

Official Journal

of the European Union

L 282



English edition

Legislation

Volume 52

29 October 2009

Contents

I Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory

REGULATIONS

Commission Regulation (EC) No 1018/2009 of 28 October 2009 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

★ **Commission Regulation (EC) No 1019/2009 of 28 October 2009 approving minor amendments to the specification of a name registered in the register of protected designations of origin and protected geographical indications (Poulligny-Saint-Pierre (PDO))** 3

★ **Commission Regulation (EC) No 1020/2009 of 28 October 2009 amending Regulation (EC) No 2003/2003 of the European Parliament and of the Council relating to fertilisers for the purposes of adapting Annexes I, III, IV and V thereto to technical progress ⁽¹⁾** 7

DIRECTIVES

★ **Commission Directive 2009/134/EC of 28 October 2009 amending Council Directive 76/768/EEC concerning cosmetic products for the purposes of adapting Annex III thereto to technical progress ⁽¹⁾** 15

II Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory

DECISIONS

Commission

2009/789/EC:

- ★ **Commission Decision of 26 October 2009 determining the Community position for a decision of the management entities under the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment on the revision of the computer monitor specifications in Annex C, part II, to the Agreement ⁽¹⁾ 23**

IV Other acts

EUROPEAN ECONOMIC AREA

The EEA Joint Committee

- ★ **EFTA Surveillance Authority Decision No 245/09/COL of 27 May 2009 concerning alleged unlawful state aid to the undertaking NordBook AS (former Rotanor Bokproduksjon AS) (Norway) 41**

Corrigenda

- ★ **Corrigendum to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals (OJ L 147, 30.6.1995) 44**



⁽¹⁾ Text with EEA relevance

I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 1018/2009

of 28 October 2009

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 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 XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 October 2009.

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

Done at Brussels, 28 October 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, 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	35,7
	MK	23,3
	TR	57,4
	ZZ	38,8
0707 00 05	TR	128,1
	ZZ	128,1
0709 90 70	MA	78,2
	TR	113,5
	ZZ	95,9
0805 50 10	AR	77,6
	TR	72,8
	ZA	82,2
	ZZ	77,5
0806 10 10	BR	198,8
	EG	89,1
	TR	117,8
	US	238,2
	ZZ	161,0
0808 10 80	AU	182,8
	CA	74,5
	CL	114,8
	NZ	90,0
	TR	91,6
	US	116,2
	ZA	70,9
	ZZ	105,8
0808 20 50	CN	64,7
	ZZ	64,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1019/2009**of 28 October 2009****approving minor amendments to the specification of a name registered in the register of protected designations of origin and protected geographical indications (Pouligny-Saint-Pierre (PDO))**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 ⁽¹⁾ on the protection of geographical indications and designations of origin for agricultural products and foodstuffs, and in particular the second sentence of Article 9(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 9(1) and by virtue of Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined France's application for approval of an amendment to details of the specification for the protected designation of origin 'Pouligny-Saint-Pierre', registered under Commission Regulation (EC) No 1107/96 ⁽²⁾.
- (2) The purpose of the application is to amend the specification by stipulating the conditions for using treatments and additives to the milk and for the production of 'Pouligny-Saint-Pierre'. These practices ensure that the essential characteristics of the name are maintained.

- (3) The Commission has examined the amendment in question and decided that it is justified. Since the amendment is minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission may approve it without following the procedure set out in Articles 5, 6 and 7 of the aforementioned Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected designation of origin 'Pouligny-Saint-Pierre' is hereby amended in accordance with Annex I to this Regulation.

Article 2

A consolidated summary of the main points of the specification is given in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the 20th day following 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 October 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ L 148, 21.6.1996, p. 1.

ANNEX I

The specification for the protected designation of origin 'Poulligny-Saint-Pierre' is amended as follows:

'Method of production'

The following provisions are to be added to point 5 of the specifications regarding the production method:

'(...) Renneting must be carried out using rennet only.

The milk must not be concentrated by partially removing the watery part before coagulation.

'(...) The dairy raw materials, partly finished products and fresh cheese may not be conserved by keeping them at below zero centigrade.

In addition to the dairy raw materials, the only ingredients or production aids or additives authorised in the milk during production are rennet, innocuous bacterial cultures, yeasts, moulds and salt.

'(...) Fresh cheese and cheese undergoing the maturing process may not be conserved under a modified atmosphere.'

ANNEX II

SUMMARY

Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

'POULIGNY-SAINT-PIERRE'

EC No: FR-PDO-0117-0128/29.3.2006

PDO (X) **PGI ()**

This summary sets out the main elements of the product specification for information purposes.

1. Responsible department in the Member State

Name: Institut national de l'origine et de la qualité

Address: 51 rue d'Anjou, 75008 Paris, FRANCE

Tel. +33 153898000

Fax +33 153898060

E-mail: info@inao.gouv.fr

2. Group

Name: Syndicat des producteurs de Pouligny-Saint-Pierre

Address: Maison de l'agriculture, 65 avenue Gambetta, 36300 Le Blanc, FRANCE

Tel. +33 254375213

Fax +33 254370421

E-mail: syndicataocpouligny@tele2.fr

Composition: Producers/processors (X) Others ()

3. Type of product

Class 1.3. Cheeses

4. Specification

(summary of requirements under Article 4(2) of Regulation (EC) No 510/2006)

4.1. Name

'Pouligny-Saint-Pierre'

4.2. Description

Full-fat slightly salted and uncooked soft goat's cheese, with surface mould, in the form of a frustum of pyramid with a square base.

The cheese has a dry-matter fat content of 45 %, which must be at least 90 grams per cheese.

4.3. Geographical area

22 municipalities in the département of Indre:

Cantons of Blanc and Tournon-Saint-Martin: all municipalities

Canton of Bélâbre: municipalities of Mauvières and Saint-Hilaire-sur-Bénaize

Canton of Mézières-en-Brenne: municipality of Azay-le-Ferron

4.4. Proof of origin

Every milk producer, processing plant and maturing plant fills in a 'declaration of aptitude', which is registered with the INAO and enables it to identify all operators involved. All operators must ensure that the INAO has access to their registers and any documents required for checking the origin, quality and production conditions of the milk and cheese.

As part of the checks carried out on the characteristics of the product to which the designation of origin refers, an analytical and organoleptic test is conducted to ensure that the products submitted for examination are of high quality and possess the requisite typical characteristics.

4.5. *Method of production*

The milk must be produced, and the cheese produced and matured within the geographical area.

The cheese is obtained using primarily lactic coagulation with the addition of a small amount of rennet. The curd stays in moulds for 24 to 36 hours before being removed and salt added. The maturing process lasts for at least 10 days.

4.6. *Link*

This Touraine goat's cheese has been distinct from those in neighbouring regions since the 18th century, having adopted an original shape, which, according to tradition, is modelled on that of the Pouligny church tower. It very quickly became renowned for its authenticity, something which was confirmed when it was awarded a prize in the 1901 Paris competition. At a very early stage, the producers' group took steps to maintain the specific nature of the cheese, and in 1976 achieved recognition in the form of designation of origin status being granted.

The area in question enjoys reliable conditions with regard to climate (warmer and drier weather than in surrounding areas), geology (low quality soil with a high clay and sand content) and flora which encourages the rearing of goats and has therefore resulted in the traditional production of this cheese.

4.7. *Inspection body*

Name: Institut national de l'origine et de la qualité (INAO)

Address: 51 rue d'Anjou, 75008 Paris, FRANCE

Tel. + 33 153898000

Fax + 33 153898060

E-mail: info@inao.gouv.fr

The Institut National des Appellations d'Origine is a public administrative body with legal personality and reports to the French Ministry of Agriculture.

It is responsible for monitoring the production conditions for products with a designation of origin.

Name: Direction générale de la concurrence, de la consommation et de la répression des fraudes (DGCCRF)

Address: 59, boulevard Vincent Auriol, 75703 Paris Cédex 13, FRANCE

Tel. +33 144871717

Fax +33 144973037

The DGCCRF is a department of the French Ministry of the Economy, Finance and Industry.

4.8. *Labelling*

The labelling for the cheese must contain the name of the designation of origin (Pouligny-Saint-Pierre) in characters at least two-thirds the size of the largest characters on the label.

COMMISSION REGULATION (EC) No 1020/2009

of 28 October 2009

amending Regulation (EC) No 2003/2003 of the European Parliament and of the Council relating to fertilisers for the purposes of adapting Annexes I, III, IV and V thereto to technical progress

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers ⁽¹⁾, and in particular Article 31(1) and (3) thereof,

Whereas:

(1) Article 3 of Regulation (EC) No 2003/2003 provides that a fertiliser belonging to a type of fertiliser listed in Annex I thereto and complying with the conditions laid down in that Regulation may be designated 'EC fertiliser'.

(2) Partially solubilised rock phosphate is a primary nutrient fertiliser type listed in Annex I to Regulation (EC) No 2003/2003. Article 16 of that Regulation permits the addition of secondary nutrients to all primary nutrient fertiliser types. However, the minimum content of phosphorous pentoxide laid down for the existing partially solubilised phosphate rock fertiliser type is set too high to allow the addition of secondary nutrients. A new fertiliser type should therefore be introduced to allow mixtures of partially solubilised rock phosphate with magnesium secondary nutrients to be marketed as 'EC fertiliser'.

(3) Magnesium sulphate or magnesium oxide is added to ground phosphate rock to remedy phosphate and magnesium deficiencies in certain agricultural soils. The partial solubilisation makes phosphate and magnesium rapidly available to crops for a short period, whereas the non-solubilised constituents provide a slower but more sustained supply of phosphate and magnesium. Both phosphate and magnesium nutrients should be available in a single fertiliser type in order to benefit farmers.

(4) Magnesium sulphate is a secondary nutrient fertiliser type listed in Annex I to Regulation (EC) No 2003/2003. Article 20 of that Regulation permits the addition of micro-nutrients to all secondary nutrient fertiliser types. However, the minimum content of sulphur trioxide and magnesium oxide laid down for the existing magnesium sulphate fertiliser type is set too high to allow the

addition of micro-nutrients. Due to a growing interest in balanced plant nutrition the use of micro-nutrients has increased. A blend of magnesium sulphate with micro-nutrients would make it easier for farmers to use such micro-nutrients. The magnesium sulphate fertiliser type should therefore be revised to allow mixtures of magnesium sulphate with micro-nutrients to be marketed as 'EC fertiliser'.

