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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) 2016/2234

of 21 November 2016

on the signing, on behalf of the Union, of the Cooperation Agreement between the European Union and the Agency for Aerial Navigation Safety in Africa and Madagascar (Asecna) on the development of satellite navigation and the provision of associated services in Asecna's area of competence for the benefit of civil aviation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172, in conjunction with Article 218(5),

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 25 September 2014, the Council authorised the Commission to negotiate, on behalf of the Union, an international agreement with the Agency for Aerial Navigation Safety in Africa and Madagascar establishing the conditions for provision of a satellite-based augmentation service (SBAS) in Africa on the basis of the EGNOS European satellite navigation programme.
- (2) Following the negotiations, the Cooperation Agreement between the European Union and the Agency for Aerial Navigation Safety in Africa and Madagascar (Asecna) on the development of satellite navigation and the provision of associated services in Asecna's area of competence for the benefit of civil aviation (the 'Agreement') was initialled on 12 May 2016.
- (3) The Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Cooperation Agreement between the European Union and the Agency for Aerial Navigation Safety in Africa and Madagascar (Asecna) on the development of satellite navigation and the provision of associated services in Asecna's area of competence for the benefit of civil aviation is authorised.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union, subject to its conclusion.

Article 3

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

Done at Brussels, 21 November 2016.

For the Council
The President
P. PLAVČAN

REGULATIONS

COMMISSION REGULATION (EU) 2016/2235

of 12 December 2016

amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards bisphenol A

(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 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC⁽¹⁾, and in particular Article 68(1) thereof,

Whereas:

- (1) On 6 May 2014, France submitted to the European Chemicals Agency ('the Agency') a dossier pursuant to Article 69(4) of Regulation (EC) No 1907/2006 ('the Annex XV dossier'⁽²⁾), in order to initiate the restriction procedure set out in Articles 69 to 73 of that Regulation. The Annex XV dossier indicated a risk for workers (primarily cashiers) and consumers exposed to bisphenol A (BPA) by handling thermal paper receipts and proposed a restriction on the placing on the market of BPA in thermal paper in a concentration equal to or greater than 0,02 % by weight. More precisely, the population at risk was the unborn children of pregnant workers and consumers exposed to BPA contained in the thermal paper they handle.
- (2) Thermal paper is composed of a base paper with at least one coating which may contain BPA. The coating changes colour when exposed to heat, allowing the printed characters to appear.
- (3) France based its hazard assessment of BPA on the effects on several human health endpoints (the female reproductive system, the brain and behaviour, the mammary gland, metabolism and obesity). The effects on the mammary gland were considered the most critical endpoint, prevailing over the others. They were used to calculate the Derived No Effect Level (DNEL).
- (4) During the opinion forming process of the Agency, the European Food Safety Authority (EFSA) published a new scientific opinion on BPA⁽³⁾. The Agency's Committee for Risk Assessment (RAC) discussed the assessment of BPA with EFSA in order to ensure consistency in the scientific evaluation and to base it on the most recent and updated scientific literature. The hazard assessment of RAC, as presented in its opinion, is consistent with the approach used by EFSA.
- (5) RAC considered that the critical studies selected by France to calculate the DNEL did not allow quantification of the dose-response relationships and showed uncertainties. Therefore, for the purposes of calculating an oral DNEL, RAC selected the effects on the kidney and, as the available data indicated that these are not the most critical effects of BPA, applied an additional assessment factor of 6 to take account of effects on the female reproductive system, the brain and behaviour, the mammary gland, metabolism and obesity, and the immune system in the overall hazard assessment. Since the restriction proposal concerns the dermal route of exposure

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ <http://echa.europa.eu/documents/10162/c6a8003c-81f3-4df6-b7e8-15a3a36baf76>

⁽³⁾ <http://www.efsa.europa.eu/en/efsajournal/pub/3978>

due to handling thermal paper, a DNEL for the dermal exposure route was also calculated for workers and the general population. As regards exposure, RAC refined the assessment and complemented it with new biomonitoring information on cashiers' exposure to BPA. Applying this methodology, RAC concluded that the risk for consumers is adequately controlled but confirmed the risk for workers.

