

COMMISSION IMPLEMENTING REGULATION (EU) 2021/734**of 5 May 2021****amending Implementing Regulation (EU) 2021/521 making specific arrangements to the mechanism making certain products subject to the production of an export authorisation**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/479 of the European Parliament and of the Council of 11 March 2015 on common rules for exports ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) On 30 January 2021, the Commission adopted Implementing Regulation (EU) 2021/111 ⁽²⁾ making the exportation of COVID-19 vaccines as well as active substances, including master and working cell banks, used to manufacture these vaccines, subject to the production of an export authorisation, pursuant to Article 5 of Regulation (EU) 2015/479. At the end of the six weeks period following the date of entry into force of those measures, the Commission adopted Implementing Regulation (EU) 2021/442 ⁽³⁾ making the exportation of the same products subject to an export authorisation until 30 June 2021, pursuant to Article 6 of Regulation (EU) 2015/479.
- (2) On 24 March 2021, the Commission adopted Implementing Regulation (EU) 2021/521 ⁽⁴⁾ introducing, as an additional factor to be taken into consideration when considering granting an export authorisation, the need to consider whether this authorisation does not pose a threat to the security of supply within the Union of the goods covered by Implementing Regulation (EU) 2021/442. By the same Implementing Regulation, the exemption of certain destination countries from the scope of Implementing Regulation (EU) 2021/442 was also temporarily suspended.
- (3) Implementing Regulation (EU) 2021/521 was adopted pursuant to Article 5 of Regulation (EU) 2015/479 and applies for a maximum period of six weeks.
- (4) Despite an acceleration of vaccination across the Union, the pandemic remains severe and the conditions described in the recitals of Implementing Regulation (EU) 2021/521 still persist.
- (5) The specific arrangements introduced by Implementing Regulation (EU) 2021/521 should therefore continue to apply until 30 June 2021.
- (6) Iceland, Liechtenstein and Norway (the EEA EFTA States) participate in the Union's internal market in accordance with the Agreement on the European Economic Area. Most exports to the EEA EFTA States consist of vaccine procured by a Member State pursuant to an Advance Purchasing Agreement concluded by the Union and resold to those countries. On the basis of the information gathered through the application of Implementing Regulation (EU) 2021/521 there is no indication that exports are being channelled through the EEA EFTA States to other countries not exempted from the export authorization mechanism pursuant to Article 1(9) of Implementing Regulation (EU) 2021/442. Therefore, it is not necessary to continue the suspension of the exemption from that mechanism with regard to exports to the EEA EFTA States.
- (7) Implementing Regulation (EU) 2021/521 should therefore be amended accordingly and the amendment apply immediately.

⁽¹⁾ OJ L 83, 27.3.2015, p. 34.

⁽²⁾ Commission Implementing Regulation (EU) 2021/111 of 29 January 2021 making the exportation of certain products subject to the production of an export authorisation (OJ L 31 I, 30.1.2021, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2021/442 of 11 March 2021 making the exportation of certain products subject to the production of an export authorisation (OJ L 85, 12.3.2021, p. 190).

⁽⁴⁾ Commission Implementing Regulation (EU) 2021/521 of 24 March 2021 making specific arrangements to the mechanism making the exportation of certain products subject to the production of an export authorisation (OJ L 104, 25.3.2021, p. 52).

- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 3(1) of Regulation (EU) 2015/479,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2021/521 is amended as follows:

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

‘However, the suspension shall not apply to the following countries and territories:

- Andorra,
- the Faroe Islands,
- Iceland
- Liechtenstein
- Norway
- San Marino,
- Vatican City,
- the overseas countries and territories listed in Annex II to the Treaty on the Functioning of the European Union,
- Büsingen,
- Helgoland,
- Livigno,
- Ceuta and Melilla.’;

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

‘It shall apply until 30 June 2021.’

Article 2

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

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

Done at Brussels, 5 May 2021.

For the Commission
The President
Ursula VON DER LEYEN
