to Directive 98/8/EC.
- (2) The approval of copper (II) oxide for use in biocidal products of product-type 8 ('the approval') is to expire on 31 January 2024. On 27 July 2022, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval ('the application').
- (3) On 21 March 2023, the evaluating competent authority of France informed the Commission that it had decided, pursuant to Article 14(1) of Regulation (EU) No 528/2012, that a full evaluation of the application was necessary. Pursuant to Article 8(1) of that Regulation, the evaluating competent authority is to perform a full evaluation of the application within 365 days of its validation.
- (4) The evaluating competent authority may, as appropriate, require the applicant to provide sufficient data to carry out the evaluation, in accordance with Article 8(2) of Regulation (EU) No 528/2012. In that event, the 365-day period is suspended for a period that may not exceed 180 days in total unless a longer suspension is justified by the nature of the data requested or by exceptional circumstances.
- (5) Within 270 days of receipt of a recommendation from the evaluating competent authority, the European Chemicals Agency is to prepare and submit to the Commission an opinion on renewal of the approval of the active substance in accordance with Article 14(3) of Regulation (EU) No 528/2012.
- (6) Consequently, for reasons beyond the control of the applicant, the approval is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to postpone the expiry date of the approval for a period of time sufficient to enable the examination of the application. Taking into account the time-limits for evaluation by the evaluating competent authority and for preparation and submission by the European Chemicals Agency of its opinion, and the time needed to decide whether the approval of copper (II) oxide for use in biocidal products for product-type 8 may be renewed, the expiry date should be postponed to 31 July 2026.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ 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).

- (7) After the postponement of the expiry date of the approval, copper (II) oxide remains approved for use in biocidal products of product-type 8 subject to the conditions set out in Annex I to Directive 98/8/EC,

HAS ADOPTED THIS DECISION:

Article 1

The expiry date of the approval of copper (II) oxide for use in biocidal products of product-type 8 set out in Annex I to Directive 98/8/EC is postponed to 31 July 2026.

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, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING DECISION (EU) 2023/2101**of 28 September 2023****postponing the expiry date of the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 in accordance with Regulation (EU) No 528/2012 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 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 14(5) thereof,

After consulting the Standing Committee on Biocidal Products,

Whereas:

- (1) Sulfuryl fluoride was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council ⁽²⁾ as an active substance for use in biocidal products of product-types 8 and 18. Pursuant to Article 86 of Regulation (EU) No 528/2012, it was therefore considered approved under that Regulation subject to the conditions set out in Annex I to Directive 98/8/EC.
- (2) On 28 June 2017, applications were submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 ('the applications').
- (3) On 14 February 2018, the evaluating competent authority of Sweden informed the Commission that it had decided, pursuant to Article 14(1) of Regulation (EU) No 528/2012, that a full evaluation of the applications was necessary. Pursuant to Article 8(1) of that Regulation, the evaluating competent authority is to perform a full evaluation of the application within 365 days of its validation.
- (4) The evaluating competent authority may, as appropriate, require the applicant to provide sufficient data to carry out the evaluation, in accordance with Article 8(2) of Regulation (EU) No 528/2012. In that event, the 365-day period is suspended for a period that may not exceed 180 days in total unless a longer suspension is justified by the nature of the data requested or by exceptional circumstances.
- (5) Within 270 days of receipt of a recommendation from the evaluating competent authority, the European Chemicals Agency ('the Agency') is to prepare and submit to the Commission an opinion on renewal of the approval of the active substance in accordance with Article 14(3) of Regulation (EU) No 528/2012.
- (6) Pursuant to Commission Implementing Decision (EU) 2018/1479 ⁽³⁾, the expiry date of approval of sulfuryl fluoride for use in biocidal products of product-type 8 has been postponed to 30 June 2021, which corresponded to the expiry date of approval of sulfuryl fluoride for use in biocidal products of product-type 18 under Commission Directive 2009/84/EC ⁽⁴⁾, in order to allow sufficient time for the examination of the application.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ 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).

⁽³⁾ Commission Implementing Decision (EU) 2018/1479 of 3 October 2018 postponing the expiry date of approval of sulfuryl fluoride for use in biocidal products of product-type 8 (OJ L 249, 4.10.2018, p. 16).

⁽⁴⁾ Commission Directive 2009/84/EC of 28 July 2009 amending Directive 98/8/EC of the European Parliament and of the Council to include sulfuryl fluoride as an active substance in Annex I thereto (OJ L 197, 29.7.2009, p. 67).

- (7) Commission Implementing Decision (EU) 2021/713 ⁽³⁾ further postponed the expiry date of the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 to 31 December 2023, in order to allow sufficient time for the examination of the applications.
- (8) On 20 January 2023, the Agency received the recommendations from the evaluating competent authority for the renewal of the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18.
- (9) Consequently, for reasons beyond the control of the applicant, the approval is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to further postpone the expiry date of the approval for a period of time sufficient to finalize the examination of the applications. Taking into account the time-limits for preparation and submission by the Agency of its opinions and for the Commission to decide whether to renew the approval of sulfuryl fluoride for use in biocidal products for product-types 8 and 18, the expiry date should be postponed to 31 December 2024.
- (10) After the further postponement of the expiry date of the approval, sulfuryl fluoride remains approved for use in biocidal products of product-types 8 and 18 subject to the conditions set out in Annex I to Directive 98/8/EC,

HAS ADOPTED THIS DECISION:

Article 1

The expiry date of the approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 set out in Implementing Decision (EU) 2021/713 is postponed to 31 December 2024.

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, 28 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

⁽³⁾ Commission Implementing Decision (EU) 2021/713 of 29 April 2021 postponing the expiry date of approval of sulfuryl fluoride for use in biocidal products of product-types 8 and 18 (OJ L 147, 30.4.2021, p. 21).

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