- (6) On 5 June 2015, RAC adopted its opinion, concluding that the proposed restriction is the most appropriate Union-wide measure to address the identified risks in terms of effectiveness in reducing those risks.
- (7) Pursuant to the conclusion of RAC that the available data did not allow quantification of the dose-response relationship for the health effects of BPA, the Agency's Committee for Socio-Economic Analysis ("SEAC") could not use the benefit estimates in the French dossier and therefore performed a break-even analysis, on the basis of which it concluded that overall the estimated costs outweigh the potential health benefits of the proposed restriction. However, SEAC noted that the cost of the restriction amounts to a very small proportion of the total personnel costs or gross operating surplus of the affected sectors in the Union, and would only lead to a very small price increase if transferred to consumers through increased prices of consumer goods. Furthermore, SEAC noted that the restriction could lead to a more equitable distribution of impacts, considering that the sub-population of cashiers potentially at risk is disproportionately affected by the adverse health impacts, whereas the economic impact would be evenly shared by the wider Union population.
- (8) On 4 December 2015, SEAC adopted its opinion and considered the proposed restriction unlikely to be proportionate in terms of comparing its socioeconomic benefits to its socioeconomic costs, but highlighted possible favourable distributional and affordability considerations. Furthermore, SEAC confirmed that a Union wide measure is justified and concluded that the proposed restriction is an appropriate measure to address the human health risks to workers.
- (9) RAC and SEAC also concluded that the proposed restriction is implementable, enforceable, manageable and monitorable.
- (10) The Agency's Forum for Exchange of Information on Enforcement was consulted during the restriction process and its recommendations were taken into account.
- (11) On 29 January 2016, the Agency submitted the opinions of RAC and SEAC ⁽¹⁾ to the Commission. Based on those opinions, the Commission concluded that there is an unacceptable risk to the health of workers who handle thermal paper containing BPA in a concentration equal to or greater than 0,02 % by weight. Taking into account SEAC's considerations on affordability and distributional effects, the Commission considers that the proposed restriction would address the identified risks without imposing significant burden on industry, supply chain or consumers. Thus, the Commission concluded that the restriction proposed by France is an appropriate Union wide measure to address the identified risks to the health of workers who handle thermal paper containing BPA. By regulating the placing on the market, the proposed restriction would also provide a greater margin of protection for consumers.
- (12) Since test methods to measure the concentration of BPA in thermal paper are currently available, the restriction is enforceable. As confirmed by SEAC, the application of the restriction should be deferred in order to enable industry to comply with it. A period of 36 months seems reasonable and sufficient for that purpose.
- (13) In its opinion, RAC noted that bisphenol S (BPS), the most likely substitute according to France, may have a toxicological profile similar to BPA and might cause similar adverse health effects. Therefore, in order to avoid that the adverse effects of BPA would simply be superseded by the adverse effects of BPS particular attention should be paid to an eventual substitution trend towards BPS. To that end, the Agency should monitor the use of BPS in thermal paper. The Agency should communicate any further information to the Commission so that it considers whether a proposal to restrict BPS under Regulation (EC) No 1907/2006 is necessary given that, contrary to BPA, the health risk associated to BPS in thermal paper has not yet been evaluated.
- (14) Regulation (EC) No 1907/2006 should therefore be amended accordingly.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

⁽¹⁾ <http://echa.europa.eu/documents/10162/9ce0977b-3540-4de0-af6d-16ad6e78ff20>

HAS ADOPTED THIS REGULATION:

Article 1

Annex XVII to Regulation (EC) No 1907/2006 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 12 December 2016.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

In Annex XVII to Regulation (EC) No 1907/2006, the following new entry is added:

'66. Bisphenol A CAS No 80-05-7 EC No 201-245-8	Shall not be placed on the market in thermal paper in a concentration equal to or greater than 0,02 % by weight after 2 January 2020.'
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COMMISSION IMPLEMENTING REGULATION (EU) 2016/2236
of 12 December 2016
specifying the technical characteristics of the 2018 ad hoc module on reconciliation between work
and family life