(5) Annex III to Regulation (EC) No 2003/2003 gives technical provisions for the control of ammonium nitrate fertilisers of high nitrogen content. It should be clarified that the methods of analysis may be used for the different ammonium nitrate fertiliser forms (prills or granules). Furthermore, those descriptions of the analysis methods make use of obsolete units of pressure rather than the current SI units.

(6) Article 29(2) to Regulation (EC) No 2003/2003 requires that controls of EC fertilisers belonging to fertiliser types listed in Annex I to that Regulation are made in accordance with the methods of analysis that are described in detail in Annexes III and IV to that Regulation. As those methods are not internationally recognised, the European Committee for Standardisation (CEN) was mandated to develop equivalent EN standards to replace the existing methods.

(7) As a partial outcome of the CEN Mandate M/335 concerning the modernisation of analytical methods on fertilisers and liming materials, 20 EN standards have been developed and should be introduced in Annex IV to Regulation (EC) No 2003/2003. Some of those standards should replace existing methods of analysis, whilst others are new.

(8) Validated methods published as EN standards usually include a ring-test (inter-laboratory test) to check the reproducibility of the analytical methods between different laboratories. However, a preliminary evaluation of the methods to be introduced in the mandate showed that some of them are little used. In this case, an editorial revision was found sufficient and no ring-test was deemed necessary. A distinction between validated EN standards and non-validated methods should therefore be made to help to identify the EN standards which have undergone an inter-laboratory test to correctly inform controllers about the statistical reliability of EN standards.

⁽¹⁾ OJ L 304, 21.11.2003, p. 1.

- (9) To simplify legislation and facilitate future revision, it is appropriate to replace the full text of the standards in Annex IV to Regulation (EC) No 2003/2003 with references to the EN standards to be published by CEN.
- (10) Article 30 of Regulation (EC) No 2003/2003 requires laboratories to be competent and approved by a Member State when they carry out analysis on fertiliser samples for official controls. Such approved laboratories must meet the accreditation standards mentioned in Section B of Annex V. Since accreditation has proved in practice to take longer than originally foreseen, Annex V should be amended to ensure efficient control actions by allowing Member States to authorise laboratories that are competent for official controls, but not yet accredited.
- (11) Regulation (EC) No 2003/2003 should therefore be amended accordingly.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 32 of Regulation (EC) No 2003/2003,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2003/2003 is amended as follows:

1. Annex I is amended in accordance with Annex I to this Regulation.
2. Annex III is amended in accordance with Annex II to this Regulation.
3. Annex IV is amended in accordance with Annex III to this Regulation.
4. Annex V is amended in accordance with Annex IV to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following 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 October 2009.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX I

Annex I to Regulation (EC) No 2003/2003 is amended as follows:

1. in Table A.2, the following entry 3(a) is inserted:

No	Type designation	Data on method of production and essential ingredients	Minimum nutrient content (percentage by weight) Data on the expression of nutrients, other requirements	Other data on the type designation	Nutrient content to be declared Forms and solubilities of the nutrients Other criteria
1	2	3	4	5	6
'3(a)	Partially solubilised rock phosphate with magnesium	Product obtained by partial solubilisation of ground rock phosphate with sulphuric acid or phosphoric acid with the addition of magnesium sulphate or magnesium oxide, and containing as essential ingredients monocalcium phosphate, tricalcium phosphate, calcium sulphate and magnesium sulphate	16 % P ₂ O ₅ 6 % MgO Phosphorus expressed as P ₂ O ₅ soluble in mineral acids, at least 40 % of the declared content of P ₂ O ₅ being water-soluble Particle size: — at least 90 % able to pass through a sieve with a mesh of 0,160 mm — at least 98 % able to pass through a sieve with a mesh of 0,630 mm		Total phosphorus pentoxide (soluble in mineral acids) Phosphorus pentoxide soluble in water Total magnesium oxide Water-soluble magnesium oxide'

2. in Table D, entry 5 is replaced by the following:

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight) Data on the expression of nutrients Other requirements	Other data on the type designation	Nutrient content to be declared Forms and solubilities of the nutrients Other criteria
1	2	3	4	5	6
'5	Magnesium sulphate	Product containing heptahydrated magnesium sulphate as main ingredient	15 % MgO 28 % SO ₃ Where micro-nutrients are added, and declared in accordance with Article 6(4) and 6(6): 10 % MgO 17 % SO ₃ Magnesium and sulphur expressed as water-soluble magnesium oxide and sulphur trioxide	The usual trade names may be added	Water-soluble magnesium oxide Water-soluble sulphur trioxide'

ANNEX II

Section 3 of Annex III to Regulation (EC) No 2003/2003 is amended as follows:

1. in Method 2, point 6.2 is replaced by the following:

‘6.2. Remove particles smaller than 0,5 mm using the test sieve (5.4). Weigh to the nearest 0,01 gram approximately 50 grams of the sample into the beaker (5.2). Add sufficient gas oil (section 4) to cover the prills or granules completely and stir carefully to ensure that the surfaces of all the prills or granules are fully wetted. Cover the beaker with a watch glass and leave to stand for one hour at 25 (± 2) °C.’;

2. in Method 3, point 4.3.5 is replaced by the following:

‘4.3.5. Dreschel bottle D acting as a trap for any excess of acid which may distil over.’;

3. in Method 3, the first paragraph of point 5.2 is replaced by the following:

‘Place the sample for analysis in the reaction flask B. Add 100 ml of H₂SO₄ (3.2). The prills or granules dissolve in about 10 minutes at ambient temperature. Assemble the apparatus as indicated in the diagram: connect one end of the absorption tube (A) to the nitrogen source (4.2) via a non-return flow device containing a pressure of 667 to 800 Pa and the other end to the feed tube which enters the reaction flask. Place the Vigreux fractionating column (C') and the condenser (C) with cooling water supply in position. Adjust the nitrogen to provide a moderate flow through the solution, bring the solution to boiling point and heat for two minutes. At the end of this time there should be no more effervescence. If effervescence is seen, continue heating for 30 minutes. Allow solution to cool for at least 20 minutes with the nitrogen flowing through it.’

ANNEX III

Section B of Annex IV to Regulation (EC) No 2003/2003 is amended as follows:

1. Method 1 is replaced by the following:

Method 1

Preparation of the sample for analysis

EN 1482-2: *Fertilisers and liming materials — Sampling and sample preparation — Part 2: Sample preparation*

2. Methods 2 are replaced as follows:

- (a) Method 2.1 is replaced by the following:

Method 2.1

Determination of ammoniacal nitrogen

EN 15475: *Fertilisers — Determination of ammoniacal nitrogen*

This method of analysis has been ring-tested.'

- (b) Method 2.2.1 is replaced by the following:

Method 2.2.1

Determination of nitric and ammoniacal nitrogen according to Ulsch

EN 15558: *Fertilisers — Determination of nitric and ammoniacal nitrogen according to Ulsch*

This method of analysis has not been ring-tested.'

- (c) Method 2.2.2 is replaced by the following:

Method 2.2.2

Determination of nitric and ammoniacal nitrogen according to Arnd

EN 15559: *Fertilisers — Determination of nitric and ammoniacal nitrogen according to Arnd*

This method of analysis has not been ring-tested.'

- (d) Method 2.2.3 is replaced by the following:

Method 2.2.3

Determination of nitric and ammoniacal nitrogen according to Devarda

EN 15476: *Fertilisers — Determination of nitric and ammoniacal nitrogen according to Devarda*

This method of analysis has been ring-tested.'

- (e) Method 2.3.1 is replaced by the following:

Method 2.3.1

Determination of the total nitrogen in calcium cyanamide nitrate free

EN 15560: *Fertilisers — Determination of total nitrogen in calcium cyanamide nitrate free*

This method of analysis has not been ring-tested.'

- (f) Method 2.3.2 is replaced by the following:

Method 2.3.2

Determination of total nitrogen in calcium cyanamide containing nitrates

EN 15561: *Fertilisers — Determination of total nitrogen in calcium cyanamide containing nitrates*

This method of analysis has not been ring-tested.'

(g) Method 2.3.3 is replaced by the following:

Method 2.3.3

Determination of total nitrogen in urea

EN 15478: Fertilisers — Determination of total nitrogen in urea

This method of analysis has been ring-tested.'

(h) Method 2.4 is replaced by the following:

Method 2.4

Determination of cyanamide nitrogen

EN 15562: Fertilisers — Determination of cyanamide nitrogen

This method of analysis has not been ring-tested.'

(i) Method 2.5 is replaced by the following:

Method 2.5

Spectrophotometric determination of biuret in urea

EN 15479: Fertilisers — Spectrophotometric determination of biuret in urea

This method of analysis has been ring-tested.'

(j) Method 2.6.1 is replaced by the following:

Method 2.6.1

Determination of different forms of nitrogen in the same sample in fertilisers containing nitrogen as nitric, ammoniacal, urea and cyanamide nitrogen

EN 15604: Fertilisers — Determination of different forms of nitrogen in the same sample containing nitrogen, as nitric, ammoniacal, urea and cyanamide nitrogen

This method of analysis has not been ring-tested.'

3. Method 4.1 is replaced by the following:

Method 4.1

Determination of the water-soluble potassium content

EN 15477: Fertilisers — Determination of the water-soluble potassium content

This method of analysis has been ring-tested.'

4. The following methods are added:

Methods 11

Chelating agents

Method 11.1

Determination of the chelated micro-nutrient content and of the chelated fraction of micro-nutrients

EN 13366: Fertilisers — Treatment with a cation exchange resin for the determination of the chelated micro-nutrient content and of the chelated fraction of micro-nutrients

This method of analysis has been ring-tested.

Method 11.2

Determination of EDTA, HEDTA and DTPA

EN 13368-1: Fertilisers — Determination of chelating agents in fertilisers by ion chromatography — Part 1: EDTA, HEDTA and DTPA

This method of analysis has been ring-tested.

