



Commission Delegated Regulation (EU) 2017/2268 of 26 September 2017 amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items was published in the Official Journal of the European Union on December 15, 2017, and will enter into force on December 16, 2017. The regulation updates the EU dual-use export control list in Annex I to Regulation (EC) No 428/2009 and brings it in line with the decisions taken within the framework of the international non-proliferation regimes and export control arrangements in 2016, i.e. Wassenaar Arrangement (WA), Australia Group (AG), Missile Technology Control Regime (MTCR) and Nuclear Suppliers Group (NSG).

### Main changes and related control regimes

There are numerous changes made this year to the dual-use export control list. We summarize the main ones and the relative control regime from which they derive, as follows.

#### Wassenaar Arrangement

- Update of acronyms and abbreviations lists;
- new definitions for “biological agents” (Category 1), “Monolithic Microwave Integrate Circuit” (MMIC) (Categories 3 and 5) and “authentication” (Category 5 Part 2);
- the definition of “adapted for use in war” (Category 1) was removed;
- the restructuring of Category 5 Part 2 into a more positive control list of dual-use information security items;
- note 4 (decontrol note to Category 5, Part 2) was removed, and is now incorporated in the 5A002.a. control entry;
- new (sub-entry) controls were added: in Category 3 for integrated circuits with analogue-to-digital converters (3A001.a.14.) and for MMIC transmit/receive modules (3A001.b.12.), and in Category 6 for certain lasers (6A005).

#### Australia Group

- Controls on the Dengue virus (1C351.a.10.) and on verotoxin and Shiga-like ribosome inactivating proteins (1C351.d.9.) were removed;
- two bacteria and six toxins under 1C351 were renamed;
- viruses controlled under 1C351.a have not been re-ordered alphabetically in the EU list, since the long term consistency in control entry numbering for pathogenic material was considered more preferential.

#### Missile Technology Control Regime

- NEW CONTROLS FOR AEROTHERMODYNAMIC TEST FACILITIES (HT-11) AND A NEW

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- the controls for liquid rocket propulsion (9A106) and for propellant tanks systems (9A120) were amended to include gel propellant;
- a note to the control on flow-forming machines was amended to include missile inter-stages (2B109.b.);
- a new note to the 9D105 software control was added to highlight that this control includes software specially designed for a manned aircraft converted to operate as an unmanned aerial vehicle.

#### **Nuclear Suppliers Group**

- Two new sub-entry controls for plasma torches and electron beam guns- Category 2 (2B227) were added.