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 577/98 of 9 March 1998 on the organisation of a labour force sample survey in the Community ⁽¹⁾, and in particular Article 7a(5) thereof,

Whereas:

- (1) The EU has a long-standing commitment to promoting work-life balance. Minimum standards in this field are set out through Directives on Maternity Leave ⁽²⁾ and Parental Leave ⁽³⁾. The EU has likewise set targets to improve the provision of childcare with the Barcelona Objectives, and Country-Specific Recommendations in the area of work-life balance have also been issued in the European Semester 2016.
- (2) In its work programme 2016 ⁽⁴⁾, the Commission sets out its plans to develop an initiative addressing the work-life balance challenges faced by parents and carers.
- (3) Monitoring the challenges of work-life balance and progress in this area is therefore essential and improved data collection is likewise important.
- (4) Commission Regulation (EU) No 318/2013 ⁽⁵⁾ establishes an ad hoc module on reconciliation between work and family life.
- (5) Commission Delegated Regulation (EU) No 1397/2014 ⁽⁶⁾ specifies and describes the areas of specialised information ('ad hoc sub-modules') to be included in the 2018 ad hoc module on reconciliation between work and family life.
- (6) The Commission should specify the technical characteristics, filters, codes and the deadline for the transmission of data under the ad hoc module on reconciliation between work and family life.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The technical characteristics of the 2018 ad hoc module on reconciliation between work and family life, the filters, the codes to be used and the deadline by which the results shall be sent to the Commission are laid down in the Annex to this Regulation.

⁽¹⁾ OJ L 77, 14.3.1998, p. 3.

⁽²⁾ Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992, p. 1).

⁽³⁾ Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC (OJ L 68, 18.3.2010, p. 13).

⁽⁴⁾ COM(2015) 610 final.

⁽⁵⁾ Commission Regulation (EU) No 318/2013 of 8 April 2013 adopting the programme of ad hoc modules, covering the years 2016 to 2018, for the labour force sample survey provided for by Council Regulation (EC) No 577/98, (OJ L 99, 9.4.2013, p. 11).

⁽⁶⁾ Commission Delegated Regulation (EU) No 1397/2014 of 22 October 2014 amending Regulation (EU) No 318/2013 adopting the programme of ad-hoc modules, covering the years 2016 to 2018, for the labour force sample survey provided for by Council Regulation (EC) No 577/98 (OJ L 370, 30.12.2014, p. 42).

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, 12 December 2016.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

This Annex sets out the technical characteristics, filters and codes to be used in the ad hoc module on reconciliation between work and family life scheduled to be carried out in 2018. It also sets the dates for submission of data to the Commission.

Deadline for transmission of the results to the Commission: 31 March 2019.

Filters and codes to be used for sending data: as set out in Annex III to Commission Regulation (EC) No 377/2008 ⁽¹⁾.

Columns reserved for optional weighting factors, to be used in cases of subsampling or non-response: columns 223-226 containing whole numbers and columns 227-228 containing decimal places.

(1) Sub-module 1: Care responsibilities

Name/Column	Code	Description	Filter
CARERES		Existence of care responsibilities	AGE = 18-64
211		<i>Caring regularly for own or partner's children (< 15 years) or for incapacitated relatives (15 years and older)</i>	
	1	No care responsibilities	
	2	Only for own or partner's children in household	
	3	Only for own or partner's children outside the household	
	4	For own or partner's children in- and outside the household	
	5	Only for incapacitated relatives	
	6	For own or partner's children in the household and incapacitated relatives	
	7	For own or partner's children outside the household and incapacitated relatives	
	8	For own or partner's children in- and outside the household and incapacitated relatives	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
CHCARUSE		Use of childcare services	CARERES = 2-4,6-8
212		<i>Use of professional childcare services for some or all children</i>	
	1	No	
	2	Yes, for some children	

⁽¹⁾ Commission Regulation (EC) No 377/2008 of 25 April 2008 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community as regards the codification to be used for data transmission from 2009 onwards, the use of a subsample for the collection of data on structural variables and the definition of the reference quarters (OJ L 114, 26.4.2008, p. 57).