Method 11.3

Determination of iron chelated by o,o EDDHA and o,o EDDHMA

EN 13368-2: 2007 Fertilisers — Determination of chelating agents in fertilisers by chromatography. Part 2: Determination of Fe chelated by o,o EDDHA and o,o EDDHMA by ion pair-chromatography.

This method of analysis has been ring-tested.

Method 11.4

Determination of iron chelated by EDDHSA

EN 15451: Fertilisers — Determination of chelating agents—Determination of iron chelated by EDDHSA by ion pair-chromatography

This method of analysis has been ring-tested.

Method 11.5

Determination of iron chelated by o,p EDDHA

EN 15452: Fertilisers — Determination of chelating agents—Determination of iron chelated by o,p EDDHA by reversed phase HPLC

This method of analysis has been ring-tested.

Methods 12

Nitrification and urease inhibitors

Method 12.1

Determination of dicyandiamide

EN 15360: Fertilisers — Determination of dicyandiamide – Method using high-performance liquid chromatography (HPLC)

This method of analysis has been ring-tested.

Method 12.2

Determination of NBPT

EN 15688: Fertilisers — Determination of urease inhibitor N-(n-butyl)thiophosphoric triamide (NBPT) using high-performance liquid chromatography (HPLC)

This method of analysis has been ring-tested.

Methods 13

Heavy metals

Method 13.1

Determination of cadmium content

EN 14888: Fertilisers and liming materials — Determination of cadmium content

This method of analysis has been ring-tested.'

ANNEX IV

Section B of Annex V to Regulation (EC) No 2003/2003 is replaced by the following:

B. REQUIREMENTS TO AUTHORISE LABORATORIES THAT ARE COMPETENT TO PROVIDE THE NECESSARY SERVICE FOR CHECKING COMPLIANCE OF EC FERTILISERS WITH THE REQUIREMENTS OF THIS REGULATION AND ITS ANNEXES

1. Standard applicable at the level of the laboratories.

- Laboratories accredited in accordance with EN ISO/IEC 17025, General requirements for the competence of testing and calibration laboratories, for at least one of the methods of Annexes III or IV.
- Until 18 November 2014, laboratories not yet accredited provided that the laboratory:
 - demonstrates that it has initiated and is pursuing the necessary accreditation procedures in accordance with EN ISO/IEC 17025 in one or more of the methods of Annexes III or IV, and
 - provides the competent authority with evidence that the laboratory is participating in inter-laboratory tests with good results.

2. Standard applicable at the level of accreditation bodies:

EN ISO/IEC 17011, Conformity assessment: General requirements for accreditation bodies accrediting conformity assessment bodies.'

DIRECTIVES

COMMISSION DIRECTIVE 2009/134/EC

of 28 October 2009

amending Council Directive 76/768/EEC concerning cosmetic products for the purposes of adapting Annex III thereto to technical progress

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products ⁽¹⁾, and in particular Article 8(2) thereof,

After consulting the Scientific Committee on Consumer Safety,

Whereas:

- (1) The Scientific Committee on Consumer Products, replaced by the Scientific Committee on Consumer Safety ⁽²⁾, concluded in its 'Memorandum on hair dye substances and their skin sensitising properties' published on 29 March 2007 that contact allergies caused by hair dye products are an increasingly important health problem for consumers and society, often causing acute and severe dermatitis to individuals. A person sensitised to a hair dye substance used in hair dye products may eventually develop skin allergy to that substance.
- (2) In order to better inform the consumer about the possible adverse effects of hair colouring and to lower the risk of sensitisation to hair dye products among consumers, additional warnings should be printed on the label of oxidative hair dye products and of certain non-oxidative hair dye products containing extreme and strong sensitising substances. Therefore, the obligatory conditions of use and warnings laid down for respective hair dye substances in column 'f' of Annex III to Directive 76/768/EEC should be amended.
- (3) Directive 76/768/EEC should therefore be amended accordingly.

- (4) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Cosmetic Products,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex III to Directive 76/768/EEC is amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, by 1 May 2010 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

Member States shall take all necessary measures to ensure that after 1 November 2011 no cosmetic products which fail to comply with this Directive are placed on the market by Community manufacturers or by importers established within the Community.

Member States shall take all necessary measures to ensure that after 1 November 2012 no cosmetic products which fail to comply with this Directive are sold or disposed of to the final consumer in the Community.

⁽¹⁾ OJ L 262, 27.9.1976, p. 169.

⁽²⁾ The name of the committee was changed by Commission Decision 2008/721/EC (OJ L 241, 10.9.2008, p. 21).

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 28 October 2009.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

1. Part 1 of Annex III is amended as follows:

- (a) Under reference numbers 8 and 8a, in column f, points (a) and (b), the text 'Can cause an allergic reaction.' is replaced by the following:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary "black henna" tattoo in the past.

- (b) Under reference number 9, the text in column f is replaced by the following:

(a)



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary "black henna" tattoo in the past.

Contains phenylenediamines (toluenediamines). Do not use to dye eyelashes or eyebrows.

- (b) For professional use only.



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary “black henna” tattoo in the past.

Contains phenylenediamines (toluenediamines). Wear suitable gloves.’

(c) Under reference number 9a, the text in column f is replaced by the following:

‘(a)



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary “black henna” tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary “black henna” tattoo in the past.

Contains phenylenediamines (toluenediamines). Do not use to dye eyelashes or eyebrows.

(b) For professional use only.



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary “black henna” tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary “black henna” tattoo in the past.

Contains phenylenediamines (toluenediamines). Wear suitable gloves.’

(d) Under reference numbers 8a and 9a, in column f, points (a) and (b), the following text is added ‘The mixing ratio is printed on the label’.

- (e) Under reference number 16, in column f, the text 'Can cause allergic reaction.' is replaced by the following:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary "black henna" tattoo in the past.'

- (f) Under reference number 22, in column f, sub-points 1 and 2 of point (a), the following text is added:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary "black henna" tattoo in the past.'

- (g) Under reference numbers 202 and 203, in column f, point (a), the text 'Can cause allergic reaction.' is replaced by the following:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary "black henna" tattoo in the past.'

(h) Under reference numbers 193 and 205, in column f, point (a), the following text is added:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary "black henna" tattoo in the past.'

2. Part 2 of Annex III is amended as follows:

(a) Under reference number 3 in column f, points (a) and (b), the text 'Can cause allergic reaction.' is replaced by the following:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary "black henna" tattoo in the past.'

(b) Under reference numbers 4, 20, 26, 32, 34, 35, 36, 37, 38, 39 and 44, column f, the following text is added:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary "black henna" tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,

- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary “black henna” tattoo in the past.’

- (c) Under reference numbers 5, 6, 12, 19, 21, 22, 25 and 33, in column f, the text ‘Can cause allergic reaction.’ is replaced by the following:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary “black henna” tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary “black henna” tattoo in the past.’

- (d) Under reference numbers 10, 11 and 16, in column f, point (a), the text ‘Can cause allergic reaction.’ is replaced by the following:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary “black henna” tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary “black henna” tattoo in the past.’

- (e) Under reference numbers 10, 11 and 16, column f, point (b) is deleted.

- (f) Under reference numbers 27, 48 and 56, in column f, the following points (a) and (b) are added:

‘(a)



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary “black henna” tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary “black henna” tattoo in the past.

(b)



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary “black henna” tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
- you have ever experienced any reaction after colouring your hair,
- you have experienced a reaction to a temporary “black henna” tattoo in the past.’

(g) Under reference numbers 31, 49, 50 and 55, in column f, point (a), the following text is added:



Hair colorants can cause severe allergic reactions.

Read and follow instructions.

This product is not intended for use on persons under the age of 16.

Temporary “black henna” tattoos may increase your risk of allergy.

Do not colour your hair if:

- you have a rash on your face or sensitive, irritated and damaged scalp,
 - you have ever experienced any reaction after colouring your hair,
 - you have experienced a reaction to a temporary “black henna” tattoo in the past.’
-

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 26 October 2009

determining the Community position for a decision of the management entities under the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment on the revision of the computer monitor specifications in Annex C, part II, to the Agreement

(Text with EEA relevance)

(2009/789/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2006/1005/EC of 18 December 2006 concerning conclusion of the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

(1) The computer monitor specifications should be revised in order to ensure that consumers have the opportunity to identify efficient products, thereby amending Annex C of the Agreement.

(2) The position of the Community with regard to amendment of the specifications is to be determined by the Commission.

(3) The measures provided for in this Decision take account of the opinion given by the European Energy Star Board referred to in Article 8 of Regulation (EC) No 106/2008

of the European Parliament and of the Council of 15 January 2008 on a Community energy-efficiency labelling programme for office equipment ⁽²⁾.

(4) As of 30 October 2009, the computer monitor specifications in Annex C, part II, should be repealed for computer monitors with diagonal screen sizes below 30 inches, and replaced by the specification annexed to this Decision.

(5) As of 30 January 2010, the computer monitor specifications in Annex C, part II, should be repealed for computer monitors with diagonal screen sizes from 30 to 60 inches, inclusive, and replaced by the specification annexed to this Decision,

HAS DECIDED AS FOLLOWS:

Sole Article

The position to be adopted by the European Community for a decision by the management entities under the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment on revising the computer specifications in Annex C, part II, to the Agreement shall be based on the attached draft decision.

⁽¹⁾ OJ L 381, 28.12.2006, p. 24.

⁽²⁾ OJ L 39, 13.2.2008, p. 1.

Done at Brussels, 26 October 2009.

For the Commission
Andris PIEBALGS
Member of the Commission

ANNEX

DRAFT DECISION

of [...]

of the management entities under the Agreement between the Government of the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment on the revision of the computer monitor specifications in Annex C, part II, to the Agreement

THE MANAGEMENT ENTITIES,

Having regard to the Agreement between the Government of the United States and the European Community on the coordination of energy-efficiency labelling programmes for office equipment, and in particular Article XII thereof,

Whereas the computer monitor specifications in Annex C, part II, effective since 1 January 2006, should be repealed and replaced by revised specifications,

HAVE DECIDED AS FOLLOWS:

For computer monitors with diagonal screen sizes below 30 inches, the computer monitor specifications in Annex C, part II, to the Agreement are repealed and replaced by the specifications in the Annex to this Decision with effect from 30 October 2009.

For computer monitors with diagonal screen sizes from 30 to 60 inches, inclusive, the computer monitor specifications in Annex C, part II, to the Agreement are repealed and replaced by the specifications in the Annex to this Decision with effect from 30 January 2010.

The Decision, done in duplicate, shall be signed by the Co-chairs.

Signed in Washington DC, [...]

Signed in Brussels, [...]

[...]

*on behalf of the United States Environmental Protection
Agency*

[...]

on behalf of the European Community

ANNEX

ANNEX C, PART II, TO THE AGREEMENT

II. DISPLAY SPECIFICATIONS

1. Definitions

- A. Electronic Display (also referred to as Display): A commercially-available product with a display screen and associated electronics, often encased in a single housing, that as its primary function displays visual information from (i) a computer, workstation or server via one or more inputs, such as VGA, DVI, HDMI, or IEEE 1394; or (ii) a USB flash drive, a memory card, or wireless Internet connection. Common display technologies include liquid crystal display (LCD), light emitting diode (LED), cathode-ray tube (CRT), and plasma display panel (PDP).
- B. External Power Supply: A component contained in a separate physical enclosure external to the display casing and designed to convert line voltage AC input from the mains to lower DC voltage(s) for the purpose of powering the display. An external power supply (EPS) must connect to the display via a removable or hard-wired male/female electrical connection, cable, cord or other wiring.
- C. On Mode: The operational mode of a display that is (i) connected to a power source; (ii) has all mechanical (hard) power switches turned on; and (iii) is performing its primary function of producing an image.
- D. Sleep Mode: The operational mode of a display that is (i) connected to a power source; (ii) has all mechanical (hard) power switches turned on; and (iii) has been placed into a low-power mode by receiving a signal from a connected device (e.g. computer, game console, or set-top box) or by cause of an internal function such as a sleep timer or occupancy sensor. Sleep Mode is considered a "soft" low-power condition, in that the display can be brought out of Sleep Mode by receiving a signal from a connected device or by cause of an internal function.
- E. Off Mode: The operational mode of a display that is (i) connected to a power source, (ii) engaged by a power switch, and (iii) not providing any function. The user must actuate a mechanical switch to bring the device out of Off Mode. If there is more than one such switch, the tester shall use the most readily available switch.
- F. Luminance: The photometric measure of the luminous intensity per unit area of light travelling in a given direction. It describes the amount of light that passes through or is emitted from a particular area, and falls within a given solid angle. The standard unit for luminance is candela per square meter (cd/m²).
- G. Automatic Brightness Control: For displays, automatic brightness controls is the self-acting mechanism which controls brightness of the display as a function of ambient light.

2. Qualifying products

To qualify for ENERGY STAR, the display must satisfy the following criteria:

- A. Maximum viewable diagonal screen size: The display must have a viewable diagonal screen size of less than or equal to ($\leq$) 60 inches.
- B. Power Source: The display must be powered by a separate AC wall outlet, a battery unit that is sold with an AC adapter, or a data or network connection.
- C. Television Tuners: If the display has an integrated television tuner, it may qualify for ENERGY STAR under this specification as long as it is primarily marketed and sold to consumers as a display or as a dual-function display and television. Any display with a television tuner that is marketed and sold exclusively as a television is not eligible to qualify under this specification. Under Tier 2 of this specification, only those displays without tuners may qualify; displays with tuners may qualify under Tier 2 of the Version 3.0 ENERGY STAR TV specification.

- D. Automatic Brightness Control (ABC): To qualify for ENERGY STAR using the Automatic Brightness Control On Mode power equation, the display must ship with ABC enabled by default.
- E. External Power Supply: If the display is shipped with an EPS, the EPS must be ENERGY STAR qualified or meet the no-load and active mode efficiency levels provided in the ENERGY STAR Program Requirements for Single Voltage AC-AC and AC-DC External Power Supplies. The ENERGY STAR specification and qualified product list can be found at www.energystar.gov/powersupplies.
- F. Power Management Requirements: The display must have at least one mechanism enabled by default that allows the display to automatically enter Sleep or Off Mode. For instance, data or network connections must support powering down the display according to standard mechanisms, such as Display Power Management Signalling. Displays generating their own content must have a sensor or timer enabled by default to automatically engage Sleep or Off Mode.

3. Energy-efficiency criteria

A. On Mode requirements

1. Tier 1

To qualify as ENERGY STAR, the display must not exceed the maximum On Mode power consumption (PO or PO1) as calculated from the equations below. The maximum On Mode power consumption is expressed in watts and rounded to the nearest tenth of a watt.

Table 1

Tier 1 On Mode power consumption requirements

Display Category	Maximum On Mode Power Consumption (W)
Diagonal Screen Size < 30 inches Screen Resolution ≤ 1,1 MP	$PO = 6*(MP) + 0,05*(A) + 3$
Diagonal Screen Size < 30 inches Screen Resolution > 1,1 MP	$PO = 9*(MP) + 0,05*(A) + 3$
Diagonal Screen Size 30 – 60 inches All Screen Resolutions	$PO = 0,27*(A) + 8$

Where:

MP = Display Resolution (megapixels)

A = Viewable Screen Area (square inches)

Example: The maximum On Mode power consumption for a display with 1 440 × 900 resolution, or 1 296 000 pixels, a 19-inch viewable diagonal screen size and a viewable screen area of 162 square inches, would be: $((9 \times 1,296) + (0,05 \times 162)) + 3 = 22,8$ watts when rounded to the nearest tenth of a watt.

Table 2

Sample Tier 1 On Mode maximum power consumption requirements ⁽¹⁾

Diagonal Screen Size (inches)	Resolution	Megapixels	Screen Dimensions (inches)	Screen Area (sq. in.)	Maximum On Mode Power Consumption (watts)
7	800 × 480	0,384	5,9 × 3,5	21	6,4
19	1 440 × 900	1,296	16,07 × 10,05	162	22,8
26	1 920 × 1 200	2,304	21,7 × 13,5	293	38,4
42	1 360 × 768	1,044	36 × 20	720	202,4
50	1 920 × 1 080	2,074	44 × 24	1 056	293,1

⁽¹⁾ For displays between 30 and 60 inches, resolution must be reported when submitting a product for qualification; however, resolution is not considered when calculating the On Mode power consumption of these displays.

2. Tier 2

To qualify as ENERGY STAR, the display must not exceed the following maximum On Mode consumption equations:
TBD.

3. Displays with Automatic Brightness Control (ABC)

For Displays shipped with ABC features enabled by default an alternate calculation is used to calculate maximum On Mode power consumption

$$PO1 = (0,8 * Ph) + (0,2 * Pl)$$

where PO1 is the average On Mode power consumption in watts, rounded to the nearest tenth of a watt, Ph is the On Mode power consumption in high ambient lighting conditions, and Pl is the On Mode power consumption in low ambient lighting conditions. The formula assumes the display will be in low ambient lighting conditions 20 % of the time.

B. Sleep and Off Mode requirements

1. Tiers 1 and 2

To qualify as ENERGY STAR, the display must not exceed the maximum power consumption levels for Sleep and Off Modes provided in Table 3, below. Displays capable of multiple Sleep Modes (i.e. Sleep and Deep Sleep) must meet Sleep Mode requirements in all sleep modes.

Example: A display test result of 3 watts in Sleep and 2 watts in Deep Sleep would not qualify because power consumption in one of the Sleep Modes exceeded the 2 watt Tier 1 limit.

Table 3

Sleep and Off Mode power consumption requirements for all Displays

Mode	Tier 1	Tier 2
Maximum Sleep Mode power consumption (W)	≤ 2	≤ 1
Maximum Off Mode power consumption (W)	≤ 1	≤ 1

4. Test requirements

How to use this section

EPA and the European Commission utilise, where possible, widely accepted industry practices for measuring product performance and power consumption under typical operating conditions. The test methods in this specification are based on standards from the Video Electronics Standards Association (VESA) Display Metrology Committee and the International Electrotechnical Commission (IEC). In cases where the VESA and IEC standards were insufficient for the needs of the ENERGY STAR program, additional testing and measurement methods were developed in cooperation with industry stakeholders.

To ensure a consistent means for measuring the power consumption of electronics products such that the test results may be reproduced, and that outside factors do not adversely affect the test results, the following protocol must be followed. It has four main components:

- Test conditions and instrumentation,
- Setup,
- Test method,
- Documentation.

Note: Test method is located in Appendices 1 and 2. Appendix 1 describes the test procedure for displays with a viewable diagonal screen size measuring less than (<) 30 inches. Appendix 2 describes the test procedure for displays with a viewable diagonal screen size measuring from 30 to 60 inches, inclusive.

Partners may elect to use an in-house or independent laboratory to provide the test results.

Facility quality control

Partners are required to perform tests and certify those product models that meet the ENERGY STAR guidelines. In order to conduct testing in support of qualification for ENERGY STAR, the product must be tested in a facility that has quality control procedures for monitoring the validity of tests and calibrations. ENERGY STAR recommends conducting these tests in a facility that follows the general requirements for the competence of testing and calibration laboratories as described in the International Standard ISO/IEC 17025.

Test conditions and instrumentation

A. Power measurement protocols

The average true power consumption of the display shall be measured during On Mode, Sleep Mode, and Off Mode. When performing measurements to self-certify a product model, the Unit Under Test (UUT) must initially be in the same condition (e.g. configuration and settings) as when shipped to the customer, unless adjustments need to be made pursuant to the instructions below.