Name/Column	Code	Description	Filter
CHCAROBS 213/214	3	Yes, for all children	CHCARUSE = 1,2
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
		Factors for not using childcare services	
		<i>Main reason for not using (more) childcare services for own or partner's children</i>	
	01	No service accessible/vacant	
	02	Costs	
	03	Quality/kind of service	
	04	Other service related obstacle	
	05	Care is arranged alone/with partner	
	06	Care is arranged including further informal support	
	07	Used professional services (for some but not for all children) are sufficient	
	08	Children take care of themselves	
	09	Other personal reasons	
	99	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
CHCAREFF 215		Effect of childcare responsibilities on employment	CARERES = 2-4,6-8 and WSTATOR = 1,2
		<i>Main way employed persons adapted their work to facilitate childcare responsibilities</i>	
	1	Any change to increase income	
	2	Less working hours	
	3	Less demanding tasks in job	
	4	Changed job or employer to facilitate reconciliation	
	5	Currently on a family leave	
	6	Other	
	7	No effect	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	

(2) **Sub-module 2: Flexibility of work arrangements**

Name/Column	Code	Description	Filter
POSTTEND		Working time flexibility for care	STAPRO = 3 and CAR- ERES = 2-8
216		<i>Possible to vary start and/or end of working day in main job to facilitate care responsibilities</i>	
	1	Generally possible	
	2	Rarely possible	
	3	Not possible	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
POSORGWT		Flexibility for taking whole days off for care	STAPRO = 3 and CAR- ERES = 2-8
217		<i>Possible to organise working time in order to take whole days off in main job to facilitate care responsibilities</i>	
	1	Generally possible	
	2	Rarely possible	
	3	Not possible	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
WORKOBS		Main obstacle at work for reconciliation	WSTATOR = 1,2 and CARERES = 2-8
218		<i>Characteristic of main job making reconciliation most difficult</i>	
	1	No obstacle	
	2	Long working hours	
	3	Unpredictable or difficult work schedules	
	4	Long commute	
	5	Demanding or exhausting job	
	6	Lack of support from employers and colleagues	
	7	Other obstacles	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	

(3) **Sub-module 3: Career breaks and parental leave**

Name/Column	Code	Description	Filter
STOPWORK		Career break for childcare	AGE = 18-64
219		<i>Not worked for at least one month in his/her employment history to take care of own or partner's children</i>	
	1	Yes	
	2	Never worked; for childcare reasons	
	3	No (but was/is employed and has children)	
	4	Never worked; for other reasons	
	5	Never had children	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
STOPLENG		Complete length of career breaks for childcare	STOPWORK = 1
220		<i>Sum of duration of all work interruptions of at least one month</i>	
	1	Up to 6 months	
	2	More than 6 months up to 1 year	
	3	More than 1 year up to 2 years	
	4	More than 2 years up to 3 years	
	5	More than 3 years up to 5 years	
	6	More than 5 years	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	
PARLEAV		Use of parental leave	STOPWORK = 1
221		<i>Use of parental leave and/or maternity/paternity as part of work interruption for childcare</i>	
	1	Only used parental leave	
	2	Combination of family leaves	
	3	Only maternity/paternity used	
	4	No family leave used	

Name/Column	Code	Description	Filter
DEREDSTP		Career break for incapacitated relatives	AGE = 18-64 and (EX-ISTPR = 1 or WSTATOR = 1,2)
222		<i>Not worked or has reduced working time for at least one month in employment history to take care of incapacitated relatives (15y. or older)</i>	
	1	Work interruption	
	2	Only reduced working time	
	3	No interruption or reduction	
	4	Never had to care for incapacitated relatives	
	9	Not applicable (not included in the filter)	
	Blank	No answer/Don't know	

COMMISSION IMPLEMENTING REGULATION (EU) 2016/2237**of 12 December 2016****establishing the standard import values for determining the entry price of certain fruit and vegetables**

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⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed 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*.

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

Done at Brussels, 12 December 2016.