1. Power measurements shall be taken from a point between the outlet or power source and the UUT.
2. If a product's electrical power comes from Mains, USB, IEEE1394, Power-over-Ethernet, telephone system, or any other means or combinations of means, the net AC electrical power consumed by the product (taking into account AC-to-DC conversion losses) must be used for qualification.
3. Products powered by a standard low voltage DC supply (e.g. USB, USB PlusPower, IEEE 1394, and Power Over Ethernet) shall utilise a suitable AC-powered source of the DC power. This AC-powered source's energy consumption shall be measured and recorded as the UUT's power consumption.
4. For a display powered by USB, a powered hub serving only the display being tested shall be used. For a display powered by Power Over Ethernet or USB PlusPower, it is acceptable to measure the power distribution device with and without the display connected, and record the difference between the two readings as the display's power consumption. The tester should confirm that this reasonably reflects the unit's DC consumption plus some allowance for power supply and distribution inefficiency.
5. Any product capable of being powered from both AC and standard low-voltage DC sources shall be tested while operating on AC power.

B. Input AC power requirements

Supply Voltage	North America/Taiwan	115 ($\pm 1\%$) Volts AC, 60 Hz ($\pm 1\%$)
	Europe/Australia/New Zealand	230 ($\pm 1\%$) Volts AC, 50 Hz ($\pm 1\%$)
	Japan	100 ($\pm 1\%$) Volts AC, 50 Hz ($\pm 1\%$)/60 Hz ($\pm 1\%$) Note: For products rated for > 1,5 kW maximum power, the voltage range is $\pm 4\%$
Total Harmonic Distortion (THD) (Voltage)	< 2 % THD (< 5 % for products which are rated for > 1,5 kW maximum power)	
Ambient Temperature	23 °C $\pm$ 5 °C	
Relative Humidity	10 – 80 %	

(Reference IEC 62301 Ed 1.0: Household Electrical Appliances — Measurement of Standby Power, Sections 4.2, 4.3)

C. *Approved meter*

Approved meters will include the following attributes ⁽¹⁾:

- an available current crest factor of 3 or more at its rated range value, and
- lower bound on the current range of 10 mA or less.

The power measurement instrument shall have a resolution of:

- 0,01 W or better for power measurements of 10 W or less,
- 0,1 W or better for power measurements of greater than 10 W up to 100 W, and
- 1 W or better for power measurements of greater than 100 W.

The following attributes in addition to those above are suggested:

- frequency response of at least 3 kHz, and
- calibration with a standard that is traceable to the US National Institute of Standards and Technology (NIST).

It is also desirable for instruments to be able to measure average power over any user-selected time interval (the most accurate devices perform an internal calculation to divide accumulated energy by elapsed time). As an alternative, the measurement instrument would have to be capable of integrating energy over any user-selected time interval with an energy resolution of less than or equal to 0,1 mWh and integrating time displayed with a resolution of 1 second or less.

D. *Accuracy*

Measurements of power of 0,5 W or greater shall be made with an uncertainty of less than or equal to 2 % at the 95 % confidence level. Measurements of power of less than 0,5 W shall be made with an uncertainty of less than or equal to 0,01 W at the 95 % confidence level ⁽²⁾.

All measurements should be recorded in watts and rounded to the nearest tenth of a watt.

E. *Darkroom conditions*

All luminance testing shall be performed in darkroom conditions. The display screen illuminance measurement (E) in Off Mode must be less than or equal to 1,0 lux. Measurements should be taken perpendicular to the centre of the display screen using a Light Measuring Device (LMD) with the display in Off Mode (Reference VESA FPD Standard 2.0, Section 301-2F).

F. *Light measurement protocols*

When light measurements, such as illuminance and luminance, need to be made, an LMD shall be used with the display located in darkroom conditions. The LMD shall be used to take measurements at the centre of and perpendicular to the display screen (Reference VESA FPD Standard 2.0, Appendix A115). The screen surface area to be measured shall cover at least 500 pixels, unless this exceeds the equivalent of a rectangular area with sides of length equal to 10 % of the visible screen height and width (in which case this latter limit applies). However, in no case may the illuminated area be smaller than the area the LMD is measuring (Reference VESA FPD Standard 2.0, Section 301-2H).

Setup

A. *Peripherals*

No external devices shall be connected to Universal Serial Bus (USB) hubs or ports. Any built-in speakers, TV tuners, etc. may be placed in their minimum power configuration, as adjustable by the user, to minimise power consumption not associated with the display itself.

B. *Modifications*

Device modifications such as circuit removal, or other actions not available to a typical user, are not permitted.

⁽¹⁾ Characteristics of approved meters taken from IEC 62301 Ed 1.0: Household electrical appliances — Measurement of standby power.

⁽²⁾ Ibid.

C. *Analogue v Digital interface*

Partners are required to test their displays using the analogue interface, except in those cases where one is not provided (i.e. digital interface displays, which for the purposes of this test method are defined as having only a digital interface). For digital interface displays, please see footnote in Appendix 1 for voltage information, and follow the test method in Appendix 1 and/or 2, depending on the viewable diagonal screen size of the UUT, using a digital signal generator.

D. *Models capable of operating at multiple voltage/frequency combinations*

Partners shall test, qualify, and document conditions applicable to each market in which their products shall be sold as ENERGY STAR qualified.

Example: For a product to earn the ENERGY STAR label in both the United States and Europe, it must qualify at both 115 V/60 Hz and 230 V/50 Hz. If the product qualifies as ENERGY STAR at only one voltage/frequency combination (e.g. 115 V/60 Hz), then it may only be qualified and promoted as ENERGY STAR in those regions that support the tested voltage/frequency combination (e.g. North America and Taiwan).

E. *External power supply*

For displays shipped with an external power supply, the supplied EPS must be used for all testing. An alternate power supply may not be substituted.

F. *Colour controls*

All colour controls (hue, saturation, gamma, etc.) shall be set to factory default settings.

G. *Resolution and refresh rate*

Resolution and refresh rate vary by technology, as follows:

1. For LCDs and other fixed pixel technologies, pixel format shall be set to the native level. LCD refresh rate shall be set to 60 Hz, unless a different refresh rate is specifically recommended by the partner, in which case that rate shall be used.
2. CRT pixel format shall be set at the preferred pixel format with the highest resolution that is intended to be driven at a 75 Hz refresh rate. A VESA Discrete Monitor Timing (DMT) or newer industry standard pixel format timing must be used for the test. The CRT display must be capable of meeting all its partner-stated quality specifications in the tested format.

H. *Warm-up*

UUT must be warmed up for a minimum of 20 minutes before any test measurements are taken (Reference VESA FPDM Standard 2.0, Section 301-2D or 305-3 for warm-up test).

I. *Stability*

All power consumption measurements shall be recorded after instrument readings are stable to within 1 % over a three-minute period (Reference IEC 4.3.1).

Test method

In performing these tests, the partner agrees to use the applicable test procedures provided in Appendices 1 and/or 2, depending on the viewable diagonal screen size of the UUT, as follows:

For displays with a viewable diagonal screen size measuring less than (<) 30 inches, use Appendix 1.

For displays with a viewable diagonal screen size measuring from 30 to 60 inches, use Appendix 2.

Documentation**A. Submittal of qualified product data to EPA or the European Commission, as applicable**

Partners are required to self-certify those product models that meet the ENERGY STAR guidelines and report information to EPA through the Online Product Submittal tool, or to the European Commission, as applicable. ENERGY STAR qualifying product data, including information about new models, must be provided on an annual basis, or more frequently if desired by the partner.

B. Qualifying family of products

Families of display models that are built on the same chassis and are identical in every respect but housing and colour may be qualified through submission of test data for a single, representative model. Likewise, models that are unchanged or that differ only in finish from those sold in a previous year may remain qualified without the submission of new test data.

C. Number of units required for testing

Borrowing from European Norm 50301 (Reference BSI 03-2001, BS EN 50301:2001, Methods of measurement for the power consumption of audio, video, and related equipment, Annex A), EPA and the European Commission have established a test procedure where the number of units required for test depends on the test results for the first unit:

1. If the steady-state power consumption of the UUT is greater than 85 % of the ENERGY STAR qualification limit in any of the three operating modes, two additional units of the same model shall be tested.
2. The power consumption data for each of the three test units shall be reported to EPA via the Online Product Submittal tool, or to the European Commission, as applicable, along with the average On, Sleep, and Off Mode power consumption data from the three tests.
3. Testing of additional units is not required if the steady-state power consumption of the first test unit is less than or equal to 85 % of the ENERGY STAR qualification limit in all of the three operating modes.
4. None of the test values for any of the units tested may exceed the ENERGY STAR specification for the model to be ENERGY STAR qualified.
5. The following example further illustrates this approach:

Example: For simplicity, assume the specification is 100 watts or less and only applies to one operational mode. 85 watts would represent the 15 % threshold:

- if the first unit is measured at 80 watts, no more testing is needed and the model qualifies (80 watts is not greater than 85 % of the ENERGY STAR qualification limit),
- if the first unit is measured at 85 watts, no more testing is needed and the model qualifies (85 watts is exactly 85 % of the ENERGY STAR qualification limit),
- if the first unit is measured at 85,1 watts, then two more units shall be tested to determine qualification (85,1 watts is greater than 85 % of the ENERGY STAR qualification limit),
- if three units are tested at 90, 98, and 105 watts, the model does not qualify as ENERGY STAR — even though the average is 98 watts — because one of the values (105) exceeds the ENERGY STAR specification.

5. User interface

Partners are strongly recommended to design products in accordance with the user interface standard IEEE P1621: Standard for user interface elements in power control of electronic devices employed in office/consumer environments. The Power Management Controls project developed this standard to make power controls more consistent and intuitive across all electronic devices. For details, see <http://eetd.LBL.gov/Controls>.

6. Effective date

The date that partners may begin to qualify products as ENERGY STAR, under the Version 5.0 specification, will be defined as the effective date of the agreement. Any previously executed agreement on the subject of ENERGY STAR qualified displays shall be terminated on 29 October 2009 for displays with a viewable diagonal screen size under 30 inches, or on 29 January 2010 for displays with a viewable diagonal screen size from 30 to 60 inches, inclusive.

A. Qualifying products under Tier 1 of the Version 5.0 specification

The date upon which Tier 1 of the Version 5.0 specification shall go into effect is contingent upon the size of the display, and is outlined in the table below. All products, including models originally qualified under Version 4.1, with a date of manufacture on or after that date must meet the new Version 5.0 requirements in order to qualify for ENERGY STAR (including additional shipments of models originally qualified under Version 4.1). The date of manufacture is specific to each unit and is the date (e.g. month and year) of which a unit is considered to be completely assembled.

Display Category	Tier 1 Effective Date
Diagonal Screen Size < 30 inches	30 October 2009
Diagonal Screen Size 30 – 60 inches	30 January 2010

B. Qualifying products under Tier 2 of the Version 5.0 specification

The second phase of this specification, Tier 2, shall take effect on 30 October 2011, and apply to products with a date of manufacture on or after 30 October 2011. For example, a unit with a date of manufacture of 30 October 2011 must meet the Tier 2 specification in order to qualify as ENERGY STAR.

C. Elimination of grandfathering

EPA and the European Commission will not allow grandfathering under this Version 5.0 ENERGY STAR specification. ENERGY STAR qualification under Version 4.1 is not automatically granted for the life of the product model. Therefore, any product sold, marketed, or identified by the manufacturing partner as ENERGY STAR must meet the current specification in effect at the time of manufacture of the product.

7. Future specification revisions

EPA and the European Commission reserve the right to change the specification should technological and/or market changes affect its usefulness to consumers, industry, or the environment. In keeping with current policy, revisions to the specification are arrived at through stakeholder discussions.

EPA and the European Commission will periodically assess the market in terms of energy efficiency and new technologies. As always, stakeholders will have an opportunity to share their data, submit proposals, and voice any concerns. EPA and the European Commission will strive to ensure that the Tier 1 and 2 specifications recognise the most energy-efficient models in the marketplace and reward those partners who have made efforts to further improve energy efficiency.

Appendix 1

Test procedures for Displays with a viewable diagonal screen size less than (<) 30 inches**WHEN TO USE THIS DOCUMENT**

This document describes the test procedures for displays with a viewable screen area measuring less than (<) 30 inches diagonal for the ENERGY STAR Program Requirements for Displays Version 5.0. The procedures are to be used to determine the On, Sleep, and Off Mode power consumption of the unit under test (UUT). Note this Appendix includes separate procedures for the following product types:

- CRT displays,
- fixed pixel displays without Automatic Brightness Control (ABC) enabled by default, and
- fixed pixel displays with ABC enabled by default.

1. Test method for CRT displays**A. Testing conditions, instrumentation, and setup**

Before testing the UUT, ensure the proper testing conditions, instrumentation, and setup are in place as outlined in the Product test conditions and instrumentation, and Product test setup sections of the Displays specification.

B. On Mode

1. Connect the test sample to the outlet or power source and test equipment.
2. Power on all test equipment and properly adjust power source voltage and frequency.
3. Check for normal operation of the test unit and leave all customer adjustments set to factory default settings.
4. Bring the test unit into On Mode either by using the remote control device or by using the ON/OFF switch on the test unit cabinet.
5. Allow the UUT to reach operating temperature (approximately 20 minutes).
6. Set the proper display mode (refer to Product test setup, Section G, Resolution and refresh rate).
7. Provide darkroom conditions (refer to Product test conditions and instrumentation, Section F, Light measurement protocols, and Section E, Darkroom conditions).
8. Set size and luminance as follows:
 - (a) Initiate the AT01P (Alignment Target 01 Positive Mode) pattern (VESA FPD Standard 2.0, A112-2F, AT01P) for screen size and use it to set the display to the partner's recommended image size, which is typically slightly smaller than maximum viewable screen size.
 - (b) Then, test pattern (VESA FPD Standard 2.0, A112-2F, SET01K) shall be displayed that provides eight shades of grey from full black (0 volts) to full white (0,7 volts) ⁽¹⁾. Input signal levels shall conform to VESA Video Signal Standard (VSIS), Version 1.0, Rev. 2.0, December 2002.
 - (c) Adjust (where feasible) the display brightness control downward from its maximum until the lowest black bar luminance level is just slightly visible (VESA FPD Standard 2.0, Section 301-3K).
 - (d) Display a test pattern (VESA FPD Standard 2.0, A112-2H, L80) that provides a full white (0,7 volts) box that occupies 80 % of the image.
 - (e) Adjust the contrast control until the white area of the screen is set at the following luminance: 100 cd/m².

⁽¹⁾ Corresponding voltage values for digital only interface displays that correspond to the brightness of the image (0 to 0,7 volts) are: 0 volts (black) = a setting of 0, 0,1 volts (darkest shade of grey analogue) = 36 digital grey, 0,7 volts (full white analogue) = 255 digital grey; please note that future digital interface specifications may widen this range, but in all cases, 0 volts shall correspond to black and the maximum value shall correspond to white, with 0,1 volts corresponding to one-seventh of the maximum value.

(f) measured according to VESA FPD Standard 2.0, Section 302-1. (If the display's maximum luminance is less than the prescribed luminance, above, the technician shall use the maximum luminance and report the value to EPA or the European Commission, as applicable, with other required testing documentation. Similarly, if the display's minimum luminance is greater than the prescribed luminance, the technician shall use the minimum luminance and report the value to EPA or the European Commission, as applicable).

(g) The luminance value shall be reported to EPA or the European Commission, as applicable, with other required testing documentation.

9. Once luminance is set, darkroom conditions are no longer needed.

10. Set the power meter current range. The full-scale value selected multiplied by the crest factor rating (I_{peak}/I_{rms}) of the meter must be greater than the peak current reading from the oscilloscope.

11. Allow the readings on the power meter to stabilise and then take the true power reading in watts from the power meter. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period (refer to Product test setup, Section I, Stability).

12. Record power consumption and total pixel format (horizontal $\times$ vertical pixels displayed), to calculate pixels/watt.

C. Sleep Mode (Power Switch On, No Video Signal)

1. At the conclusion of the On Mode test, initiate the display's Sleep Mode. The method of adjustment shall be documented along with the sequence of events required to reach the Sleep Mode. Power on all test equipment and properly adjust operation range.

2. Allow the display to remain in Sleep Mode until stable power readings are measured. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period. Tester shall ignore the input sync signal check cycle when metering the unit in Sleep Mode.

3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power). If the device has different Sleep Modes that can be manually selected, the measurement should be taken with the device in the most energy consumptive of those modes. If the modes are cycled through automatically, the measurement time should be long enough to obtain a true average that includes all modes.

D. Off Mode (Power Switch Off)

1. At the conclusion of the Sleep Mode test, initiate the display's Off Mode using the power switch that is most easily accessed by the user. The method of adjustment shall be documented along with the sequence of events required to reach the Off Mode. Power on all test equipment and properly adjust operation range.

2. Allow the display to remain in Off Mode until stable power readings are measured. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period. Tester shall ignore the input sync signal check cycle when metering the model in Off Mode.

3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power).

E. Reporting results

Upon completion of this test procedure, please refer to the Product test documentation section of the specification for guidance on how to report your test results to EPA or the European Commission, as applicable.

2. Test method for fixed pixel displays without ABC enabled by default

A. Testing conditions, instrumentation, and setup

Before testing the UUT, ensure the proper testing conditions, instrumentation, and setup are in place as outlined in the Product test conditions and instrumentation, and Product test setup sections of the Displays specification.

B. On Mode

1. Connect the test sample to the outlet or power source and test equipment.
2. Power on all test equipment and properly adjust power source voltage and frequency.
3. Check for normal operation of the test unit and leave all customer adjustments set to factory default settings.
4. Bring the test unit into On Mode either by using the remote control device or by using the ON/OFF switch on the test unit cabinet.
5. Allow the UUT to reach operating temperature (approximately 20 minutes).
6. Set the proper display mode (refer to Product test setup, Section G, Resolution and refresh rate).
7. Provide darkroom conditions (refer to Product test conditions and instrumentation, Section F, Light measurement protocols, and Section E, Darkroom conditions).
8. Set size and luminance as follows:

- (a) Test pattern (VESA FPD Standard 2.0, A112-2F, SET01K) shall be displayed that provides eight shades of grey from full black (0 volts) to full white (0,7 volts).¹ Input signal levels shall conform to VESA Video Signal Standard (VSIS), Version 1.0, Rev. 2.0, December 2002.
- (b) With the brightness and contrast controls at maximum, the technician shall check that, at a minimum, the white and near white grey levels can be distinguished. If white and near white grey levels cannot be distinguished, then contrast shall be adjusted until they can be distinguished.
- (c) The technician shall next display a test pattern (VESA FPD Standard 2.0, A112-2H, L80) that provides a full white (0,7 volts) box that occupies 80 % of the image.
- (d) The technician shall then adjust the brightness until the white area of the screen is set at the following luminance:

Product	Cd/m ²
Less than or equal to 1,1 MP resolution	175
Greater than 1,1 MP resolution	200

measured according to VESA FPD Standard 2.0, Section 302-1. (If the display's maximum luminance is less than the prescribed luminance in the table above, the technician shall use the maximum luminance and report the value to EPA or the European Commission, as applicable, with other required testing documentation. Similarly, if the display's minimum luminance is greater than the prescribed luminance, the technician shall use the minimum luminance and report the value to EPA or the European Commission, as applicable.)

- (e) The luminance value shall be reported to EPA or the European Commission, as applicable, with other required testing documentation.
9. Once luminance is set, darkroom conditions are no longer needed.
10. Set the power meter current range. The full-scale value selected multiplied by the crest factor rating ($I_{\text{peak}}/I_{\text{rms}}$) of the meter must be greater than the peak current reading from the oscilloscope.
11. Allow the readings on the power meter to stabilise and then take the true power reading in watts from the power meter. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period (refer to Product test setup, Section I, Stability).

12. Record power consumption and total pixel format (horizontal × vertical pixels displayed), to calculate pixels/watt.

C. *Sleep Mode (Power Switch On, No Video Signal)*

1. At the conclusion of the On Mode test, initiate the display's Sleep Mode. The method of adjustment shall be documented along with the sequence of events required to reach the Sleep Mode. Power on all test equipment and properly adjust operation range.
2. Allow the display to remain in Sleep Mode until stable power readings are measured. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period. Tester shall ignore the input sync signal check cycle when metering the unit in Sleep Mode.
3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power). If the device has different Sleep Modes that can be manually selected, the measurement should be taken with the device in the most energy consumptive of those modes. If the modes are cycled through automatically, the measurement time should be long enough to obtain a true average that includes all modes.