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

		(EUR/100 kg)
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	106,0
	TN	123,9
	TR	109,6
	ZZ	113,2
0707 00 05	MA	77,0
	TR	166,4
	ZZ	121,7
0709 93 10	MA	144,0
	TR	161,6
	ZZ	152,8
0805 10 20	TR	66,3
	ZA	27,9
	ZZ	47,1
0805 20 10	MA	68,8
	ZZ	68,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	112,8
	JM	112,0
	TR	81,5
	ZZ	102,1
0805 50 10	TR	86,1
	ZZ	86,1
0808 10 80	US	97,3
	ZA	36,6
	ZZ	67,0
0808 30 90	CN	89,2
	ZZ	89,2

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

DECISIONS

COUNCIL DECISION (CFSP) 2016/2238

of 12 December 2016

amending Decision 2010/452/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28 and Articles 42(4) and 43(2) thereof,

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

Whereas:

- (1) On 12 August 2010, the Council adopted Decision 2010/452/CFSP ⁽¹⁾, which extended the European Union Monitoring Mission in Georgia ('EUMM Georgia' or the 'Mission'), established by Council Joint Action 2008/736/CFSP ⁽²⁾. Decision 2010/452/CFSP expires on 14 December 2016.
- (2) Following the 2016 Strategic Review, EUMM Georgia should be extended for a further period of two years.
- (3) Decision 2010/452/CFSP should be amended accordingly.
- (4) The Mission will be conducted in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/452/CFSP is amended as follows:

- (1) in Article 14(1), the following subparagraph is added:
'The financial reference amount intended to cover the expenditure related to the Mission between 15 December 2016 and 14 December 2017 shall be EUR 18 000 000.';
- (2) in Article 18, the second paragraph is replaced by the following:
'It shall expire on 14 December 2018.'

Article 2

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

It shall apply from 15 December 2016.

Done at Brussels, 12 December 2016.

For the Council
The President
F. MOGHERINI

⁽¹⁾ Council Decision 2010/452/CFSP of 12 August 2010 on the European Union Monitoring Mission in Georgia, EUMM Georgia (OJ L 213, 13.8.2010, p. 43).

⁽²⁾ Council Joint Action 2008/736/CFSP of 15 September 2008 on the European Union Monitoring Mission in Georgia, EUMM Georgia (OJ L 248, 17.9.2008, p. 26).

COUNCIL DECISION (CFSP) 2016/2239**of 12 December 2016****amending and extending Decision 2010/96/CFSP on a European Union military mission to contribute to the training of Somali security forces**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 42(4) and 43(2) thereof,

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

Whereas:

- (1) On 15 February 2010, the Council adopted Decision 2010/96/CFSP ⁽¹⁾ establishing an EU military mission to contribute to the training of Somali security forces.
- (2) On 16 March 2015, Council Decision (CFSP) 2015/441 ⁽²⁾ amended Decision 2010/96/CFSP and extended the EU military mission until 31 December 2016.
- (3) Following the 2016 Strategic Review, the mandate of the EU military mission should be extended until 31 December 2018.
- (4) In accordance with Article 5 of Protocol No 22 on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Denmark does not participate in the implementation of this Decision and therefore does not participate in the financing of this mission.
- (5) Decision 2010/96/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/96/CFSP is amended as follows:

- (1) in Article 10, the following paragraph is added:

‘6. The financial reference amount for the common costs of the EU military mission for the period from 1 January 2017 until 31 December 2018 shall be EUR 22 948 000. The percentage of the reference amount referred to in Article 25(1) of Decision (CFSP) 2015/528 (*) shall be 0 %.

(*) Council Decision (CFSP) 2015/528 of 27 March 2015 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena) and repealing Decision 2011/871/CFSP (OJ L 84, 28.3.2015, p. 39).;

- (2) in Article 12, paragraph 2 is replaced by the following:

‘2. The mandate of the EU military mission shall end on 31 December 2018.’.

⁽¹⁾ Council Decision 2010/96/CFSP of 15 February 2010 on a European Union military mission to contribute to the training of Somali security forces (OJ L 44, 19.2.2010, p. 16).

⁽²⁾ Council Decision (CFSP) 2015/441 of 16 March 2015 amending and extending Decision 2010/96/CFSP on a European Union military mission to contribute to the training of Somali security forces (OJ L 72, 17.3.2015, p. 37).

Article 2

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

Done at Brussels, 12 December 2016.

For the Council
The President
F. MOGHERINI

COUNCIL DECISION (CFSP) 2016/2240**of 12 December 2016****amending Decision 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28, Article 42(4) and Article 43(2) thereof,

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

Whereas:

- (1) On 16 July 2012, the Council adopted Decision 2012/389/CFSP ⁽¹⁾ on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR).
- (2) On 22 July 2014, the Council adopted Decision 2014/485/CFSP ⁽²⁾, amending Decision 2012/389/CFSP and extending EUCAP NESTOR until 12 December 2016.
- (3) The Holistic and Comprehensive Strategic Review of CSDP Engagement in Somalia and the Horn of Africa led to the conclusion that EUCAP NESTOR should focus on Somalia and that, consequently, its name should be changed to EUCAP Somalia and its mandate should be adapted and extended until December 2018.
- (4) Decision 2012/389/CFSP, including if necessary the Mission's tasks and objectives, should be reviewed in the course of 2017.
- (5) The reference amount provided for to cover the period until 12 December 2016 is sufficient to cover the period until 28 February 2017, when detailed information on the financial needs for the new approach should be available to establish a reference amount for the subsequent period,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2012/389/CFSP is amended as follows:

- (1) In the title and throughout the text, the name 'EUCAP NESTOR' is replaced by 'EUCAP Somalia'.
- (2) Article 1 is replaced by the following:

'Article 1

Mission

The Union hereby establishes a Capacity Building Mission in Somalia (EUCAP Somalia):'

- (3) Article 2 is replaced by the following:

'Article 2

Mission Statement

EUCAP Somalia shall assist Somalia in strengthening its maritime security capacity in order to enable it to enforce maritime law more effectively.'

⁽¹⁾ Council Decision 2012/389/CFSP of 16 July 2012 on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) (OJ L 187, 17.7.2012, p. 40).

⁽²⁾ Council Decision 2014/485/CFSP of 22 July 2014 amending Decision 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) (OJ L 217, 23.7.2014, p. 39).

(4) Article 3 is replaced by the following:

'Article 3

Objectives and tasks

1. In order to achieve the Mission Statement set out in Article 2, EUCAP Somalia shall:

- (a) enhance the Somali maritime civilian law enforcement capacity to exert effective maritime governance over its coastline, internal waters, territorial seas and exclusive economic zones;
- (b) in particular, reinforce the Somali capacity to carry out fisheries inspections and enforcement, ensure maritime search and rescue, counter smuggling, fight piracy and police the coastal zone on land and at sea;
- (c) pursue these objectives through supporting Somali authorities in developing the necessary legislation and setting up judicial authorities and through providing the necessary mentoring, advice, training and equipment to Somali maritime civilian law enforcement entities.

2. In order to achieve these objectives, EUCAP Somalia shall operate in accordance with the lines of operation and tasks set out in the operational planning documents approved by the Council.

3. EUCAP Somalia shall not carry out any executive function.'

(5) In Article 13(1), the last subparagraph is replaced by the following:

'The financial reference amount intended to cover the expenditure related to EUCAP Somalia for the period from 16 December 2015 to 28 February 2017 shall be EUR 12 000 000.'

(6) In Article 16, the second paragraph is replaced by the following:

'It shall apply until 31 December 2018.'

Article 2

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

Done at Brussels, 12 December 2016.

For the Council
The President
F. MOGHERINI

COMMISSION IMPLEMENTING DECISION (EU) 2016/2241**of 9 December 2016****providing for the temporary marketing of seed of certain varieties of the species *Beta vulgaris* L., not satisfying the requirements of Council Directive 2002/54/EC***(notified under document C(2016) 8105)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed ⁽¹⁾, and in particular Article 24(1) thereof,

Whereas:

- (1) In Denmark the quantity of available basic seed of certain varieties of *Beta vulgaris* L. satisfying the condition of point 3(b) of Part B of Annex I to Directive 2002/54/EC as regards the maximum weight of inert matter of monogerm seed is insufficient due to dry harvest conditions and is therefore not adequate to meet the needs of that Member State.
- (2) The demand for such seed cannot be satisfied by seed from other Member States or from third countries, fulfilling all the requirements laid down in Directive 2002/54/EC.
- (3) Consequently, Denmark should be authorised to permit the marketing of seed of those varieties subject to less stringent requirements.
- (4) In addition, other Member States which are in a position to supply Denmark with seed of those varieties, irrespective of whether the seed was harvested in a Member State or in a third country covered by Council Decision 2003/17/EC ⁽²⁾, should be authorised to permit the marketing of such seed to ensure the functioning of the internal market and avoid its disruption.
- (5) As this Decision introduces a derogation from the standards of the Union rules, it is appropriate to limit the quantity of seed complying with less stringent requirements to a minimum necessary to meet the needs of Denmark. In order to ensure that the total quantity of seed authorised to be placed on the market pursuant to this Decision does not exceed the maximum quantity covered by this Decision, it is appropriate that Denmark act as co-ordinator as it has submitted the respective request for the adoption of this Decision and is mostly concerned by the marketing of that variety.
- (6) As providing for derogation from the standards of the Union rules, the marketing of seed complying with less stringent requirements should be temporary until 31 December 2017, because this time is necessary to allow the production of that seed and a review of the situation with regards to the varieties concerned.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The marketing in the Union of seed of *Beta vulgaris* L. (beet) of the category 'basic seed', belonging to the varieties Enermax, Feldherr and Creta, which does not satisfy the requirement set out in point 3(b)(dd) of Part B of Annex I to Directive 2002/54/EC in respect of the inert matter shall be permitted for a total quantity not exceeding 61 kg and, for a period expiring on 31 December 2017, provided that the maximum percentage of inert matter by weight is not higher than 2,2.

⁽¹⁾ OJ L 193, 20.7.2002, p. 12.

⁽²⁾ Council Decision 2003/17/EC of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries (OJ L 8, 14.1.2003, p. 10).

Article 2

Any seed supplier wishing to place on the market the seed referred to in Article 1 shall apply for authorisation to the Member State in which it is established. The application shall specify the quantity of seed that the supplier wishes to place on the market.

The Member State concerned shall authorise the supplier to place that seed on the market, unless:

- (a) there is sufficient evidence to doubt as to whether the supplier is able to place on the market the amount of seed for which it has applied for authorisation; or
- (b) granting the authorisation would result in the total maximum quantity of seed referred to in Article 1 being exceeded.

Article 3

Member States shall assist each other administratively in the application of this Decision.

Denmark shall act as co-ordinating Member State in order to ensure that the total quantity of seed authorised for marketing in the Union by the Member States pursuant to this Decision does not exceed the total maximum quantity of seed referred to in Article 1.

Any Member State receiving an application under Article 2 shall immediately notify the co-ordinating Member State of the amount covered by the application. The co-ordinating Member State shall immediately inform that Member State as to whether authorisation would result in the total maximum quantity being exceeded.

Article 4

Member States shall immediately notify to the Commission and the other Member States the quantities in respect of which they have granted marketing authorisation pursuant to this Decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 9 December 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2016/2242**of 9 December 2016****providing for the temporary marketing of seed of *Hordeum vulgare* L. variety Scrabble, not satisfying the requirements of Council Directive 66/402/EEC***(notified under document C(2016) 8106)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽¹⁾, and in particular Article 17(1) thereof,

Whereas:

- (1) In Spain the quantity of available certified seed second generation of *Hordeum vulgare* L. satisfying the condition of point 1(A) of Annex II to Directive 66/402/EEC as regards minimum purity of seeds is insufficient due to problems that occurred during the production process of the last year and is therefore not adequate to meet the needs of that Member State.
- (2) The demand of such seed cannot be satisfied by seed from other Member States or from third countries, fulfilling all requirements laid down in Directive 66/402/EEC.
- (3) Consequently, Spain should be authorised to permit the marketing of seed of that variety subject to less stringent requirements.
- (4) In addition, other Member States which are in position to supply Spain with seed of that variety, irrespective of whether the seed was harvested in a Member State or in a third country covered by Council Decision 2003/17/EC ⁽²⁾, should be authorised to permit the marketing of such seed to ensure the functioning of the internal market and avoid its disruption.
- (5) As this Decision introduces a derogation from the standards of the Union rules, it is appropriate to limit the quantity of seed complying with less stringent requirements to a minimum necessary to meet the needs of Spain. In order to ensure that the total quantity of seed authorised to be placed on the market pursuant to this Decision does not exceed the maximum quantity covered by this Decision, it is appropriate that Spain act as coordinator as it has submitted the respective request for the adoption of this Decision and is mostly concerned by the marketing of that variety.
- (6) As providing for derogation from the standards of the Union rules, the marketing of seed complying with less stringent requirements should be temporary until 31 December 2018, because this time is necessary to allow the production of that seed and a review of the situation with regards to the variety concerned.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The marketing in the Union of seed of *Hordeum vulgare* L. (barley) of the category 'certified seed second generation' belonging to the variety Scrabble, which does not satisfy the requirements as regards varietal purity laid down in point 1(A) of Annex II to Directive 66/402/EEC shall be authorised for a quantity not exceeding 6 000 tonnes and for a period expiring on 31 December 2018, provided that the minimum purity is not below 97 %.

⁽¹⁾ OJ L25, 11.7.1966, p. 2309/66.

⁽²⁾ Council Decision 2003/17/EC of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries (OJ L 8, 14.1.2003, p. 10).

Article 2

Any seed supplier wishing to place on the market the seed referred to in Article 1 shall apply for authorisation to the Member State in which it is established. The application shall specify the quantity of the seed that the supplier wishes to place on the market.

The Member State concerned shall authorise the supplier to place that seed on the market, unless:

- (a) there is sufficient evidence to doubt as to whether the supplier is able to place on the market the amount of seed for which it has applied for authorisation; or
- (b) granting the authorisation would result in the maximum quantity of seed referred to in Article 1 being exceeded.

Article 3

Member States shall assist each other administratively in the application of this Decision.

Spain shall act as coordinating Member State in order to ensure that the total quantity of seed authorised for marketing in the Union by the Member States pursuant to this Decision does not exceed the maximum quantity of seed referred to in Article 1.

Any Member State receiving an application under Article 2 shall immediately notify the coordinating Member State of the amount covered by the application. The coordinating Member State shall immediately inform that Member State as to whether authorisation would result in the maximum quantity being exceeded.

Article 4

Member States shall immediately notify to the Commission and the other Member States the quantities in respect of which they have granted marketing authorisation pursuant to this Decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 9 December 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EU) No 519/2014 of 16 May 2014 amending Regulation (EC) No 401/2006 as regards methods of sampling of large lots, spices and food supplements, performance criteria for T-2, HT-2 toxin and citrinin and screening methods of analysis

(Official Journal of the European Union L 147 of 17 May 2014)

On page 34, Annex II replacing Annex II to Commission Regulation (EC) No 401/2006, point 4.3.1.1(a) 'Performance criteria for aflatoxins', the table is replaced as follows:

'Criterion	Concentration Range	Recommended Value	Maximum permitted Value
Blanks	All	Negligible	—
Recovery — Aflatoxin M ₁	0,01-0,05 µg/kg	60 to 120 %	
	> 0,05 µg/kg	70 to 110 %	
Recovery — Aflatoxins B ₁ , B ₂ , G ₁ , G ₂	< 1,0 µg/kg	50 to 120 %	
	1-10 µg/kg	70 to 110 %	
	> 10 µg/kg	80 to 110 %	
Reproducibility RSD _R	All	As derived from Horwitz Equation (*)(**)	2 × value derived from Horwitz Equation (*)(**)

Repeatability RSD_r may be calculated as 0,66 times Reproducibility RSD_R at the concentration of interest.'