D. *Off Mode (Power Switch Off)*

1. At the conclusion of the Sleep Mode test, initiate the display's Off Mode using the power switch that is most easily accessed by the user. The method of adjustment shall be documented along with the sequence of events required to reach the Off Mode. Power on all test equipment and properly adjust operation range.
2. Allow the display to remain in Off Mode until stable power readings are measured. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period. Tester shall ignore the input sync signal check cycle when metering the model in Off Mode.
3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power).

E. *Reporting results*

Upon completion of this test procedure, please refer to the Product test documentation section of the specification for guidance on how to report your test results to EPA or the European Commission, as applicable.

3. Test method for fixed pixel displays with ABC enabled by default

A. *Testing conditions, instrumentation, and setup*

Before testing the UUT, ensure the proper testing conditions, instrumentation, and setup are in place as outlined in the Product test conditions and instrumentation, and Product test setup sections of the Displays specification.

B. *On Mode*

1. Connect the test sample to the outlet or power source and test equipment.
2. Power on all test equipment and properly adjust power source voltage and frequency.
3. Check for normal operation of the test unit and leave all customer adjustments set to factory default settings.
4. Bring the test unit into On Mode either by using the remote control device or by using the ON/OFF switch on the test unit cabinet.
5. Allow the UUT to reach operating temperature (approximately 20 minutes).
6. Set the proper display mode (refer to Product test setup, Section G, Resolution and refresh rate).
7. Set the power meter current range. The full-scale value selected multiplied by the crest factor rating (I_{peak}/I_{rms}) of the meter must be greater than the peak current reading from the oscilloscope.

8. The following alternate test procedure is used to calculate maximum On Mode power consumption for displays shipped with Automatic Brightness Control enabled by default. For this test procedure, high ambient lighting is to be set at 300 lux, while low ambient lighting is to be set at 0 lux, as follows:
 - (a) Set the ambient light level to 300 lux as measured at the face of an ambient light sensor.
 - (b) Allow the readings on the power meter to stabilise, and then take the high ambient lighting true power reading, P_h , in watts from the power meter. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period (refer to Product test setup, Section I, Stability).
 - (c) Set the ambient light level to 0 lux as measured at the face of an ambient light sensor.
 - (d) Allow the readings on the power meter to stabilise, and then take the low ambient lighting true power reading, P_l , in watts from the power meter.
 - (e) Calculate average On Mode power consumption using the equation in Section 3.A.3, Displays with Automatic Brightness Control, on page 7 of the specification.
 9. Record power consumption and total pixel format (horizontal $\times$ vertical pixels displayed), to calculate pixels/watt.
- C. *Sleep Mode (Power Switch On, No Video Signal)*
1. At the conclusion of the On Mode test, initiate the display's Sleep Mode. The method of adjustment shall be documented along with the sequence of events required to reach the Sleep Mode. Power on all test equipment and properly adjust operation range.
 2. Allow the display to remain in Sleep Mode until stable power readings are measured. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period. Tester shall ignore the input sync signal check cycle when metering the unit in Sleep Mode.
 3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power). If the device has different Sleep Modes that can be manually selected, the measurement should be taken with the device in the most energy consumptive of those modes. If the modes are cycled through automatically, the measurement time should be long enough to obtain a true average that includes all modes.
- D. *Off Mode (Power Switch Off)*
1. At the conclusion of the Sleep Mode test, initiate the display's Off Mode using the power switch that is most easily accessed by the user. The method of adjustment shall be documented along with the sequence of events required to reach the Off Mode. Power on all test equipment and properly adjust operation range.
 2. Allow the display to remain in Off Mode until stable power readings are measured. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period. Tester shall ignore the input sync signal check cycle when metering the model in Off Mode.
 3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power).
- E. *Reporting results*
- Upon completion of this test procedure, please refer to the Product test documentation section of the specification for guidance on how to report your test results to EPA or the European Commission, as applicable.
-

Appendix 2

Test procedures for Displays with a viewable diagonal screen size from 30 to 60 inches, inclusive**WHEN TO USE THIS DOCUMENT**

This document describes the test procedures for displays with a viewable diagonal screen size from 30 to 60 inches, inclusive (large displays), for the ENERGY STAR Program Requirements for Displays Version 5.0. The procedures are to be used to determine the On, Sleep, and Off Mode power consumption of the unit under test (UUT).

Table 1

Test procedure for measuring operational modes

Specification Requirement	Test Protocol	Source
On Mode	IEC 62087, Ed 2.0: Methods of measurement for the power consumption of audio, video and related equipment, Section 11, "Measuring conditions of television sets for On (average) mode"	www.iec.ch

1. Testing conditions, instrumentation, and setup

Before testing the UUT, ensure the proper testing conditions, instrumentation, and setup are in place as outlined in the Product test conditions and instrumentation, and Product test setup sections of the Displays specification.

2. Measuring power in On, Sleep, and Off Mode**A. On Mode (guidance on implementation of IEC 62087)**

Below, guidance is provided on using IEC 62087, Ed. 2.0 for measuring large displays' On Mode power. For purposes of determining ENERGY STAR qualification of a product, the below exceptions and clarifications apply.

1. Accuracy of input signal levels: Section 11.4.12, "Accuracy of input signal levels", reminds testers that video inputs used for testing should be within $\pm 2\%$ of reference white and black levels. Section B.2 of Annex B, "Considerations for On (average) mode television set power measurements" describes the importance of input signal accuracy in further detail. EPA and the European Commission would like to emphasise the importance of using accurate/calibrated video inputs during On Mode testing and encourages testers to use HDMI inputs wherever possible.
2. True power factor: Due to increased awareness of the importance of power quality, partners shall indicate the true power factor of their displays during On Mode measurement.
3. Use of test materials for testing: To measure average On Mode power consumption, partners should measure "Po_broadcast" as described in Section 11.6.1, "On mode (average) testing with dynamic broadcast-content video signal".
4. Testing at factory default settings: In measuring the On Mode power consumption of large displays, EPA and the European Commission are interested in capturing first and foremost the power consumption of products as they are shipped from the factory. Picture level adjustments that need to be made prior to testing On Mode power consumption should be made per Section 11.4.8, "Picture level adjustments", if applicable.

Section 11.4.8 reads: "The contrast and brightness of the television set and the backlight level, if it exists, shall be set as originally adjusted by the manufacturer to the end user. In the case that a setting mode must be chosen on initial activation, the 'standard mode' or equivalent shall be chosen. In the case that no 'standard mode' or equivalent exists, the first mode listed in the on-screen menus shall be selected. The mode used during the test shall be described in the report. 'Standard mode' is defined as 'recommended by the manufacturer for normal home use'."

For products shipped with a forced menu where the customer must select upon initial start up the mode in which the product will operate, Section 11.4.8 states that testing must be conducted in "standard mode".

Information relaying that the product qualifies for ENERGY STAR in a specific setting and that this is the setting in which power savings will be achieved will be included with the product in its packaging and posted on the partner's website, where information about the model is listed.

5. Testing of displays with Automatic Brightness Control: For this test procedure, high ambient lighting is to be set at 300 lux, while low ambient lighting is to be set at 0 lux, as follows:

- (a) Set the ambient light level to 300 lux as measured at the face of an ambient light sensor.
- (b) Measure the high ambient lighting On Mode power consumption, P_h , as described in Section 11.6.1, "On mode (average) testing with dynamic broadcast-content video signal".
- (c) Set the ambient light level to 0 lux as measured at the face of an ambient light sensor.
- (d) Measure the low ambient lighting On Mode power consumption, P_l , as described in Section 11.6.1, "On mode (average) testing with dynamic broadcast-content video signal".
- (e) Calculate average On Mode power consumption using the equation in Section 3.A.3, Displays with Automatic Brightness Control, on page 7 of the specification.

B. Sleep Mode (Power Switch On, No Video Signal)

1. At the conclusion of the On Mode test, initiate the display's Sleep Mode. The method of adjustment shall be documented along with the sequence of events required to reach the Sleep Mode. Power on all test equipment and properly adjust operation range.
2. Allow the display to remain in Sleep Mode until stable power readings are measured. Measurements are considered stable once the wattage reading does not vary more than 1 % over a 3-minute period. Tester shall ignore the input sync signal check cycle when metering the unit in Sleep Mode.
3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power). If the device has different Sleep Modes that can be manually selected, the measurement should be taken with the device in the most energy consumptive of those modes. If the modes are cycled through automatically, the measurement time should be long enough to obtain a true average that includes all modes.

C. Off Mode (Power Switch Off)

1. At the conclusion of the Sleep Mode test, initiate the display's Off Mode using the power switch that is most easily accessed by the user. The method of adjustment shall be documented along with the sequence of events required to reach the Off Mode. Power on all test equipment and properly adjust operation range.
2. Allow the display to remain in Off Mode until stable power readings are measured. Measurements are considered stable once the wattage reading does not vary more than 1 % over a three-minute period. Tester shall ignore the input sync signal check cycle when metering the model in Off Mode.
3. Record the test conditions and test data. The measurement time shall be sufficiently long to measure the correct average value (i.e. not peak or instantaneous power).
4. Reporting results: Upon completion of this test procedure, please refer to the Product test documentation section of the specification for guidance on how to report your test results to EPA or the European Commission, as applicable.

3. Measuring luminance

After the IEC test clip has run and the power consumption has been recorded, the technician shall measure the product's luminance using the methodology described below. Note, the technician shall not alter the product's settings from how they were set during the power consumption test.

1. Using the three bar video signal (LTL) static test image referenced in Section 11.5 of IEC 62087, measure the centre point, axial luminance of the display per the Video Electronics Standards Association (VESA) Flat Panel Display Measurements Standard (FPDM) Version 2.0, Section 301-2H.
 2. Report in OPS the measured luminance value in candelas per square meter (cd/m^2), rounded to the nearest whole number.
 3. All luminance measurements should be performed in accordance with the test conditions outlined above for large displays. Specifically, measuring the luminance must be conducted with the display's settings as they are shipped from the factory. For products with a forced menu, measurements shall be conducted in standard, or home mode.'
-

IV

(Other acts)

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

EFTA SURVEILLANCE AUTHORITY DECISION

No 245/09/COL

of 27 May 2009

concerning alleged unlawful state aid to the undertaking NordBook AS (former Rotanor Bokproduksjon AS) (Norway)

THE EFTA SURVEILLANCE AUTHORITY ⁽¹⁾,

By letter dated 31 January 2006 (Event No 353861), the Authority requested additional information from the Norwegian authorities.

Having regard to the Agreement on the European Economic Area ⁽²⁾, in particular to Articles 61 to 63, and to Protocol 26 thereof,

Having regard to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice ⁽³⁾, in particular to Articles 5 and 24 and Protocol 3 thereof,

By letter dated 13 March 2006 from the Ministry of Government Administration and Reform (Event No 367150), the Norwegian authorities replied to the request for information.

Whereas:

By letter dated 16 March 2007 (Event No 409639), the Authority requested further information on four additional points. The Norwegian authorities replied by letter dated 19 April 2007 (Event No 418736).

1. PROCEDURE

By letter dated 30 September 2005 (Event No 344941), Advokatfirmaet Grenland, on behalf of Bokbinderiet Johnsen AS (hereinafter referred to as 'the complainant'), filed a complaint against an alleged granting of aid from the Municipality of Skien to Rotanor Bokproduksjon AS (hereinafter referred to as 'Rotanor').

According to the complainant, the Municipality of Skien has granted state aid through Kontorbygg AS (hereinafter referred to as 'Kontorbygg'), a limited liability company owned by the Municipality of Skien, by entering into a sale and lease-back arrangement with Rotanor.

By letter dated 11 March 2008, the Ministry of Government Administration and Reform informed the Authority that NordBook AS (former Rotanor Bokproduksjon AS, hereinafter referred to as 'NordBook') had been declared bankrupt on 27 February 2008 by the District Court of Nedre Telemark, and that the estate had been put into administration by the Court on 27 February 2008 (Event No 469070).

By letter dated 4 November 2008 (Event No 496785), the Authority sent a request for information to the Norwegian authorities for more information regarding the estate and the bankruptcy proceedings. The Norwegian authorities replied by letter dated 1 December 2008 (Event No 500279).

⁽¹⁾ Hereinafter referred to as 'the Authority'.

⁽²⁾ Hereinafter referred to as 'the EEA Agreement'.

⁽³⁾ Hereinafter referred to as 'the Surveillance and Court Agreement'.

By letter dated 4 March 2009 (Event No 511286), the Authority informed the complainant about its intention to close the case. The complainant replied by letter dated 30 March 2009 (Event No 513907). Additional information from the complainant was received by letter dated 23 April 2009 (Event No 516392).

2. THE RECIPIENT OF ALLEGED AID

Rotanor was a subsidiary of the Danish company Nørhaven AS. The company dates back to the autumn of 2000, when Nørhaven purchased the company Kr. Johnsen Grafiske Senter AS and changed its name to Rotanor. The company was active in the market for printing and binding books and other publications. The company was located in Skien, Norway.

In April 2004 AiT AS, a production entity located in Gjøvik, was acquired by Nørhaven. The activities of AiT and Rotanor were then co-localised to Skien, and merged into a new company named NordBook.

NordBook was declared bankrupt on 27 February 2008 by the District Court of Nedre Telemark, and the estate was put into administration by the Court on the same day. By December 2008 the bankruptcy proceedings were close to being finalised, and all assets held by the company will be independently liquidated. There will be no dividend paid out to unsecured creditors and there is no successor company.

3. DESCRIPTION OF THE ALLEGED STATE AID

According to the complainant, the alleged state aid was granted to Rotanor in the form of a favourable sale and lease-back arrangement with Kontorbygg, a company owned by the Municipality of Skien. According to the complaint this agreement was not made on market terms.

According to the information provided by the Norwegian authorities, Nørhaven wished to centralise its production, by locating it either in Skien or in Gjøvik, and engaged in negotiations with the City Councils in both Municipalities. The Municipality of Skien (hereinafter 'the Municipality') offered to purchase the property of Rødmyrlia 40 on the condition that NordBook leased the property back for a longer period of time with the intention of further developing its business in Skien. On 4 November 2004 the City Council of the Municipality decided to grant NOK 40 million to

Kontorbygg AS (hereinafter referred to as 'Kontorbygg') in share capital for the purpose of buying the property.

In order to determine both the market price for the lease charge and the sales value of the property, the Municipality engaged a licensed property surveyor. The surveyor's report is dated 18 June 2004. According to this report the market price of Rødmyrlia 40 as a leasing object was estimated to NOK 4 333 600 per year including annual costs. The property's market price as a sales object was calculated on the basis of the annual leasing charge, and estimated to NOK 36 000 000.

The property was purchased by Kontorbygg for NOK 34 465 000, which is approximately 96 % of the price suggested by the surveyor (NOK 36 000 000). Kontorbygg, however, only charged Rotanor an annual leasing charge of NOK 2 400 000, which amounted to 54 % of the price suggested by the surveyor (NOK 4 433 600). Thus, whereas the building was purchased at a price close to the value assessment, the leasing charge was considerably lower than what followed from the value assessment requested by the Municipality.

4. ASSESSMENT

The fact that the sales price was close to the value assessment whereas the leasing charge was considerably lower than the value assessment is a strong indication that unlawful state aid was granted.

The recipient of the alleged aid, NordBook (former Rotanor), has ceased to exist and its assets will be independently liquidated during the course of the bankruptcy proceedings initiated in February 2008.

The Authority considers NordBook to be an independent undertaking for the purpose of applying the state aid rules. The alleged aid is directly related to NordBooks' activities in Norway, namely its premises in Skien.

Furthermore, as NordBook's assets will be independently liquidated and there will be no successor company, the Authority concludes that if state aid was granted to NordBook (former Rotanor), this aid no longer produces any distorting effect and has not benefited any buyer of the undertaking's assets⁽⁴⁾. Hence, even if illegal state aid were granted, recovery of any aid granted to NordBook would be impossible⁽⁵⁾.

⁽⁴⁾ See Case C-390/98 *H.J. Banks & Co. Ltd v The Coal Authority and Secretary of State for trade and Industry* [2001] ECR I-6117, paragraph 77, and Case C-277/00 *Germany v Commission* [2004] ECR I-3925, summary 5.

⁽⁵⁾ Commission Decision 2008/441/EC on the aid measures implemented by Spain for IZAR, Case C 47/03, (OJ L 44, 20.2.2008, p. 33) and Commission Decision 2006/238/EC on the measure implemented by France for *Mines de potasse d'Alsace*, Case C 53/2000 (OJ L 86, 24.3.2006, p. 20).

The undertaking has ceased all economic activity and there is no successor company. Under these circumstances, a decision by the Authority on the classification as aid of the measures in question and on their compatibility with the EEA Agreement would have no practical effect ⁽⁶⁾. As a result, continuing the procedure provided for in Part II of Protocol 3 to the Surveillance and Court Agreement with regard to these measures serves no useful purpose.

5. CONCLUSION

On the basis of the above considerations, the Authority finds that the procedure against NordBook serves no useful purpose,

HAS ADOPTED THIS DECISION:

Article 1

The procedure initiated pursuant to Article 10 in Part II of Protocol 3 to the Surveillance and Court Agreement concerning

alleged illegal state aid granted to the undertaking NordBook AS (former Rotanor) is hereby closed.

Article 2

This Decision is addressed to the Kingdom of Norway.

Article 3

Only the English version is authentic.

Done at Brussels, 27 May 2009.

For the EFTA Surveillance Authority

Per SANDERUD
President

Kurt JAEGER
College Member

⁽⁶⁾ See footnote 5.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals**

(Official Journal of the European Communities L 147 of 30 June 1995)

On page 9, Article 5(3), point (b):

for: '(b) they are accompanied by a written undertaking to submit, in respect of quantities awarded and within two days of receipt of notification of award pursuant to Article 7(3), an application for advance fixing of an export refund or, where applicable, an application for advance fixing of an export tax equal to the amount tendered;'

read: '(b) they are accompanied by a written undertaking to submit, in respect of quantities awarded and within two days of receipt of the notification of award pursuant to Article 7(3), an export licence application or, where applicable, an application for an export licence with advance fixing of an export tax equal to the amount tendered;'

2009 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 000 per year (*)
EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 100 per month (*)
EU Official Journal, L + C series, paper + annual CD-ROM	22 official EU languages	EUR 1 200 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 700 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 70 per month
EU Official Journal, C series, paper edition only	22 official EU languages	EUR 400 per year
EU Official Journal, C series, paper edition only	22 official EU languages	EUR 40 per month
EU Official Journal, L + C series, monthly CD-ROM (cumulative)	22 official EU languages	EUR 500 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, CD-ROM, two editions per week	multilingual: 23 official EU languages	EUR 360 per year (= EUR 30 per month)
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

(*) Sold in single issues: up to 32 pages: EUR 6
from 33 to 64 pages: EUR 12
over 64 pages: Priced individually.

Subscriptions to the *Official Journal of the European Union*, which is published in the official languages of the European Union, are available for 22 language versions. The Official Journal comprises two series, L (Legislation) and C (Information and Notices).

A separate subscription must be taken out for each language version.

In accordance with Council Regulation (EC) No 920/2005, published in Official Journal L 156 of 18 June 2005, the institutions of the European Union are temporarily not bound by the obligation to draft all acts in Irish and publish them in that language. Irish editions of the Official Journal are therefore sold separately.

Subscriptions to the Supplement to the Official Journal (S Series — tendering procedures for public contracts) cover all 23 official language versions on a single multilingual CD-ROM.

On request, subscribers to the *Official Journal of the European Union* can receive the various Annexes to the Official Journal. Subscribers are informed of the publication of Annexes by notices inserted in the *Official Journal of the European Union*.

Sales and subscriptions

Priced publications issued by the Publications Office are available from our commercial distributors. The list of commercial distributors is available at:

http://publications.europa.eu/others/agents/index_en.htm

EUR-Lex (<http://eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN