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I

(Legislative acts)

DIRECTIVES

DIRECTIVE 2013/39/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 12 August 2013
amending Directives 2000/60/EC and 2008/105/EC as regards priority substances in the field of
water policy
(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the ordinary legislative procedure ⁽³⁾,

Whereas:

- (1) Chemical pollution of surface water poses a threat to the aquatic environment, with effects such as acute and chronic toxicity in aquatic organisms, accumulation of pollutants in the ecosystem and loss of habitats and biodiversity, and also poses a threat to human health. As a matter of priority, causes of pollution should be identified and emissions of pollutants should be dealt with at source, in the most economically and environmentally effective manner.
- (2) Pursuant to the second sentence of Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), Union policy on the environment is to be based on the precautionary principle and on the principles that

preventive action should be taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay.

- (3) Treating waste water can be very costly. In order to facilitate cheaper and more cost effective treatment, the development of innovative water treatment technologies could be stimulated.
- (4) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy ⁽⁴⁾ lays down a strategy against the pollution of water. That strategy involves the identification of priority substances amongst those that pose a significant risk to, or via, the aquatic environment at Union level. Decision No 2455/2001/EC of the European Parliament and of the Council of 20 November 2001 establishing the list of priority substances in the field of water policy ⁽⁵⁾ set out the first list of 33 substances or groups of substances that were prioritised at Union level for inclusion in Annex X to Directive 2000/60/EC.
- (5) Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy ⁽⁶⁾ lays down environmental quality standards (EQS), in accordance with Directive 2000/60/EC, for the 33 priority substances identified in Decision No 2455/2001/EC and eight other pollutants that were already regulated at Union level.
- (6) Pursuant to Article 191(3) TFEU, in preparing its policy on the environment, the Union is to take account of available scientific and technical data, environmental conditions in the various regions of the Union, the potential benefits and costs of action or lack of action as well as the economic and social development of the Union as a whole and the balanced development of its

⁽¹⁾ OJ C 229, 31.7.2012, p. 116.

⁽²⁾ OJ C 17, 19.1.2013, p. 91.

⁽³⁾ Position of the European Parliament of 2 July 2013 (not yet published in the Official Journal) and decision of the Council of 22 July 2013.

⁽⁴⁾ OJ L 327, 22.12.2000, p. 1.

⁽⁵⁾ OJ L 331, 15.12.2001, p. 1.

⁽⁶⁾ OJ L 348, 24.12.2008, p. 84.

regions. Scientific, environmental and socio-economic factors, including human health considerations, should be taken into account in developing a cost-effective and proportionate policy on the prevention and control of chemical pollution of surface waters, including in reviewing the list of priority substances in accordance with Article 16(4) of Directive 2000/60/EC. In view of that aim, the polluter pays principle underpinning Directive 2000/60/EC should be consistently applied.

- (7) The Commission has conducted a review of the list of priority substances in accordance with Article 16(4) of Directive 2000/60/EC and with Article 8 of Directive 2008/105/EC and has come to the conclusion that it is appropriate to amend the list of priority substances by identifying new substances for priority action at Union level, setting EQS for those newly identified substances, revising the EQS for some existing substances in line with scientific progress and setting biota EQS for some existing and newly identified priority substances.
- (8) The review of the priority substances list has been supported by an extensive consultation with experts from the Commission services, Member States, stakeholders and the Scientific Committee on Health and Environmental Risks.
- (9) The revised EQS for existing priority substances should be taken into account for the first time in river basin management plans covering the period 2015 to 2021. The newly identified priority substances and their EQS should be taken into account in the establishment of supplementary monitoring programmes and in preliminary programmes of measures to be submitted by the end of 2018. With the aim of achieving good surface water chemical status, the revised EQS for existing priority substances should be met by the end of 2021 and the EQS for newly identified priority substances by the end of 2027, without prejudice to Article 4(4) to (9) of Directive 2000/60/EC, which includes *inter alia* provisions for extending the deadline for achieving good surface water chemical status or achieving less stringent environmental objectives for specific bodies of water on the grounds of disproportionate cost and/or socio-economic need, provided that no further deterioration occurs in the status of the affected bodies of water. The determination of surface water chemical status by the 2015 deadline laid down in Article 4 of Directive 2000/60/EC should be based, therefore, only on the substances and EQS set out in Directive 2008/105/EC in the version in force on 13 January 2009 unless those EQS are stricter than the revised EQS under this Directive, in which case the latter should be applied.
- (10) Since the adoption of Directive 2000/60/EC, numerous Union acts have been adopted, in accordance with

Article 16(6) of that Directive, which constitute emission controls for individual priority substances. Moreover, many environmental protection measures fall under the scope of other existing Union law. Where the objectives laid down in Article 16(1) of Directive 2000/60/EC can be effectively achieved by existing instruments, priority should be given to implementing and revising those instruments rather than establishing new measures. The inclusion of a substance in Annex X to Directive 2000/60/EC is without prejudice to the application of Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market ⁽¹⁾.

- (11) In order to improve coordination between Directive 2000/60/EC, Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency ⁽²⁾, and relevant sectoral legislation, potential synergies should be explored with a view to identifying possible areas where data gathered through implementation of Directive 2000/60/EC can be used to support REACH and other relevant substance evaluation procedures and, conversely, areas where data generated for the purpose of substance evaluations under REACH and relevant sectoral legislation can be used to support the implementation of Directive 2000/60/EC, including the prioritisation outlined in Article 16(2) of that Directive.
- (12) The progressive reduction of pollution from priority substances and the cessation or phasing-out of discharges, emissions and losses of priority hazardous substances, as required by Directive 2000/60/EC, may often be achieved most cost-effectively through Union substance-specific measures at source, for example pursuant to Regulations (EC) No 1907/2006, (EC) No 1107/2009, (EU) No 528/2012 ⁽³⁾ or Directives 2001/82/EC ⁽⁴⁾, 2001/83/EC ⁽⁵⁾ or 2010/75/EU ⁽⁶⁾. Coherence between those legal acts, Directive 2000/60/EC and other relevant legislation should therefore be strengthened to ensure that source-control mechanisms are applied as appropriate. Where the outcome of the regular review of Annex X to Directive

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ OJ L 396, 30.12.2006, p. 1.

⁽³⁾ Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

⁽⁴⁾ Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p. 1).

⁽⁵⁾ Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

⁽⁶⁾ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).

2000/60/EC, and available monitoring data, show that the measures in place at Union or Member State level are insufficient to achieve the EQS for certain priority substances or the cessation or phasing-out objective for certain priority hazardous substances, appropriate action should be taken at Union or Member State level with a view to achieving the objectives of Directive 2000/60/EC, taking into account the risk evaluations, socio-economic and cost-benefit analyses carried out under the relevant legislation as well as the availability of alternatives.

(13) Since the derivation of the EQS for the 33 priority substances included in Annex X to Directive 2000/60/EC, a number of risk assessments under Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances ⁽¹⁾, later replaced by Regulation (EC) No 1907/2006, have been concluded. In order to ensure an appropriate level of protection and to update EQS in line with the latest scientific and technical knowledge concerning risks to, or via, the aquatic environment, the EQS for some of the existing substances should be revised.

(14) Additional substances posing a significant risk to, or via, the aquatic environment at Union level have been identified and prioritised using the approaches specified in Article 16(2) of Directive 2000/60/EC and should be added to the list of priority substances. The latest available scientific and technical information has been taken into account in deriving the EQS for those substances.

(15) The contamination of water and soil with pharmaceutical residues is an emerging environmental concern. In evaluating and controlling the risk to, or via, the aquatic environment from medicinal products, adequate attention should be paid to Union environmental objectives. In order to address that concern, the Commission should study the risks of environmental effects from medicinal products and provide an analysis of the relevance and effectiveness of the current legislative framework in protecting the aquatic environment and human health via the aquatic environment.

(16) The derivation of EQS for priority hazardous substances usually involves higher levels of uncertainty than is the case for priority substances but such EQS still establish a benchmark to assess compliance with the objective of good surface water chemical status, as defined in Article 2(24) and points (ii) and (iii) of point (a) of Article 4(1) of Directive 2000/60/EC. However, in order to ensure an adequate level of protection for the environment and human health, the cessation or phasing-out of discharges, emissions and losses of

priority hazardous substances should also be aimed at, in accordance with point (iv) of point (a) of Article 4(1) of Directive 2000/60/EC.

(17) Scientific knowledge about the fate and effects of pollutants in water has evolved significantly over recent years. More is known about which compartment of the aquatic environment (water, sediment or biota, hereinafter 'matrix') a substance is likely to be found in, and therefore where its concentration is most likely to be measurable. Some very hydrophobic substances accumulate in biota and are hardly detectable in water even using the most advanced analytical techniques. For such substances, EQS should be set for biota. Nevertheless, in order to take advantage of their monitoring strategy and adapt it to their local circumstances, Member States should have flexibility to apply an EQS for an alternative matrix or, where relevant, an alternative biota taxon, for example sub-phylum Crustacea, para-phylum 'fish', class Cephalopoda or class Bivalvia (mussels and clams), provided that the level of protection afforded by the EQS and the monitoring system applied by the Member States is as good as that provided by the EQS and matrix laid down in this Directive.

(18) Novel monitoring methods such as passive sampling and other tools show promise for future application, and their development should therefore be pursued.

(19) Commission Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status ⁽²⁾, establishes minimum performance criteria for the analytical methods used in monitoring water status. Those criteria ensure meaningful and relevant monitoring information by requiring the use of analytical methods that are sensitive enough to ensure that any exceedance of an EQS can be reliably detected and measured. Member States should be permitted to monitor in matrices or in biota taxa other than those specified by this Directive only if the analytical method used meets the minimum performance criteria set out in Article 4 of Directive 2009/90/EC for the relevant EQS and matrix or biota taxon, or performs at least as well as the method available for the EQS and matrix or biota taxon specified in this Directive.

(20) The implementation of this Directive involves challenges which include the diversity of the possible solutions to scientific, technical and practical questions and the incomplete development of monitoring methods, as well as constraints on human and financial resources. To help address some of those challenges, the development of monitoring strategies and analytical methods should be supported by technical work by expert groups under the Common Implementation Strategy for Directive 2000/60/EC.

⁽¹⁾ OJ L 84, 5.4.1993, p. 1.

⁽²⁾ OJ L 201, 1.8.2009, p. 36.

- (21) Persistent, bioaccumulative and toxic substances (PBTs) and other substances that behave like PBTs can be found for decades in the aquatic environment at levels posing a significant risk, even if extensive measures to reduce or eliminate emissions of such substances have already been taken. Some are also capable of long-range transport and are largely ubiquitous in the environment. Several such substances are among the existing and newly identified priority hazardous substances. For some of those substances there is evidence of long-term ubiquity in the aquatic environment at Union level, and those particular substances therefore need special consideration as regards their impact on the presentation of chemical status under Directive 2000/60/EC and as regards monitoring requirements.
- (22) As regards the presentation of chemical status under Section 1.4.3 of Annex V to Directive 2000/60/EC, Member States should be allowed to present separately the impact on chemical status of substances that behave like ubiquitous PBTs so that improvements in water quality achieved in relation to other substances are not obscured. In addition to the obligatory map covering all substances, additional maps, covering substances behaving like ubiquitous PBTs and separately covering the rest of the substances, could be provided.
- (23) Monitoring should be adapted to the spatial and temporal scale of the expected variation in concentrations. Given the widespread distribution and long recovery times expected for substances behaving like ubiquitous PBTs, Member States should be allowed to reduce the number of monitoring sites and/or the frequency of monitoring for those substances to the minimum level sufficient for reliable long-term trend analysis, provided that a statistically robust monitoring baseline is available.
- (24) The special consideration given to substances behaving like ubiquitous PBTs does not exempt the Union or the Member States from taking measures additional to those already taken, including at international level, to reduce or eliminate discharges, emissions and losses of those substances so as to achieve the objectives set out in point (a) of Article 4(1) of Directive 2000/60/EC.
- (25) Under Article 10(3) of Directive 2000/60/EC, where a quality objective or quality standard established pursuant to that Directive, to the Directives listed in Annex IX to Directive 2000/60/EC, or pursuant to any other Union legislation, requires stricter conditions than those which would result from the application of Article 10(2) of that Directive, more stringent emission controls are to be set accordingly. A similar provision has also been included in Article 18 of Directive 2010/75/EU. It follows from those Articles that the emission controls set under the legislation listed in Article 10(2) of Directive 2000/60/EC should be the minimum controls applied. Where those controls cannot ensure that an EQS is met, for example in the case of a substance behaving like a ubiquitous PBT, but stricter conditions would not either, even in conjunction with stricter conditions for other discharges, emissions and losses affecting the water body, such stricter conditions could not be considered as being required to meet that EQS.
- (26) High-quality monitoring data, along with data on ecotoxicological and toxicological effects, are needed for the risk assessments that support the selection of new priority substances. The monitoring data collected from Member States, although significantly improved over the past years, are not always fit for purpose in terms of quality and Union coverage. Monitoring data are particularly lacking for many emerging pollutants, which can be defined as pollutants currently not included in routine monitoring programmes at Union level but which could pose a significant risk requiring regulation, depending upon their potential ecotoxicological and toxicological effects and on their levels in the aquatic environment.
- (27) A new mechanism is needed to provide the Commission with targeted high-quality monitoring information on the concentration of substances in the aquatic environment, with a focus on emerging pollutants and substances for which available monitoring data are of insufficient quality for the purpose of risk assessment. The new mechanism should facilitate the gathering of that information across Union river basins and complement monitoring data from programmes under Articles 5 and 8 of Directive 2000/60/EC and other reliable sources. In order to maintain monitoring costs at reasonable levels, the mechanism should focus on a limited number of substances, included temporarily in a watch list, and a limited number of monitoring sites, but should provide representative data that are fit for the purpose of the Union prioritisation process. The list should be dynamic and its validity in time should be limited, in order to respond to new information on the potential risks posed by emerging pollutants and to avoid monitoring substances for longer than necessary.
- (28) In order to simplify and streamline reporting obligations for the Member States, and increase coherence with other related aspects of water management, the notification requirements in Article 3 of Directive 2008/105/EC should be merged with the overall reporting obligations under Article 15 of Directive 2000/60/EC.

- (29) As regards the presentation of chemical status in accordance with Section 1.4.3 of Annex V to Directive 2000/60/EC, for the purposes of the update of the programmes of measures and of the river basin management plans to be carried out in accordance with Article 11(8) and Article 13(7) of Directive 2000/60/EC respectively, Member States should be allowed to present separately the impact on chemical status of newly identified priority substances and of existing priority substances with revised EQS, so that the introduction of new requirements is not mistakenly perceived as an indication that the chemical status of surface waters has deteriorated. In addition to the obligatory map covering all substances, additional maps, covering newly identified substances and existing substances with revised EQS, and separately covering the rest of the substances, could be provided.
- (30) It is important that environmental information on the status of Union surface waters and on the achievements of strategies against chemical pollution is made available to the public in a timely manner. With a view to strengthening access and transparency, a central portal providing information on the river basin management plans and their reviews and updates should be accessible to the public electronically in each Member State.
- (31) With the adoption of this proposal and submission of its report to the European Parliament and to the Council, the Commission has completed its first review of the list of priority substances as required under Article 8 of Directive 2008/105/EC. This has included a review of the substances listed in Annex III to that Directive, some of which have been identified for prioritisation. There is currently insufficient evidence to prioritise the other substances listed in Annex III. The possibility of new information regarding those substances becoming available means that they are not excluded from future review, as is the case for the other substances considered but not prioritised in the present review. Annex III to Directive 2008/105/EC has therefore become obsolete and should be deleted. Article 8 of that Directive should be amended accordingly, also regarding the date of reporting to the European Parliament and to the Council.
- (32) In order to react to relevant technical and scientific progress in the area covered by this Directive in a timely manner, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the updating of the methods for applying the EQS laid down in the Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.
- (33) In order to improve the information basis for future identification of priority substances, in particular as regards emerging pollutants, implementing powers should be conferred on the Commission in respect of the establishment and updating of a watch list. Furthermore, in order to ensure uniform conditions for the implementation of this Directive and for the formats for the reporting to the Commission of the monitoring data and information, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers⁽¹⁾.
- (34) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents⁽²⁾, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified.
- (35) Since the objective of this Directive, namely that of achieving good surface water chemical status by laying down EQS for priority substances and certain other pollutants, cannot be sufficiently achieved by the Member States and can therefore, by reason of the need to maintain the same level of protection of surface water throughout the Union, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (36) Directives 2000/60/EC and 2008/105/EC should therefore be amended accordingly,
- HAVE ADOPTED THIS DIRECTIVE:
- Article 1*
- Directive 2000/60/EC is amended as follows:
- ⁽¹⁾ OJ L 55, 28.2.2011, p. 13.
⁽²⁾ OJ C 369, 17.12.2011, p. 14.

(1) Article 16(4) is replaced by the following:

‘4. The Commission shall review the adopted list of priority substances at the latest four years after the date of entry into force of this Directive and at least every six years thereafter, and come forward with proposals as appropriate.’;

(2) Annex X is replaced by the text set out in Annex I to this Directive.

Article 2

Directive 2008/105/EC is amended as follows:

(1) Article 2 is replaced by the following:

‘Article 2

Definitions

For the purposes of this Directive, the definitions laid down in Article 2 of Directive 2000/60/EC and in Article 2 of Commission Directive 2009/90/EC of 31 July 2009 laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status (*) shall apply.

In addition, the following definitions shall apply:

- (1) “matrix” means a compartment of the aquatic environment, namely water, sediment or biota;
- (2) “biota taxon” means a particular aquatic taxon within the taxonomic rank “sub-phylum”, “class” or their equivalent.

(*) OJ L 201, 1.8.2009, p. 36.’;

(2) Article 3 is replaced by the following:

‘Article 3

Environmental quality standards

1. Without prejudice to paragraph 1a, Member States shall apply the EQS laid down in Part A of Annex I for bodies of surface water, and shall apply those EQS in accordance with the requirements laid down in Part B of Annex I.

1a. Without prejudice to the obligations arising under this Directive in the version in force on 13 January 2009 and in particular the achievement of good surface water chemical status in relation to the substances and the EQS listed therein, Member States shall implement the EQS laid down in Part A of Annex I as regards:

- (i) the substances numbered 2, 5, 15, 20, 22, 23, 28 in Part A of Annex I, for which revised EQS are set, with effect from 22 December 2015, with the aim of achieving good surface water chemical status in

relation to those substances by 22 December 2021 by means of programmes of measures included in the 2015 river basin management plans produced in accordance with Article 13(7) of Directive 2000/60/EC; and

- (ii) the newly identified substances numbered 34 to 45 in Part A of Annex I, with effect from 22 December 2018, with the aim of achieving good surface water chemical status in relation to those substances by 22 December 2027 and preventing deterioration in the chemical status of surface water bodies in relation to those substances. For this purpose, Member States shall, by 22 December 2018, establish and submit to the Commission a supplementary monitoring programme and a preliminary programme of measures covering those substances. A final programme of measures in accordance with Article 11 of Directive 2000/60/EC shall be established by 22 December 2021 and shall be implemented and made fully operational as soon as possible after that date and not later than 22 December 2024.

Article 4(4) to (9) of Directive 2000/60/EC shall apply *mutatis mutandis* to the substances listed in points (i) and (ii) of the first subparagraph.

2. For the substances numbered 5, 15, 16, 17, 21, 28, 34, 35, 37, 43 and 44 in Part A of Annex I, Member States shall apply the biota EQS laid down in Part A of Annex I.

For substances other than those referred to in the first subparagraph, Member States shall apply the water EQS laid down in Part A of Annex I.

3. Member States may opt, in relation to one or more categories of surface water, to apply an EQS for a matrix other than that specified in paragraph 2, or, where relevant, for a biota taxon other than those specified in Part A of Annex I.

Member States that make use of the option referred to in the first subparagraph shall apply the relevant EQS laid down in Part A of Annex I or, if none is included for the matrix or biota taxon, establish an EQS that offers at least the same level of protection as the EQS laid down in Part A of Annex I.

Member States may use the option referred to in the first subparagraph only where the method of analysis used for the chosen matrix or biota taxon fulfils the minimum performance criteria laid down in Article 4 of Directive 2009/90/EC. Where those criteria are not met for any matrix, Member States shall ensure that monitoring is carried out using best available techniques not entailing excessive costs and that the method of analysis performs at least as well as that available for the matrix specified in paragraph 2 of this Article for the relevant substance.

3a. Where a potential risk to, or via, the aquatic environment from acute exposure has been identified as a result of measured or estimated environmental concentrations or emissions and where a biota or sediment EQS

is being applied, Member States shall ensure that monitoring in surface water is also carried out and shall apply the MAC-EQS laid down in Part A of Annex I to this Directive where such EQS have been established.

3b. Where, pursuant to Article 5 of Directive 2009/90/EC, the calculated mean value of a measurement, when carried out using the best available technique not entailing excessive costs, is referred to as “less than limit of quantification”, and the limit of quantification of that technique is above the EQS, the result for the substance being measured shall not be considered for the purposes of assessing the overall chemical status of that water body.

4. For substances for which an EQS for sediment and/or biota is applied, Member States shall monitor the substance in the relevant matrix at least once every year, unless technical knowledge and expert judgment justify another interval.

5. Member States shall include the following information in the updated river basin management plans produced in accordance with Article 13(7) of Directive 2000/60/EC:

- (a) a table presenting the limits of quantification of the methods of analysis applied, and information on the performance of those methods in relation to the minimum performance criteria laid down in Article 4 of Directive 2009/90/EC;
- (b) for the substances for which the option in paragraph 3 of this Article is used:
 - (i) the reasons and basis for using that option;
 - (ii) where relevant, the alternative EQS established, evidence that those EQS would offer at least the same level of protection as the EQS laid down in Part A of Annex I, including the data and methodology used to derive the EQS, and the categories of surface water to which they would apply;
 - (iii) for comparison with the information referred to in point (a) of this paragraph, the limits of quantification of the methods of analysis for the matrices specified in Part A of Annex I to this Directive, including information on the performance of those methods in relation to the minimum performance criteria laid down in Article 4 of Directive 2009/90/EC;
- (c) justification for the frequency of monitoring applied in accordance with paragraph 4, if monitoring intervals are longer than one year.

5a. Member States shall take the necessary measures to ensure that the updated river basin management plans, produced in accordance with Article 13(7) of Directive 2000/60/EC, containing the results and impact of the

measures taken to prevent chemical pollution of surface water, and the interim report describing progress in the implementation of the planned programme of measures in accordance with Article 15(3) of Directive 2000/60/EC, are provided through a central portal which is accessible to the public electronically in accordance with Article 7(1) of Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information (*).

6. Member States shall arrange for the long-term trend analysis of concentrations of those priority substances listed in Part A of Annex I that tend to accumulate in sediment and/or biota, giving particular consideration to the substances numbered 2, 5, 6, 7, 12, 15, 16, 17, 18, 20, 21, 26, 28, 30, 34, 35, 36, 37, 43 and 44 listed in Part A of Annex I, on the basis of the monitoring of surface water status carried out in accordance with Article 8 of Directive 2000/60/EC. Member States shall take measures aimed at ensuring, subject to Article 4 of Directive 2000/60/EC, that such concentrations do not significantly increase in sediment and/or relevant biota.

Member States shall determine the frequency of monitoring in sediment and/or biota so as to provide sufficient data for a reliable long-term trend analysis. As a guideline, monitoring should take place every three years, unless technical knowledge and expert judgment justify another interval.

7. The Commission shall examine technical and scientific progress, including the conclusions of risk assessments as referred to in points (a) and (b) of Article 16(2) of Directive 2000/60/EC and information from the registration of substances made publicly available in accordance with Article 119 of Regulation (EC) No 1907/2006, and, if necessary, propose that the EQS laid down in Part A of Annex I to this Directive be revised in accordance with the procedure laid down in Article 294 TFEU in line with the timetable provided for in Article 16(4) of Directive 2000/60/EC.

8. The Commission shall be empowered to adopt delegated acts in accordance with Article 10, where necessary in order to adapt point 3 of Part B of Annex I to this Directive to scientific or technical developments.

8a. In order to facilitate the implementation of this Article, technical guidelines on monitoring strategies and analytical methods for substances, including sampling and monitoring of biota, shall be developed, to the extent possible, by 22 December 2014, as part of the existing implementation process of Directive 2000/60/EC.

In particular, the guidelines shall cover:

- (a) the monitoring of substances in biota as provided for in paragraphs 2 and 3 of this Article;

- (b) in the case of newly identified substances (numbered 34 to 45 in Part A of Annex I) and substances for which stricter EQS are established (numbered 2, 5, 15, 20, 22, 23 and 28 in Part A of Annex I), analytical methods compliant with the minimum performance criteria laid down in Article 4 of Directive 2009/90/EC.

8b. In the case of substances for which technical guidelines have not been adopted by 22 December 2014, the deadline of 22 December 2015 referred to in point (i) of paragraph (1a) shall be extended to 22 December 2018, and the deadline of 22 December 2021 referred to in that point shall be extended to 22 December 2027.

(*) OJ L 41, 14.2.2003, p. 26.;

- (3) Article 4(4) and Article 5(6) are deleted;

- (4) the following Article is inserted:

'Article 7a

Coordination

1. For priority substances that fall within the scope of Regulations (EC) No 1907/2006, (EC) No 1107/2009 (*), (EU) No 528/2012 (**) or Directive 2010/75/EU (***), the Commission shall, as part of the regular review of Annex X to Directive 2000/60/EC pursuant to Article 16(4) of that Directive, assess whether the measures in place at Union and Member State level are sufficient to achieve the EQS for priority substances and the cessation or phasing-out objective for discharges, emissions and losses of priority hazardous substances in accordance with point (a) of Article 4(1) and Article 16(6) of Directive 2000/60/EC.

2. The Commission shall report to the European Parliament and to the Council on the outcome of the assessment referred to in paragraph 1 of this Article in accordance with the timetable laid down in Article 16(4) of Directive 2000/60/EC and shall accompany its report with any appropriate proposals including for control measures.

3. Where the results of the report show that additional measures at Union or Member State level may be necessary in order to facilitate compliance with Directive 2000/60/EC in relation to a particular substance approved pursuant to Regulation (EC) No 1107/2009 or Regulation (EU) No 528/2012, Member States or the Commission shall apply Articles 21 or 44 of Regulation (EC) No 1107/2009 or Articles 15 or 48 of Regulation (EU) No 528/2012, as appropriate, to that substance, or products containing that substance.

In the case of substances falling within the scope of Regulation (EC) No 1907/2006, the Commission shall initiate, where appropriate, the procedure referred to in Articles 59, 61 or 69 of that Regulation.

In applying the provisions of the Regulations referred to in the first and second subparagraphs, Member States and the Commission shall take into account any risk evaluations and socio-economic or cost-benefit analyses required under those Regulations, including as regards the availability of alternatives.

(*) Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market (OJ L 309, 24.11.2009, p. 1).

(**) Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

(***) Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17).;

- (5) Articles 8 and 9 are replaced by the following:

'Article 8

Review of Annex X to Directive 2000/60/EC

The Commission shall report to the European Parliament and to the Council on the outcome of the regular review of Annex X to Directive 2000/60/EC provided for in Article 16(4) of that Directive. It shall accompany the report, where appropriate, with legislative proposals to amend Annex X including, in particular, proposals to identify new priority substances or priority hazardous substances or to identify certain priority substances as priority hazardous substances and to set corresponding EQS for surface water, sediment or biota, as appropriate.

Article 8a

Specific provisions for certain substances

1. In the river basin management plans produced in accordance with Article 13 of Directive 2000/60/EC, without prejudice to the requirements of Section 1.4.3 of Annex V thereof regarding the presentation of the overall chemical status and the objectives and obligations laid down in point (a) of Article 4(1), in point (k) of Article 11(3) and in Article 16(6) of that Directive, Member States may provide additional maps that present the chemical status information for one or more of the following substances separately from the information for the rest of the substances identified in Part A of Annex I to this Directive:

- (a) substances numbered 5, 21, 28, 30, 35, 37, 43 and 44 (substances behaving like ubiquitous PBTs);
- (b) substances numbered 34 to 45 (newly identified substances);
- (c) substances numbered 2, 5, 15, 20, 22, 23 and 28 (substances for which revised, stricter EQS are established).

Member States may also present the extent of any deviation from the EQS value for the substances referred to in points (a) to (c) of the first subparagraph in the river basin management plans. Member States providing such additional maps shall seek to ensure their inter-comparability at river basin and Union level.

2. Member States may monitor the substances numbered 5, 21, 28, 30, 35, 37, 43 and 44 in Part A of Annex I less intensively than is required for priority substances in accordance with Article 3(4) of this Directive and Annex V to Directive 2000/60/EC, provided that the monitoring is representative and a statistically robust baseline is available regarding the presence of those substances in the aquatic environment. As a guideline, in accordance with the second subparagraph of Article 3(6) of this Directive, monitoring should take place every three years, unless technical knowledge and expert judgment justify another interval.

Article 8b

Watch list

1. The Commission shall establish a watch list of substances for which Union-wide monitoring data are to be gathered for the purpose of supporting future prioritisation exercises in accordance with Article 16(2) of Directive 2000/60/EC, to complement data from, inter alia, analyses and reviews under Article 5 and monitoring programmes under Article 8 of that Directive.

The first watch list shall contain a maximum of 10 substances or groups of substances and shall indicate the monitoring matrices and the possible methods of analysis not entailing excessive costs for each substance. Subject to the availability of methods of analysis not entailing excessive costs, the maximum number of substances or groups of substances that the Commission is allowed to include in the list shall increase by one at each update of the list in accordance with paragraph 2 of this Article, up to a maximum number of 14. The substances to be included in the watch list shall be selected from amongst those for which the information available indicates that they may pose a significant risk at Union level to, or via, the aquatic environment and for which monitoring data are insufficient.

Diclofenac (CAS 15307-79-6), 17-beta-estradiol (E2) (CAS 50-28-2) and 17-alpha-ethinylestradiol (EE2) (CAS 57-63-6) shall be included in the first watch list, in order to gather monitoring data for the purpose of facilitating the determination of appropriate measures to address the risk posed by those substances.

In selecting the substances for the watch list, the Commission shall take into account all available information including:

(a) the results of the most recent regular review of Annex X to Directive 2000/60/EC provided for in Article 16(4) of that Directive;

(b) research projects;

(c) recommendations from the stakeholders referred to in Article 16(5) of Directive 2000/60/EC;

(d) Member States' characterisation of river basin districts and the results of monitoring programmes, under Articles 5 and 8 of Directive 2000/60/EC respectively;

(e) on production volumes, use patterns, intrinsic properties (including, where relevant, particle size), concentrations in the environment and effects, including information gathered in accordance with Directives 98/8/EC, 2001/82/EC (*) and 2001/83/EC (**), and with Regulations (EC) No 1907/2006 and (EC) No 1107/2009.

2. The Commission shall establish the first watch list as referred to in paragraph 1 by 14 September 2014 and shall update it every 24 months thereafter. When updating the watch list, the Commission shall remove any substance for which a risk-based assessment as referred to in Article 16(2) of Directive 2000/60/EC can be concluded without additional monitoring data. The duration of a continuous watch list monitoring period for any individual substance shall not exceed four years.

3. Member States shall monitor each substance in the watch list at selected representative monitoring stations over at least a 12-month period. For the first watch list, the monitoring period shall commence by 14 September 2015 or within six months of the establishment of the watch list, whichever is the later. For each substance included in subsequent lists, Member States shall commence monitoring within six months of its inclusion in the list.

Each Member State shall select at least one monitoring station, plus one station if it has more than one million inhabitants, plus the number of stations equal to its geographical area in km² divided by 60 000 (rounded to the nearest integer), plus the number of stations equal to its population divided by five million (rounded to the nearest integer).

In selecting the representative monitoring stations, the monitoring frequency and timing for each substance, Member States shall take into account the use patterns and possible occurrence of the substance. The frequency of monitoring shall be no less than once per year.

Where a Member State provides sufficient, comparable, representative and recent monitoring data for a particular substance from existing monitoring programmes or studies, it may decide not to undertake additional monitoring under

the watch list mechanism for that substance, provided also that the substance was monitored using a methodology that satisfies the requirements of the technical guidelines developed by the Commission in accordance with Article 8b(5).

4. Member States shall report to the Commission the results of the monitoring carried out pursuant to paragraph 3. For the first watch list, the monitoring results shall be reported within 15 months of 14 September 2015 or within 21 months of the establishment of the watch list, whichever is the later, and every 12 months thereafter while the substance is kept on the list. For each substance included in subsequent lists, Member States shall report the results of the monitoring to the Commission within 21 months of the inclusion of the substance in the watch list, and every 12 months thereafter while the substance is kept on the list. The report shall include information on the representativeness of the monitoring stations and monitoring strategy.

5. The Commission shall adopt implementing acts establishing and updating the watch list as referred to in paragraphs 1 and 2. It may also adopt technical formats for reporting the monitoring results and related information to the Commission. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 9(2).

The Commission shall develop guidelines, including technical specifications, with a view to facilitating the monitoring of the substances in the watch list and is invited to promote coordination of such monitoring.

Article 8c

Specific provisions for pharmaceutical substances

Pursuant to Article 16(9) of Directive 2000/60/EC, and where appropriate on the basis of the outcome of its 2013 study on the risks posed by medicinal products in the environment and of other relevant studies and reports, the Commission shall, as far as possible within two years from 13 September 2013 develop a strategic approach to pollution of water by pharmaceutical substances. That strategic approach shall, where appropriate, include proposals enabling, to the extent necessary, the environmental impacts of medicines to be taken into account more effectively in the procedure for placing medicinal products on the market. In the framework of that strategic approach, the Commission shall, where appropriate, by 14 September 2017 propose measures to be taken at Union and/or Member State level, as appropriate, to address the possible environmental impacts of pharmaceutical substances, particularly those referred to in Article 8b(1), with a view to reducing discharges, emissions and losses of such substances into the aquatic environment, taking into account public health needs and the cost-effectiveness of the measures proposed.

Article 9

Committee procedure

1. The Commission shall be assisted by the Committee established under Article 21(1) of Directive 2000/60/EC. That Committee is a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament

and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (**).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

Article 9a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 3(8) shall be conferred on the Commission for a period of six years from 13 September 2013. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the six-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 3(8) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Article 3(8) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

(*) Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p. 1).

(**) Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).

(***) OJ L 55, 28.2.2011, p. 13.;

(6) Annex I is amended as follows:

(a) Part A is replaced by the text set out in Annex II to this Directive;

(b) points 2 and 3 of Part B are replaced by the following:

‘2. Columns 6 and 7 of the table: for any given surface water body, applying the MAC-EQS means that the measured concentration at any representative monitoring point within the water body does not exceed the standard.

However, in accordance with Section 1.3.4 of Annex V to Directive 2000/60/EC, Member States may introduce statistical methods, such as a percentile calculation, to ensure an acceptable level of confidence and precision for determining compliance with the MAC-EQS. Where Member States do so, such statistical methods shall comply with detailed rules laid down in accordance with the examination procedure referred to in Article 9(2) of this Directive.

3. The water EQS laid down in this Annex are expressed as total concentrations in the whole water sample.

By way of derogation from the first subparagraph, in the case of cadmium, lead, mercury and nickel (hereinafter “metals”), the water EQS refer to the dissolved concentration, i.e. the dissolved phase of a water sample obtained by filtration through a 0,45 µm filter or any equivalent pre-treatment, or, where specifically indicated, to the bioavailable concentration.

Member States may, when assessing the monitoring results against the relevant EQS, take into account:

(a) natural background concentrations for metals and their compounds where such concentrations prevent compliance with the relevant EQS;

(b) hardness, pH, dissolved organic carbon or other water quality parameters that affect the bioavailability of metals, the bioavailable concentrations being determined using appropriate bioavailability modelling;’

(7) Annexes II and III are deleted.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 14 September 2015. 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 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 12 August 2013.

For the European Parliament
The President
M. SCHULZ

For the Council
The President
L. LINKEVIČIUS

ANNEX I

ANNEX X

LIST OF PRIORITY SUBSTANCES IN THE FIELD OF WATER POLICY

Number	CAS number ⁽¹⁾	EU number ⁽²⁾	Name of priority substance ⁽³⁾	Identified as priority hazardous substance
(1)	15972-60-8	240-110-8	Alachlor	
(2)	120-12-7	204-371-1	Anthracene	X
(3)	1912-24-9	217-617-8	Atrazine	
(4)	71-43-2	200-753-7	Benzene	
(5)	not applicable	not applicable	Brominated diphenylethers	X ⁽⁴⁾
(6)	7440-43-9	231-152-8	Cadmium and its compounds	X
(7)	85535-84-8	287-476-5	Chloroalkanes, C ₁₀₋₁₃	X
(8)	470-90-6	207-432-0	Chlorfenvinphos	
(9)	2921-88-2	220-864-4	Chlorpyrifos (Chlorpyrifos-ethyl)	
(10)	107-06-2	203-458-1	1,2-dichloroethane	
(11)	75-09-2	200-838-9	Dichloromethane	
(12)	117-81-7	204-211-0	Di(2-ethylhexyl)phthalate (DEHP)	X
(13)	330-54-1	206-354-4	Diuron	
(14)	115-29-7	204-079-4	Endosulfan	X
(15)	206-44-0	205-912-4	Fluoranthene	
(16)	118-74-1	204-273-9	Hexachlorobenzene	X
(17)	87-68-3	201-765-5	Hexachlorobutadiene	X
(18)	608-73-1	210-168-9	Hexachlorocyclohexane	X
(19)	34123-59-6	251-835-4	Isoproturon	
(20)	7439-92-1	231-100-4	Lead and its compounds	
(21)	7439-97-6	231-106-7	Mercury and its compounds	X
(22)	91-20-3	202-049-5	Naphthalene	
(23)	7440-02-0	231-111-4	Nickel and its compounds	
(24)	not applicable	not applicable	Nonylphenols	X ⁽⁵⁾
(25)	not applicable	not applicable	Octylphenols ⁽⁶⁾	
(26)	608-93-5	210-172-0	Pentachlorobenzene	X
(27)	87-86-5	201-778-6	Pentachlorophenol	
(28)	not applicable	not applicable	Polyaromatic hydrocarbons (PAH) ⁽⁷⁾	X
(29)	122-34-9	204-535-2	Simazine	
(30)	not applicable	not applicable	Tributyltin compounds	X ⁽⁸⁾

Number	CAS number ⁽¹⁾	EU number ⁽²⁾	Name of priority substance ⁽³⁾	Identified as priority hazardous substance
(31)	12002-48-1	234-413-4	Trichlorobenzenes	
(32)	67-66-3	200-663-8	Trichloromethane (chloroform)	
(33)	1582-09-8	216-428-8	Trifluralin	X
(34)	115-32-2	204-082-0	Dicofol	X
(35)	1763-23-1	217-179-8	Perfluorooctane sulfonic acid and its derivatives (PFOS)	X
(36)	124495-18-7	not applicable	Quinoxifen	X
(37)	not applicable	not applicable	Dioxins and dioxin-like compounds	X ⁽⁹⁾
(38)	74070-46-5	277-704-1	Aclonifen	
(39)	42576-02-3	255-894-7	Bifenox	
(40)	28159-98-0	248-872-3	Cybutryne	
(41)	52315-07-8	257-842-9	Cypermethrin ⁽¹⁰⁾	
(42)	62-73-7	200-547-7	Dichlorvos	
(43)	not applicable	not applicable	Hexabromocyclododecanes (HBCDD)	X ⁽¹¹⁾
(44)	76-44-8/ 1024-57-3	200-962-3/ 213-831-0	Heptachlor and heptachlor epoxide	X
(45)	886-50-0	212-950-5	Terbutryn	

⁽¹⁾ CAS: Chemical Abstracts Service.

⁽²⁾ EU-number: European Inventory of Existing Commercial Substances (EINECS) or European List of Notified Chemical Substances (ELINCS).

⁽³⁾ Where groups of substances have been selected, unless explicitly noted, typical individual representatives are defined in the context of the setting of environmental quality standards.

⁽⁴⁾ Only Tetra, Penta, Hexa and Heptabromodiphenylether (CAS -numbers 40088-47-9, 32534-81-9, 36483-60-0, 68928-80-3, respectively).

⁽⁵⁾ Nonylphenol (CAS 25154-52-3, EU 246-672-0) including isomers 4-nonylphenol (CAS 104-40-5, EU 203-199-4) and 4-nonylphenol (branched) (CAS 84852-15-3, EU 284-325-5).

⁽⁶⁾ Octylphenol (CAS 1806-26-4, EU 217-302-5) including isomer 4-(1,1',3,3'-tetramethylbutyl)-phenol (CAS 140-66-9, EU 205-426-2).

⁽⁷⁾ Including benzo(a)pyrene (CAS 50-32-8, EU 200-028-5), benzo(b)fluoranthene (CAS 205-99-2, EU 205-911-9), benzo(g,h,i)perylene (CAS 191-24-2, EU 205-883-8), benzo(k)fluoranthene (CAS 207-08-9, EU 205-916-6), indeno(1,2,3-cd)pyrene (CAS 193-39-5, EU 205-893-2) and excluding anthracene, fluoranthene and naphthalene, which are listed separately.

⁽⁸⁾ Including tributyltin-cation (CAS 36643-28-4).

⁽⁹⁾ This refers to the following compounds:

7 polychlorinated dibenzo-p-dioxins (PCDDs): 2,3,7,8-T4CDD (CAS 1746-01-6), 1,2,3,7,8-P5CDD (CAS 40321-76-4), 1,2,3,4,7,8-H6CDD (CAS 39227-28-6), 1,2,3,6,7,8-H6CDD (CAS 57653-85-7), 1,2,3,7,8,9-H6CDD (CAS 19408-74-3), 1,2,3,4,6,7,8-H7CDD (CAS 35822-46-9), 1,2,3,4,6,7,8,9-O8CDD (CAS 3268-87-9)

10 polychlorinated dibenzofurans (PCDFs): 2,3,7,8-T4CDF (CAS 51207-31-9), 1,2,3,7,8-P5CDF (CAS 57117-41-6), 2,3,4,7,8-P5CDF (CAS 57117-31-4), 1,2,3,4,7,8-H6CDF (CAS 70648-26-9), 1,2,3,6,7,8-H6CDF (CAS 57117-44-9), 1,2,3,7,8,9-H6CDF (CAS 72918-21-9), 2,3,4,6,7,8-H6CDF (CAS 60851-34-5), 1,2,3,4,6,7,8-H7CDF (CAS 67562-39-4), 1,2,3,4,7,8,9-H7CDF (CAS 55673-89-7), 1,2,3,4,6,7,8,9-O8CDF (CAS 39001-02-0)

12 dioxin-like polychlorinated biphenyls (PCB-DL): 3,3',4,4'-T4CB (PCB 77, CAS 32598-13-3), 3,3',4',5-T4CB (PCB 81, CAS 70362-50-4), 2,3,3',4,4'-P5CB (PCB 105, CAS 32598-14-4), 2,3,4,4',5-P5CB (PCB 114, CAS 74472-37-0), 2,3',4,4',5-P5CB (PCB 118, CAS 31508-00-6), 2,3',4,4',5'-P5CB (PCB 123, CAS 65510-44-3), 3,3',4,4',5-P5CB (PCB 126, CAS 57465-28-8), 2,3,3',4,4',5-H6CB (PCB 156, CAS 38380-08-4), 2,3,3',4,4',5'-H6CB (PCB 157, CAS 69782-90-7), 2,3',4,4',5,5'-H6CB (PCB 167, CAS 52663-72-6), 3,3',4,4',5,5'-H6CB (PCB 169, CAS 32774-16-6), 2,3,3',4,4',5,5'-H7CB (PCB 189, CAS 39635-31-9).

⁽¹⁰⁾ CAS 52315-07-8 refers to an isomer mixture of cypermethrin, alpha-cypermethrin (CAS 67375-30-8), beta-cypermethrin (CAS 65731-84-2), theta-cypermethrin (CAS 71697-59-1) and zeta-cypermethrin (52315-07-8).

⁽¹¹⁾ This refers to 1,3,5,7,9,11-Hexabromocyclododecane (CAS 25637-99-4), 1,2,5,6,9,10- Hexabromocyclododecane (CAS 3194-55-6), α-Hexabromocyclododecane (CAS 134237-50-6), β-Hexabromocyclododecane (CAS 134237-51-7) and γ- Hexabromocyclododecane (CAS 134237-52-8).¹

ANNEX II

‘ANNEX I

ENVIRONMENTAL QUALITY STANDARDS FOR PRIORITY SUBSTANCES AND CERTAIN OTHER POLLUTANTS

PART A: ENVIRONMENTAL QUALITY STANDARDS (EQS)

AA: annual average.

MAC: maximum allowable concentration.

Unit: [µg/l] for columns (4) to (7)

[µg/kg wet weight] for column (8)

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
No	Name of substance	CAS number ⁽¹⁾	AA-EQS ⁽²⁾ Inland surface waters ⁽³⁾	AA-EQS ⁽²⁾ Other surface waters	MAC-EQS ⁽⁴⁾ Inland surface waters ⁽³⁾	MAC-EQS ⁽⁴⁾ Other surface waters	EQS Biota ⁽¹²⁾
(1)	Alachlor	15972-60-8	0,3	0,3	0,7	0,7	
(2)	Anthracene	120-12-7	0,1	0,1	0,1	0,1	
(3)	Atrazine	1912-24-9	0,6	0,6	2,0	2,0	
(4)	Benzene	71-43-2	10	8	50	50	
(5)	Brominated diphenyl- ethers ⁽⁵⁾	32534-81-9			0,14	0,014	0,0085
(6)	Cadmium and its compounds (depending on water hardness classes) ⁽⁶⁾	7440-43-9	≤ 0,08 (Class 1) 0,08 (Class 2) 0,09 (Class 3) 0,15 (Class 4) 0,25 (Class 5)	0,2	≤ 0,45 (Class 1) 0,45 (Class 2) 0,6 (Class 3) 0,9 (Class 4) 1,5 (Class 5)	≤ 0,45 (Class 1) 0,45 (Class 2) 0,6 (Class 3) 0,9 (Class 4) 1,5 (Class 5)	
(6a)	Carbon-tetrachloride ⁽⁷⁾	56-23-5	12	12	not applicable	not applicable	
(7)	C10-13 Chloroalkanes ⁽⁸⁾	85535-84-8	0,4	0,4	1,4	1,4	
(8)	Chlorfenvinphos	470-90-6	0,1	0,1	0,3	0,3	
(9)	Chlorpyrifos (Chlorpyrifos-ethyl)	2921-88-2	0,03	0,03	0,1	0,1	
(9a)	Cyclodiene pesticides: Aldrin ⁽⁷⁾ Dieldrin ⁽⁷⁾ Endrin ⁽⁷⁾ Isodrin ⁽⁷⁾	309-00-2 60-57-1 72-20-8 465-73-6	Σ = 0,01	Σ = 0,005	not applicable	not applicable	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
No	Name of substance	CAS number ⁽¹⁾	AA-EQS ⁽²⁾ Inland surface waters ⁽³⁾	AA-EQS ⁽²⁾ Other surface waters	MAC-EQS ⁽⁴⁾ Inland surface waters ⁽³⁾	MAC-EQS ⁽⁴⁾ Other surface waters	EQS Biota ⁽¹²⁾
(9b)	DDT total ⁽⁷⁾ , ⁽⁹⁾	not applicable	0,025	0,025	not applicable	not applicable	
	para-para- DDT ⁽⁷⁾	50-29-3	0,01	0,01	not applicable	not applicable	
(10)	1,2-Dichloroe- thane	107-06-2	10	10	not applicable	not applicable	
(11)	Dichlorome- thane	75-09-2	20	20	not applicable	not applicable	
(12)	Di(2- ethylhexyl)- phthalate (DEHP)	117-81-7	1,3	1,3	not applicable	not applicable	
(13)	Diuron	330-54-1	0,2	0,2	1,8	1,8	
(14)	Endosulfan	115-29-7	0,005	0,0005	0,01	0,004	
(15)	Fluoranthene	206-44-0	0,0063	0,0063	0,12	0,12	30
(16)	Hexachloro- benzene	118-74-1			0,05	0,05	10
(17)	Hexachloro- butadiene	87-68-3			0,6	0,6	55
(18)	Hexachloro- cyclohexane	608-73-1	0,02	0,002	0,04	0,02	
(19)	Isoproturon	34123-59-6	0,3	0,3	1,0	1,0	
(20)	Lead and its compounds	7439-92-1	1,2 ⁽¹³⁾	1,3	14	14	
(21)	Mercury and its compounds	7439-97-6			0,07	0,07	20
(22)	Naphthalene	91-20-3	2	2	130	130	
(23)	Nickel and its compounds	7440-02-0	4 ⁽¹³⁾	8,6	34	34	
(24)	Nonylphenols (4-Nonylphenol)	84852-15-3	0,3	0,3	2,0	2,0	
(25)	Octylphenols ((4-(1,1',3,3'- tetramethyl- butyl)-phenol))	140-66-9	0,1	0,01	not applicable	not applicable	
(26)	Pentachloro- benzene	608-93-5	0,007	0,0007	not applicable	not applicable	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
No	Name of substance	CAS number ⁽¹⁾	AA-EQS ⁽²⁾ Inland surface waters ⁽³⁾	AA-EQS ⁽²⁾ Other surface waters	MAC-EQS ⁽⁴⁾ Inland surface waters ⁽³⁾	MAC-EQS ⁽⁴⁾ Other surface waters	EQS Biota ⁽¹²⁾
(27)	Pentachloro-phenol	87-86-5	0,4	0,4	1	1	
(28)	Polyaromatic hydrocarbons (PAH) ⁽¹¹⁾	not applicable	not applicable	not applicable	not applicable	not applicable	
	Benzo(a)pyrene	50-32-8	$1,7 \times 10^{-4}$	$1,7 \times 10^{-4}$	0,27	0,027	5
	Benzo(b)fluor-anthene	205-99-2	see footnote 11	see footnote 11	0,017	0,017	see footnote 11
	Benzo(k)fluor-anthene	207-08-9	see footnote 11	see footnote 11	0,017	0,017	see footnote 11
	Benzo(g,h,i)-perylene	191-24-2	see footnote 11	see footnote 11	$8,2 \times 10^{-3}$	$8,2 \times 10^{-4}$	see footnote 11
	Indeno(1,2,3-cd)-pyrene	193-39-5	see footnote 11	see footnote 11	not applicable	not applicable	see footnote 11
(29)	Simazine	122-34-9	1	1	4	4	
(29a)	Tetrachloro-ethylene ⁽⁷⁾	127-18-4	10	10	not applicable	not applicable	
(29b)	Trichloro-ethylene ⁽⁷⁾	79-01-6	10	10	not applicable	not applicable	
(30)	Tributyltin compounds (Tributyltin-cation)	36643-28-4	0,0002	0,0002	0,0015	0,0015	
(31)	Trichloro-benzenes	12002-48-1	0,4	0,4	not applicable	not applicable	
(32)	Trichloro-methane	67-66-3	2,5	2,5	not applicable	not applicable	
(33)	Trifluralin	1582-09-8	0,03	0,03	not applicable	not applicable	
(34)	Dicofol	115-32-2	$1,3 \times 10^{-3}$	$3,2 \times 10^{-5}$	not applicable ⁽¹⁰⁾	not applicable ⁽¹⁰⁾	33
(35)	Perfluorooctane sulfonic acid and its derivatives (PFOS)	1763-23-1	$6,5 \times 10^{-4}$	$1,3 \times 10^{-4}$	36	7,2	9,1
(36)	Quinoxifen	124495-18-7	0,15	0,015	2,7	0,54	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
No	Name of substance	CAS number ⁽¹⁾	AA-EQS ⁽²⁾ Inland surface waters ⁽³⁾	AA-EQS ⁽²⁾ Other surface waters	MAC-EQS ⁽⁴⁾ Inland surface waters ⁽³⁾	MAC-EQS ⁽⁴⁾ Other surface waters	EQS Biota ⁽¹²⁾
(37)	Dioxins and dioxin-like compounds	See footnote 10 in Annex X to Directive 2000/60/EC			not applicable	not applicable	Sum of PCDD+PCDF+PCB-DL 0,0065 µg.kg ⁻¹ TEQ ⁽¹⁴⁾
(38)	Aclonifen	74070-46-5	0,12	0,012	0,12	0,012	
(39)	Bifenox	42576-02-3	0,012	0,0012	0,04	0,004	
(40)	Cybutryne	28159-98-0	0,0025	0,0025	0,016	0,016	
(41)	Cypermethrin	52315-07-8	8 × 10 ⁻⁵	8 × 10 ⁻⁶	6 × 10 ⁻⁴	6 × 10 ⁻⁵	
(42)	Dichlorvos	62-73-7	6 × 10 ⁻⁴	6 × 10 ⁻⁵	7 × 10 ⁻⁴	7 × 10 ⁻⁵	
(43)	Hexabromo-cyclododecane (HBCDD)	See footnote 12 in Annex X to Directive 2000/60/EC	0,0016	0,0008	0,5	0,05	167
(44)	Heptachlor and heptachlor epoxide	76-44-8/1024-57-3	2 × 10 ⁻⁷	1 × 10 ⁻⁸	3 × 10 ⁻⁴	3 × 10 ⁻⁵	6,7 × 10 ⁻³
(45)	Terbutryn	886-50-0	0,065	0,0065	0,34	0,034	

⁽¹⁾ CAS: Chemical Abstracts Service.

⁽²⁾ This parameter is the EQS expressed as an annual average value (AA-EQS). Unless otherwise specified, it applies to the total concentration of all isomers.

⁽³⁾ Inland surface waters encompass rivers and lakes and related artificial or heavily modified water bodies.

⁽⁴⁾ This parameter is the EQS expressed as a maximum allowable concentration (MAC-EQS). Where the MAC-EQS are marked as "not applicable", the AA-EQS values are considered protective against short-term pollution peaks in continuous discharges since they are significantly lower than the values derived on the basis of acute toxicity.

⁽⁵⁾ For the group of priority substances covered by brominated diphenylethers (No 5), the EQS refers to the sum of the concentrations of congener numbers 28, 47, 99, 100, 153 and 154.

⁽⁶⁾ For Cadmium and its compounds (No 6) the EQS values vary depending on the hardness of the water as specified in five class categories (Class 1: < 40 mg CaCO₃/l, Class 2: 40 to < 50 mg CaCO₃/l, Class 3: 50 to < 100 mg CaCO₃/l, Class 4: 100 to < 200 mg CaCO₃/l and Class 5: ≥ 200 mg CaCO₃/l).

⁽⁷⁾ This substance is not a priority substance but one of the other pollutants for which the EQS are identical to those laid down in the legislation that applied prior to 13 January 2009.

⁽⁸⁾ No indicative parameter is provided for this group of substances. The indicative parameter(s) must be defined through the analytical method.

⁽⁹⁾ DDT total comprises the sum of the isomers 1,1,1-trichloro-2,2 bis (p-chlorophenyl) ethane (CAS number 50-29-3; EU number 200-024-3); 1,1,1-trichloro-2 (o-chlorophenyl)-2-(p-chlorophenyl) ethane (CAS number 789-02-6; EU Number 212-332-5); 1,1-dichloro-2,2 bis (p-chlorophenyl) ethylene (CAS number 72-55-9; EU Number 200-784-6); and 1,1-dichloro-2,2 bis (p-chlorophenyl) ethane (CAS number 72-54-8; EU Number 200-783-0).

⁽¹⁰⁾ There is insufficient information available to set a MAC-EQS for these substances.

⁽¹¹⁾ For the group of priority substances of polycyclic aromatic hydrocarbons (PAH) (No 28), the biota EQS and corresponding AA-EQS in water refer to the concentration of benzo(a)pyrene, on the toxicity of which they are based. Benzo(a)pyrene can be considered as a marker for the other PAHs, hence only benzo(a)pyrene needs to be monitored for comparison with the biota EQS or the corresponding AA-EQS in water.

⁽¹²⁾ Unless otherwise indicated, the biota EQS relate to fish. An alternative biota taxon, or another matrix, may be monitored instead, as long as the EQS applied provides an equivalent level of protection. For substances numbered 15 (Fluoranthene) and 28 (PAHs), the biota EQS refers to crustaceans and molluscs. For the purpose of assessing chemical status, monitoring of Fluoranthene and PAHs in fish is not appropriate. For substance number 37 (Dioxins and dioxin-like compounds), the biota EQS relates to fish, crustaceans and molluscs, in line with section 5.3 of the Annex to Commission Regulation (EU) No 1259/2011 of 2 December 2011 amending Regulation (EC) No 1881/2006 as regards maximum levels for dioxins, dioxin-like PCBs and non-dioxin-like PCBs in foodstuffs (OJ L 320, 3.12.2011, p. 18).

⁽¹³⁾ These EQS refer to bioavailable concentrations of the substances.

⁽¹⁴⁾ PCDD: polychlorinated dibenzo-p-dioxins; PCDF: polychlorinated dibenzofurans; PCB-DL: dioxin-like polychlorinated biphenyls; TEQ: toxic equivalents according to the World Health Organisation 2005 Toxic Equivalence Factors.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 805/2013

of 23 August 2013

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

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

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

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 23 August 2013.

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

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
Code NC	Code des pays tiers ⁽¹⁾	Valeur forfaitaire à l'importation
0707 00 05	TR	95,4
	ZZ	95,4
0709 93 10	TR	122,6
	ZZ	122,6
0805 50 10	AR	119,4
	CL	122,7
	TR	70,0
	UY	140,2
	ZA	108,3
	ZZ	112,1
0806 10 10	EG	175,3
	MA	135,8
	TR	144,0
	ZZ	151,7
0808 10 80	AR	181,4
	BR	108,7
	CL	122,9
	CN	88,5
	NZ	129,1
	US	130,9
	ZA	116,3
	ZZ	125,4
0808 30 90	AR	196,9
	CL	148,9
	TR	147,9
	ZA	88,2
	ZZ	145,5
0809 30	TR	143,1
	ZZ	143,1
0809 40 05	BA	49,8
	MK	59,8
	XS	57,7
	ZZ	55,8

⁽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'.

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at:
<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29docstts.html>

Regulation No 80 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of seats of large passenger vehicles and of these vehicles with regard to the strength of the seats and their anchorages

Incorporating all valid text up to:

03 series of amendments to the Regulation — Date of entry into force: 26 July 2012

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3. Arrangements of approval marks

4. Procedure for determining the 'H' point and the actual torso angle for seating position in motor vehicles

1. SCOPE

1.1. This Regulation applies to:

(a) Passenger seats for forward-facing installation in vehicles of categories M₂ and M₃, of Classes II, III and B ⁽¹⁾;

(b) Vehicles of categories M₂ and M₃ of Classes II, III and B ⁽¹⁾ in respect of their passenger seat anchorages and seat installation.

(c) It does not apply to rearward-facing seats or to any head restraint fitted to these seats.

1.2. At the request of the manufacturer, vehicles of category M₂ ⁽¹⁾ approved to Regulation No 17 shall be deemed to meet the requirements of this Regulation.

1.3. Vehicles where some seats benefit from the derogation provided in paragraph 7.4 to Regulation No 14 shall be approved to this Regulation.

1.4. The installation of side-facing seats shall be prohibited in vehicles of categories M₂ (of class II, III and B) and M₃ (of class II, III and B).

1.5. At the request of the manufacturer and in agreement with the Technical Service, as well as the Type Approval Authority of the Contracting Party, an approval may be granted for vehicles of category M₃ (of Class III or B) of a technically permissible maximum laden mass exceeding 10 tonnes with side-facing seats on condition that these side-facing seats are grouped together at the rear of the vehicle to form an integrated saloon of up to 10 seats. Such side-facing seats shall be fitted with, at least, a head restraint and a two-point belt with retractor type-approved in accordance with Regulation No 16. Further, the anchorages for their safety belts shall comply with dimensional and strength requirements based on those as laid down in Regulation No 14. However it shall be taken into account that the seat is side-facing instead of forward-facing, and test and inspections shall not be waived on that basis. The communication document (Annex 2) shall bear the remark stating that side-facing seats have been permitted according to this paragraph. Such approvals shall not be granted anymore as from 1 November 2014 or as from the date of adoption of uniform test provisions for side-facing seats (i.e. this Regulation) as well as provisions for such seats regarding safety-belt anchorages (i.e. Regulation No 14) and vehicles equipped with safety-belts (i.e. Regulation No 16), whichever date is earlier.

⁽¹⁾ As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3.), document ECE/TRANS/WP.29/78/Rev.2, paragraph 2

- 1.6. Paragraph 1.4 shall not apply to ambulances or to vehicles intended for use by the armed services, civil defence, fire services and forces responsible for maintaining public order.
- 1.7. Paragraph 1.4 shall not apply to vehicles of category M₃ (of class II, III and B) of a technically permissible maximum laden mass exceeding 10 tonnes with side-facing seats provided the requirements of paragraph 7.4 are met.
2. DEFINITIONS
For the purposes of this Regulation:
 - 2.1. 'Approval of a seat' means an approval of a seat type as a component in relation to the protection of the occupants of forward-facing seats with regard to their strength and the design of the seat backs;
 - 2.2. 'Approval of a vehicle' means an approval of a vehicle type with regard to the strength of the parts of the vehicle structure to which seats are to be secured, and with regard to the installation of seats;
 - 2.3. 'Seat type' means seats which do not differ essentially with respect to the following characteristics likely to affect their strength and their aggressiveness:
 - 2.3.1. Structure, shape, dimensions and materials of the load bearing parts;
 - 2.3.2. Types and dimensions of the seat back adjustment and locking system;
 - 2.3.3. Dimensions, structure and materials of the attachments and supports (e.g. legs);
 - 2.4. 'Vehicle type' means vehicles which do not differ essentially in respect of:
 - 2.4.1. The constructional features relevant to this Regulation; and,
 - 2.4.2. The type or types of type approved seat(s) fitted to the vehicle, if any.
 - 2.5. 'Seat' means a structure likely to be anchored to the vehicle structure, including its trim and attachment fittings, intended to be used in a vehicle, and to seat one or more adult persons. Depending on its orientation, a seat is defined as follows:
 - 2.5.1. 'Forward-facing seat' means a seat which can be used while the vehicle is in motion and which faces towards the front of the vehicle in such a manner that the vertical plane of symmetry of the seat forms an angle of less than + 10° or – 10° with the vertical plane of symmetry of the vehicle.
 - 2.5.2. 'Rearward-facing seat' means a seat which can be used while the vehicle is in motion and which faces towards the rear of the vehicle in such a manner that the vertical plane of symmetry of the seat forms an angle of less than + 10° or – 10° with the vertical plane of symmetry of the vehicle.
 - 2.5.3. 'Side-facing seat' means a seat which can be used whilst the vehicle is in motion and which faces towards the side of the vehicle in such a manner that the vertical plane of symmetry of the seat forms an angle of 90° (± 10°) with the vertical plane of symmetry of the vehicle;
 - 2.6. 'Individual seat' means a seat designed and constructed for the accommodation of one seated passenger;
 - 2.7. 'Double seat' means a seat designed and constructed for the accommodation of two seated passengers side by side; two seats side by side and having no interconnection shall be regarded as two individual seats;
 - 2.8. 'Row of seats' means a seat designed and constructed for the accommodation of three or more seated passengers side by side; several individual or double seats arranged side by side shall not be regarded as a row of seats;
 - 2.9. 'Seat cushion' means the part of the seat which is arranged almost horizontally and designed to support a seated passenger;
 - 2.10. 'Seat-back' means the part of the seat that is almost vertical, designed to support the passenger's back, shoulders and, possibly, his head;
 - 2.11. 'Adjustment system' means the device by which the seat or its parts can be adjusted to a position suited to the seated occupant;

- 2.12. 'Displacement system' means a device enabling the seat or one of its parts to be displaced laterally or longitudinally without a fixed intermediate position of the seat or one of its parts, to facilitate access by passengers;
- 2.13. 'Locking system' means a device ensuring that the seat and its parts are maintained in the position of use;
- 2.14. 'Anchorage' means a part of the floor or of the body of a vehicle to which a seat may be fixed;
- 2.15. 'Attachment fittings' means bolts or other components used to attach the seat to the vehicle;
- 2.16. 'Trolley' means the test equipment made and used for dynamic reproduction of road accidents involving frontal collision;
- 2.17. 'Auxiliary seat' means a seat for the manikin mounted on the trolley to the rear of the seat to be tested. This seat shall be representative of the seat to be used in the vehicle behind the seat to be tested;
- 2.18. 'Reference plane' means the plane passing through the points of contact of the heels of the manikin, used for the determination of the H point and the actual angle of torso for the seating position of motor vehicles according to the prescriptions of Annex 4;
- 2.19. 'Reference height' means the height of the top of the seat above the reference plane;
- 2.20. 'Manikin', a manikin corresponding to the specifications for HYBRID II or III ⁽¹⁾ for forward-facing seats; or a manikin corresponding to the specifications for side impact dummy according to Regulation No 95, Annex 6 for side facing seats;
- 2.21. 'Reference zone', means the space between two vertical longitudinal planes, 400 mm apart and symmetrical with respect to the H-point, and defined by rotation from vertical to horizontal of the headform apparatus, described in Regulation No 21, Annex 1. The apparatus shall be positioned as described in that annex to Regulation No 21 and set to its maximum length of 840 mm and its minimum length of 736 mm for residual limitation of said space;
- 2.22. '3-point belt' for the purposes of this Regulation also includes belts with more than three anchorage points;
- 2.23. 'Seat spacing' means, in the case of seats facing in the same direction, the distance between the front of a seat squab and the back of the seat squab of the seat preceding it, measured horizontally at the height of 620 mm above the floor.
- 3. APPLICATION FOR APPROVAL
 - 3.1. The application for approval of a seat shall be submitted by the seat manufacturer or by his duly accredited representative.
 - 3.2. The application for approval of the vehicle shall be submitted by the vehicle manufacturer or by his duly accredited representative.
 - 3.3. The application for approval of a seat or a vehicle shall be accompanied by the following documents in triplicate and the following particulars:
 - 3.3.1. For approval of a seat:
 - 3.3.1.1. A detailed description of the seat, its attachment fittings and its adjustment, displacement and locking systems;
 - 3.3.1.2. Drawings, on an appropriate scale and in sufficient detail, of the seat, its attachment fittings and adjustment, displacement and locking systems;
 - 3.3.2. For approval of a vehicle:
 - 3.3.2.1. A detailed description of the parts of the structure of the vehicle used as anchorages;
 - 3.3.2.2. Drawings, on an appropriate scale and in sufficient detail, of the parts of the vehicle used as anchorages.
 - 3.4. The following shall be submitted to the technical service responsible for the approval tests:

⁽¹⁾ The technical specifications and detailed drawings of HYBRID II and III, corresponding to the principal dimensions of the fiftieth percentile male of the United States of America, and the specifications for its adjustment for this test are deposited with the Secretary-General of the United Nations and may be consulted on request at the secretariat of the Economic Commission for Europe, Palais des Nations, Geneva, Switzerland.

- 3.4.1. Two seats representative of the type to be approved, in the case of approval of a seat;
- 3.4.2. A part of the vehicle structure, in the case of approval of a vehicle.
- 4. APPROVAL
- 4.1. If the seat submitted for approval under this Regulation meets the relevant requirements of paragraph 5 below, approval of that seat type shall be granted.
- 4.2. If the vehicle submitted for approval under this Regulation meets the relevant requirements of paragraphs 6 and 7 below, approval of that vehicle type shall be granted.
- 4.3. An approval number shall be assigned to each type approved. Its first two digits (at present 03, corresponding to the 03 series of amendments) shall indicate the series of amendments incorporating the most recent major technical amendments made to the Regulation at the time of issue of the approval. The same Contracting Party shall not assign the same number to any other seat type or any other vehicle type.
- 4.4. Notice of approval or of extension or refusal of approval of a seat type and/or a vehicle type pursuant to this Regulation shall be communicated to the Parties to the 1958 Agreement applying this Regulation, by means of a form conforming to the model in Annex 1 and/or Annex 2 to this Regulation.
- 4.5. There shall be affixed, conspicuously and in a readily accessible place specified on the approval form, to every seat conforming to a seat type approved under this Regulation and to every vehicle conforming to a vehicle type approved under this Regulation an international approval mark consisting of:
 - 4.5.1. A circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted approval ⁽¹⁾;
 - 4.5.2. The number of this Regulation, followed by the letter R, a dash and the approval number, placed to the right of the circle prescribed in paragraph 4.5.1.
- 4.6. The approval mark shall be clearly legible and shall be indelible.
- 4.7. As the case may be, the approval mark shall be placed on the seat or seats or on, or close to, the data plate affixed to the vehicle by the manufacturer.
- 4.8. Examples of arrangements of approval marks are given in Annex 3.
- 5. REQUIREMENTS FOR SEATS
- 5.1. Each type of forward-facing seat shall be subject to the test requirements of either Appendix 1 (dynamic test) or Appendices 5 and 6 (static test) at the request of the manufacturer.
- 5.2. The tests which the seat type has passed shall be recorded in the communication form concerning the approval of a seat type and conforming to the model in Annex 1.
- 5.3. Every adjustment and displacement system provided shall incorporate a locking system, which shall operate automatically.
- 5.4. The adjustment and locking systems shall not be required to be in full working order after the test.
- 5.5. A head restraint shall be mounted on every outboard front seat in every vehicle of category M₂ with a maximum mass not exceeding 3 500 kg. This head restraint shall comply with the requirements of Regulation No 25, as amended by the 03 series of amendments.
- 6. REQUIREMENTS FOR SEAT ANCHORAGES OF A VEHICLE TYPE
- 6.1. The anchorages for the seats of the vehicle shall be capable of withstanding:
 - 6.1.1. Either the test described in Appendix 2;
 - 6.1.2. Or, if a seat is mounted on the part of the vehicle structure being tested, the tests prescribed in Appendix 1. The seat need not to be an approved seat provided that it satisfies the requirements of paragraph 3.2.1 of the above-mentioned appendix.

⁽¹⁾ The distinguishing numbers of the Contracting Parties to the 1958 Agreement are reproduced in Annex 3 to Consolidated Resolution on the Construction of Vehicles (R.E.3), document TRANS/WP.29/78/Rev.2/Amend.1.

- 6.2. Permanent deformation, including breakage, of an anchorage or of the surrounding area shall be permissible provided that the prescribed force has been sustained throughout the prescribed period.
- 6.3. When there is more than one type of anchorage on a vehicle, each variant shall be tested in order to obtain an approval for the vehicle.
- 6.4. One test may be used to approve simultaneously a seat and a vehicle.
- 6.5. In the case of vehicles of category M₃, seat anchorages shall be deemed to comply with the requirements of paragraphs 6.1 and 6.2 if the safety-belt anchorages of the corresponding seating positions are fitted directly to the seats to be installed and these belt anchorages comply with the requirements of Regulation No 14, if necessary with the derogation provided in paragraph 7.4.
- 7. REQUIREMENTS FOR INSTALLATION OF SEATS IN A VEHICLE TYPE
 - 7.1. All forward-facing seats installed shall be approved to the requirements of paragraph 5 of this Regulation and subject to the following conditions:
 - 7.1.1. The seat shall have a reference height of at least 1 m; and
 - 7.1.2. The H-point of the seat immediately behind shall be less than 72 mm higher than the H-point of the seat in question or, if the seat behind has the H-point more than 72 mm higher, the seat in question shall be tested and approved for installation in such a position.
 - 7.2. When approved to Appendix 1, Test 1 and 2 shall apply, except as follows:
 - 7.2.1. Test 1 shall not apply where the rear of the seat cannot be struck by an unrestrained passenger (i.e. there is no forward or side-facing seat directly behind the seat to be tested).
 - 7.2.2. Test 2 shall not apply:
 - 7.2.2.1. If the rear of the seat cannot be struck by a restrained passenger; or
 - 7.2.2.2. If the seat behind is a forward-facing seat fitted with a 3-point belt with anchorages that comply fully with Regulation No 14 (without derogation); or
 - 7.2.2.3. If the seat fulfils the requirements of Appendix 6 to this Regulation.
 - 7.3. When approved to Appendices 5 and 6, all tests shall apply, except as follows:
 - 7.3.1. The test of Appendix 5 shall not apply if the rear of the seat cannot be struck by an unrestrained passenger (i.e. there is no forward or side-facing seat directly behind the seat to be tested).
 - 7.3.2. The test of Appendix 6 shall not apply:
 - 7.3.2.1. If the rear of the seat cannot be struck by a restrained passenger; or
 - 7.3.2.2. If the seat behind is a forward-facing seat fitted with a 3-point belt with anchorages that comply fully with Regulation No 14 (without derogation).
 - 7.4. The installation of side-facing seats shall be subject to the following conditions:
 - 7.4.1. The seat shall have a reference height of at least 1 m;
 - 7.4.2. The plane through the H-points of adjacent side-facing seats shall be parallel to the reference plane;
 - 7.4.3. The horizontal distance between the H-point line between two adjacent side facing seats shall not exceed 725 mm and shall not be less than 450 mm, measured horizontally between the vertical longitudinal planes passing through the centres of these seating positions (see Appendix 7, Figure 1); and
 - 7.4.4. The passengers in side-facing seats shall be safeguarded by a vehicle part (e.g. partition, wall or seat back of a forward-facing seat) forward of the foremost side-facing seat. This vehicle part shall meet the requirements of Appendix 7.

8. CONFORMITY OF PRODUCTION

The conformity of production procedures shall comply with those set out in the Agreement, Appendix 2 (E/ECE/324-E/ECE/TRANS/505/Rev.2), with the following requirements:

- 8.1. Seats and or vehicles approved to this Regulation shall be so manufactured as to conform to the type approved by meeting the requirements set out in paragraphs 5, 6 and 7 above.
- 8.2. In order to verify that the requirements of paragraph 8.1 are met, suitable controls of the production shall be carried out. In this case, suitable controls mean checking the dimensions of the product as well as the existence of procedures for the effective control of the quality of products.
- 8.3. The competent authority which has granted the Type Approval may at any time verify the conformity control methods applicable to each production unit and carry out on samples any test deemed necessary among the tests carried out for the approval. The normal frequency of these verifications shall be once a year.
9. PENALTIES FOR NON-CONFORMITY OF PRODUCTION
 - 9.1. The approval granted in respect of a seat type and/or a vehicle type pursuant to this Regulation may be withdrawn if the requirements set forth above are not met.
 - 9.2. If a Contracting Party to the Agreement applying this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation, by means of a communication form conforming to the model in Annex 1 and/or Annex 2 to this Regulation.
10. MODIFICATION AND EXTENSION OF APPROVAL OF THE SEAT TYPE AND/OR THE VEHICLE TYPE
 - 10.1. Every modification of the seat type and/or the vehicle type shall be notified to the Type Approval Authority which approved the seat type and/or the vehicle type. The authority may then either:
 - 10.1.1. Consider that the modifications made are unlikely to have an appreciable adverse effect and that in any case the seat and/or the vehicle still complies with the requirements; or
 - 10.1.2. Require a further test report from the Technical Service responsible for conducting the tests.
 - 10.2. Confirmation or refusal of approval, specifying the alterations shall be communicated by the procedure specified in paragraph 4.4 above to the Parties to the Agreement applying this Regulation.
 - 10.3. The Type Approval Authority issuing the extension of approval shall assign a series number for such an extension and inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in Annex 1 and/or Annex 2 to this Regulation.
11. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a vehicle type approved in accordance with this Regulation, he shall so inform the authority which granted the approval. Upon receiving the relevant communication that authority shall inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in Annex 1 and or Annex 2 to this Regulation.
12. TRANSITIONAL PROVISIONS
 - 12.1. As from the official date of entry into force of the 02 series of amendments, no Contracting Party applying this Regulation shall refuse to grant approvals under this Regulation as amended by the 02 series of amendments.
 - 12.2. As from 1 November 2012 Contracting Parties applying this Regulation shall grant approvals only if the requirements of this Regulation, as amended by the 02 series of amendments, are satisfied.
 - 12.3. As from 1 November 2014, approvals granted in conformity to this Regulation shall cease to be valid, except those granted in conformity with the requirements of this Regulation as amended by the 02 series of amendments.
 - 12.4. As from 1 November 2014, Contracting Parties applying this Regulation may refuse first national or regional registration (first entry into service) of a vehicle which has not been type approved in conformity with the requirements of the 02 series of amendments to this Regulation.

- 12.5. As from 1 November 2014 or as from the date of adoption of uniform test provisions for side-facing seats (i.e. this Regulation) as well as provisions for such seats regarding safety-belt anchorages (i.e. Regulation No 14) and vehicles equipped with safety-belts (i.e. Regulation No 16), whichever date is earlier, approvals granted under paragraph 1.5 of this Regulation shall cease to be valid.
- 12.6. Even after the date of entry into force of the 02 series of amendments, approvals of the components to the 01 series of amendments to this Regulation shall remain valid and Contracting Parties applying this Regulation shall continue to accept them and shall not refuse to grant extensions of approval to the 01 series of amendments to this Regulation.
- 12.7. As from the official date of entry into force of the 03 series of amendments, no Contracting Party applying this Regulation shall refuse to grant approvals under this Regulation as amended by the 03 series of amendments.
- 12.8. As from 24 months after the date of entry into force of the 03 series of amendments Contracting Parties applying this Regulation shall grant approvals only if the requirements of this Regulation, as amended by the 03 series of amendments, are satisfied.
- 12.9. Starting 60 months after the entry into force of the 03 series of amendments to this Regulation, Contracting Parties applying this Regulation may refuse national or regional type approval and may refuse first national or regional registration (first entry into service) of a vehicle which does not meet the requirements of the 03 series of amendments to this Regulation.
- 12.10. Even after the date of entry into force of the 03 series of amendments, approvals of components to the 01 or 02 series of amendments to this Regulation shall remain valid and Contracting Parties applying this Regulation shall continue to accept them and shall not refuse to grant extensions of approval to the 01 or 02 series of amendments to this Regulation.
13. NAMES AND ADDRESSES OF TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS AND OF TYPE APPROVAL AUTHORITIES
- The Parties to the 1958 Agreement applying this Regulation shall communicate to the United Nations Secretariat the names and addresses of the Technical Services responsible for conducting approval tests and of the Type Approval Authorities which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, issued in other countries, are to be sent.
-

*Appendix 1***Test procedures for seats according to paragraph 5 and/or anchorages according to paragraph 6.1.2 and/or the installation of side-facing seats according to paragraph 3 of Appendix 7****1. REQUIREMENTS****1.1. The tests are to determine:****1.1.1. If the seat occupant(s) is (are) correctly retained by the seat(s) in front of him (them) and/or by the use of a safety belt.****1.1.1.1. This requirement shall be considered satisfied if the forward movement of any part of the trunk and the head of the manikin does not pass beyond the transversal vertical plane situated at 1,6 m from the R point of the auxiliary seat;****1.1.2. If the seat occupant(s) is (are) not seriously injured.****1.1.2.1. This requirement shall be considered satisfied if the following biomechanical acceptability criteria for the instrumented manikin, determined in accordance with Appendix 4, are met; that is:****1.1.2.2. For a manikin in an auxiliary forward-facing seat the following biomechanical acceptability criteria have to be met:****1.1.2.2.1. The head acceptability criterion HIC is less than 500;****1.1.2.2.2. The thorax acceptability criterion (ThAC) is less than 30 g except for periods totalling less than 3 ms ($g = 9,81\text{m/s}^2$);****1.1.2.2.3. The femur acceptability criterion (FAC) is less than 10 kN and the value of 8 kN is not exceeded for periods totalling more than 20 ms;****1.1.2.3. For a manikin in an auxiliary side-facing seat the following biomechanical acceptability criteria have to be met:****1.1.2.3.1. The head acceptability criterion HIC is less than 500;****1.1.2.3.2. The thorax acceptability criteria:**

(a) Rib Deflection Criterion (RDC) less than or equal to 42 mm;

(b) Soft Tissue Criterion (VC) less or equal to 1,0 m/sec;

1.1.2.3.3. The pelvis acceptability criterion:

Pubic Symphysis Peak Force (PSPF) less than or equal to 6 kN;

1.1.2.3.4. The abdomen acceptability criterion:

Abdominal Peak Force (APF) less than or equal to 2,5 kN internal force (equivalent to external force of 4,5 kN).

1.1.3. If the seat and the seat mountings are strong enough.**1.1.3.1. This requirement shall be considered satisfied if:****1.1.3.1.1. No part of the seat, the seat mountings or the accessories becomes completely detached during the test;****1.1.3.1.2. The seat remains firmly held, even if one or more anchorages are partly detached, and all the locking systems remain locked during the whole duration of the test;****1.1.3.1.3. After the test no structural part of the seat or accessories has any fracture or sharp or pointed edges or corners likely to cause any bodily injury.**

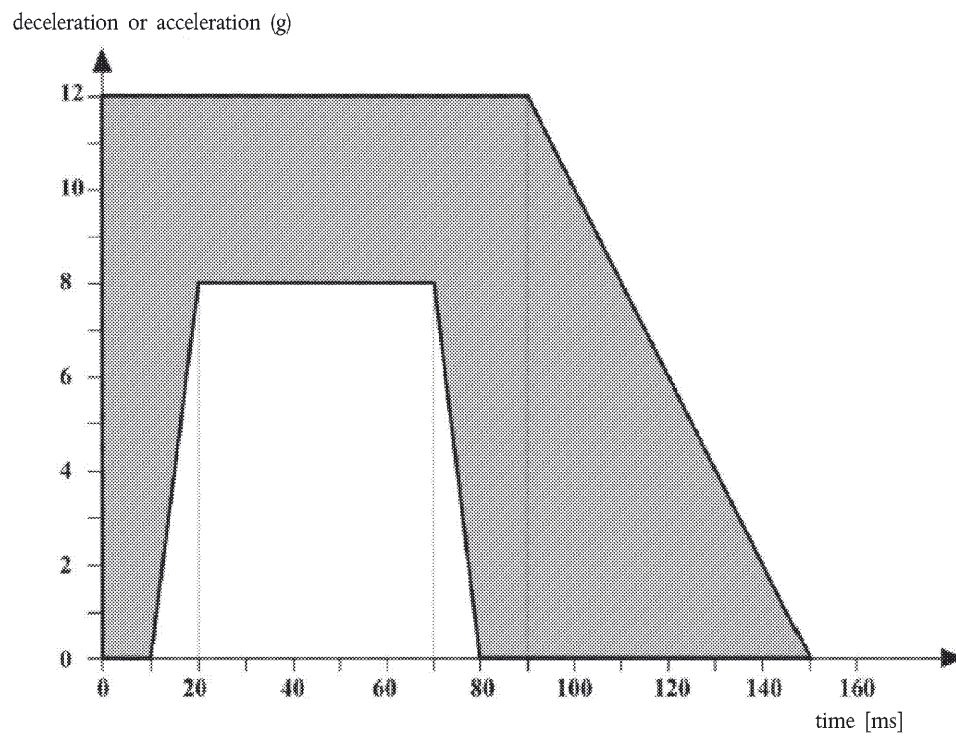
- 1.2. All fittings forming part of the back of the seat or accessories thereto shall be such as to be unlikely to cause any bodily injury to a passenger during impact. This requirement shall be considered satisfied if any part contactable by a sphere 165 mm in diameter presents a radius of curvature of at least 5 mm.
- 1.2.1. If any part of the fittings and accessories referred to above is made of a material of hardness less than 50 shore A on a rigid backing, the requirements set out in paragraph 1.2 above shall apply only to the rigid backing.
- 1.2.2. The parts of the back of the seat such as adjustment devices for the seat and accessories shall not be subject to any requirements of paragraph 1.2 if in the position of rest they are situated below a horizontal plane 400 mm above the reference plane, even if the occupant might enter into contact with them.
2. PREPARATION OF THE SEAT TO BE TESTED
- 2.1. The seat to be tested shall be mounted:
 - 2.1.1. Either on a testing platform representative of the body of a vehicle,
 - 2.1.2. Or on a rigid testing platform.
- 2.2. The anchorage on the testing platform provided for the test seat(s) shall be identified to or have the same characteristics as that used in vehicle(s) in which the seat is intended to be used.
- 2.3. The seat to be tested shall be complete with all upholstery and accessories. If the seat is fitted with a table, it shall be in the stowed position.
- 2.4. If adjustable laterally, the seat shall be positioned for maximum extension.
- 2.5. If adjustable, the seat back shall be adjusted so that the resulting inclination of the torso of the manikin used for determining the H-point and the actual torso angle for seating positions in motor vehicles is as close as possible to that recommended by the manufacturer for normal use or, in the absence of any particular recommendation by the manufacturer, as near as possible to 25° towards the rear in relation to the vertical.
- 2.6. If the seat back is equipped with a head restraint adjustable for height, it shall be in its lowest position.
- 2.7. Safety-belts of an approved type, conforming to Regulation No 16 and mounted on anchorages installed according to Regulation No 14 (including, if appropriate, the derogation provided in paragraph 7.4 to that Regulation) shall be fitted to both the auxiliary seat and the seat to be tested.
3. DYNAMIC TESTS
- 3.1. Test 1

The testing platform shall be mounted on a trolley.
- 3.2. Auxiliary seat

The auxiliary seat may be of the same type as the seat being tested and shall be located parallel to and directly behind the seat being tested. The two seats shall be at the same height, adjusted identically and on a seat spacing of 750 mm.
- 3.2.1. If an auxiliary seat of a different type is used this shall be mentioned in the communication form concerning the approval of a seat type and in conformity to the model in Annex 1 to this Regulation.
- 3.3. Manikin
- 3.3.1. The manikin shall be placed unrestrained on the auxiliary seat so that its plane of symmetry corresponds to the plane of symmetry of the seating position in question.
- 3.3.2. Irrespective of the seating position of the dummy, the angle between the upper arm and the torso arm reference line on each side shall be $40^\circ \pm 5^\circ$. The torso arm reference line is defined as the intersection of the plane tangential to the front surface of the ribs and the longitudinal vertical plane of the dummy containing the arm. The legs shall be extended to the maximum and shall, if possible, be parallel; the heels shall touch the floor.

- 3.3.3. Each manikin required shall be installed on a seat in accordance with the following procedure:
- 3.3.3.1. The manikin shall be placed on the seat as close as possible to the desired position,
- 3.3.3.2. A flat rigid surface 76 mm × 76 mm in area shall be placed as low as possible against the front of the manikin's torso,
- 3.3.3.3. The flat surface shall be pressed horizontally against the manikin's torso at a load of between 25 and 35 daN:
- 3.3.3.3.1. The torso shall be drawn forward by the shoulders to the vertical position, then laid back against the seat back. This operation shall be performed twice;
- 3.3.3.3.2. Without the torso moving, the head shall be placed in a position such that the platform supporting the measuring instruments contained in the head is horizontal and that the median sagittal plane of the head is parallel to that of the vehicle (for side-facing seats, the median sagittal plane of the head shall be parallel to the vertical median plane of the seat).
- 3.3.3.4. The flat surface be carefully removed,
- 3.3.3.5. The manikin shall be moved forward on the seat and the installation procedure described above repeated,
- 3.3.3.6. If necessary, the position of the lower members shall be corrected,
- 3.3.3.7. The measuring instruments installed shall not in any way affect the movement of the manikin during impact,
- 3.3.3.8. The temperature of the system of measuring instruments shall be stabilized before the test and maintained so far as possible within a range between 19 °C and 26 °C.
- 3.4. Impact simulation
- 3.4.1. The total velocity change of the trolley simulating the impact shall be between 30 and 32 km/h.
- 3.4.2. The deceleration or, at the choice of the applicant, acceleration of the trolley during the impact simulation shall be in accordance with the provisions shown in Figure 1 below. Except for intervals totalling less than 3 ms, the curve of the trolley's deceleration or acceleration as function of time shall remain between the limit curves shown in Figure 1.
- 3.4.3. Furthermore, the average deceleration or acceleration shall be comprised between 6,5 and 8,5 g.
- 3.5. Test 2
- 3.5.1. Test 1 shall be repeated with a manikin seated in the auxiliary seat: the manikin shall be restrained by a safety-belt fitted and adjusted in accordance with the manufacturer's instructions. The number of safety-belt anchorage points for the purpose of Test 2 shall be recorded in the communication form concerning the approval of a seat type and conforming to the model in Annex 1 to this Regulation.
- 3.5.2. The auxiliary seat shall be either of the same type as the seat being tested or of a different type, the details of which shall be recorded in the communication form concerning the approval of a seat type and conforming to the model in Annex 1 to this Regulation.
- 3.5.3. Test 2 may also be applied to vehicle parts other than a seat, as referred to in paragraph 8.1.7 of Regulation No 16 and paragraph 5.3.5 of Regulation No 14.
- 3.5.4. In the case where Test 2 is conducted with the manikin restrained by a 3-point belt and the injury criteria are not exceeded, the auxiliary seat shall be considered to have met the requirements relating to the static test loads and movement of the upper anchorage during the test specified in Regulation No 14 with regard to this installation.
- 3.5.5. Test 2 may also be applied to side-facing seats. In this case the auxiliary seat as mentioned in paragraph 3.2 shall be a side-facing seat and shall be located as specified in Appendix 7.

Figure 1



*Appendix 2***TEST PROCEDURE FOR THE ANCHORAGES OF A VEHICLE IN APPLICATION OF PARAGRAPH 6.1.1****1. TEST APPARATUS**

- 1.1. A rigid structure sufficiently representative of the seat intended for use on the vehicle is fixed by the means of fixation (bolts, screws, etc.) provided by the manufacturer to the parts of the structure submitted to the tests.
- 1.2. If several seat types differing from one another in respect of the distance between the front and back ends of their feet can be mounted on the same anchorage, the test shall be carried out with the shortest footing. This footing shall be described on the type approval certificate.

2. TEST PROCEDURE

- 2.1. A force F shall be applied.

- 2.1.1. At a height of 750 mm above the reference plane and on the vertical line containing the geometrical centre of the surface bounded by the polygon having the different anchorage points as apexes or, if applicable, the extreme anchorages of the seat, by the rigid structure as defined in paragraph 1.1 above;

- 2.1.2. In the horizontal direction and directed to the front of the vehicle;

- 2.1.3. In a delay as short as possible and for a duration of at least 0,2 s.

- 2.2. The force F shall be determined either

- 2.2.1. By the following formula: $F = (5\,000 \pm 50) \times i$ where:

F is given in N and i represents the number of seating positions of the seat for which the anchorages to be tested are to be approved; or, if requested by the manufacturer,

- 2.2.2. In accordance with the representative loads measured during dynamic tests as described in Appendix 1 to this Regulation.
-

Appendix 3

MEASUREMENTS TO BE MADE

1. All measurements necessary shall be made with measurement systems corresponding to the specifications of International Standard ISO 6487:1987 entitled 'Measurement techniques in impact tests: Instrumentation'.
2. Dynamic test
 - 2.1. Measurements to be made on the trolley

The characteristics of the deceleration or acceleration of the trolley shall be measured, from the decelerations or accelerations measured on the rigid frame of the trolley, with measurement systems with a CFC of 60.
 - 2.2. Measurements to be made on manikins

The readings of the measuring devices shall be recorded through independent data channels of the following CFC:

 - 2.2.1. Measurements in the head of the manikin

The resultant triaxial acceleration referring to the centre of gravity (γ_r)⁽¹⁾ shall be measured with a CFC of 600.
 - 2.2.2. Measurements in the thorax of the manikin.

The resultant acceleration at the centre of gravity shall be measured with a CFC of 180. The deflection of the ribs and the Viscous Criterion (VC) shall be measured with a CFC of 180.
 - 2.2.3. Measurements in the femur of the manikin

The axial compression force shall be measured with a CFC of 600.
 - 2.2.4. Measurements in the abdomen of the manikin.

The abdominal forces shall be measured with a CFC of 600.
 - 2.2.5. Measurements in the pelvis of the manikin.

The pubic force shall be measured with a CFC of 600.

⁽¹⁾ Expressed in g (= 9,81 m/s²) the scalar value of which is calculated according to the following formula:

$$\gamma_r^2 = \gamma_l^2 + \gamma_v^2 + \gamma_t^2$$

where:

γ_l = value of instant longitudinal acceleration;

γ_v = value of instant vertical acceleration;

γ_t = value of instant transversal acceleration.

Appendix 4

DETERMINATION OF ACCEPTABILITY CRITERIA

1. FRONTAL IMPACT (FORWARD-FACING SEAT)

1.1. Head acceptability criterion (HIC)

- 1.1.1. This injury criterion (HIC) is calculated on the basis of the resultant triaxial acceleration measured according to Appendix 3, paragraph 2.2.1 by the following expression:

$$HIC = (t_2 - t_1) \left[\frac{1}{t_2 - t_1} \int_{t_1}^{t_2} a_r dt \right]^{2,5}$$

in which t_1 and t_2 are any values of time during the test, HIC being maximum value for an interval t_1 , t_2 . The values of t_1 and t_2 are expressed in seconds.

1.2. Thorax acceptability criterion (ThAC)

- 1.2.1. This criterion is determined by the absolute value of resultant acceleration, expressed in g and measured according to Appendix 3, paragraph 2.2.2, and by the acceleration period, expressed in ms.

1.3. Femur acceptability criterion (FAC)

This criterion is determined by the compression load expressed in kN, transmitted axially on each femur of the manikin and measured according to Appendix 3, paragraph 2.2.3, and by the duration of the compression load, expressed in ms.

2. SIDE IMPACT (SIDE-FACING SEAT)

2.1. Head acceptability criterion (HIC) see above paragraph 1.1.

2.2. Thorax acceptability criterion

- 2.2.1. Chest deflection: the peak chest deflection is the maximum value of deflection on any rib as determined by the thorax displacement transducers.

2.2.2. Viscous criterion (VC):

The peak viscous response is the maximum value of VC on any rib which is calculated from the instantaneous product of the relative thorax compression related to the half thorax and the velocity of compression derived by differentiation of the compression. For the purposes of this calculation the standard width of the half thorax rib cage is 140 mm.

$$VC = \max \left[\frac{D}{0,14} \times \frac{dD}{dt} \right]$$

where D (metres) = rib deflection

The calculation algorithm to be used is set out in Regulation No 95, Annex 4, Appendix 2.

2.3. Abdomen acceptability criterion

The peak abdominal force is the maximum value of the sum of the three forces measured by transducers mounted 39 mm below the surface on the crash side.

2.4. Pelvis acceptability criterion

The pubic symphysis peak force (PSPF) is the maximum force measured by a load cell at the pubic symphysis of the pelvis.

Appendix 5

STATIC TEST REQUIREMENTS AND PROCEDURE**1. REQUIREMENTS**

1.1. The requirements for seats tested according to this appendix are to determine:

1.1.1. If the seat occupants are correctly retained by the seats in front of them;

1.1.2. If the seat occupants are not seriously injured; and

1.1.3. If the seat and the seat mountings are strong enough.

1.2. The requirements of paragraph 1.1.1 above shall be considered satisfied if the maximum displacement of the central point of application of each force prescribed in paragraph 2.2.1 measured in the horizontal plane and in the longitudinal median plane of the relevant seating position does not exceed 400 mm.

1.3. The requirements of paragraph 1.1.2 above shall be considered satisfied if the following characteristics are met:

1.3.1. The maximum displacement of the central point of application of each of the forces prescribed in paragraph 2.2.1, measured as described in paragraph 1.2, is not less than 100 mm;

1.3.2. The maximum displacement of the central point of application of each of the forces prescribed in paragraph 2.2.2, measured as described in paragraph 1.2, is not less than 50 mm.

1.3.3. All fittings forming part of the back of the seat or accessories thereto shall be such as to be unlikely to cause any bodily injury to a passenger during impact. This requirement shall be considered satisfied if any part contactable by a sphere 165 mm in diameter presents a radius of curvature of at least 5 mm.

1.3.4. If any part of the fittings and accessories referred to above is made of a material of hardness less than 50 shore A on a rigid backing, the requirements set out in paragraph 1.3.3 above shall apply only to the rigid backing.

1.3.5. The parts of the back of the seat such as adjustment devices for the seat and accessories shall not be subject to any requirements of paragraph 1.3.3 if in the position of rest they are situated below a horizontal plane 400 mm above the reference plane, even if the occupant might enter into contact with them.

1.4. The requirements of paragraph 1.1.3 shall be considered satisfied if:

1.4.1. No part of the seat, the seat mountings or the accessories becomes completely detached during the test;

1.4.2. The seat remains firmly held, even if one or more anchorages is (are) partly detached, and all the locking systems remain locked during the whole duration of the test;

1.4.3. After the test no structural part of the seat or accessories has any fracture or sharp or pointed edges or corners likely to cause any bodily injury.

2. STATIC TESTS**2.1. Test apparatus**

2.1.1. This consists of cylindrical surfaces with a radius of curvature equal to 82 ± 3 mm and a width:

2.1.1.1. At least equal to the width of the seat-back of each seating position of the seat to be tested for the upper form;

2.1.1.2. Equal to $320 - 0/+10$ mm for the lower form as shown in Figure 1 of this appendix.

2.1.2. The surface resting against the parts of the seat shall be made of a material the hardness of which is not less than 80 shore A.

2.1.3. Each cylindrical surface shall be equipped with at least one force transducer able to measure the forces applied in the direction defined in paragraph 2.2.1.1.

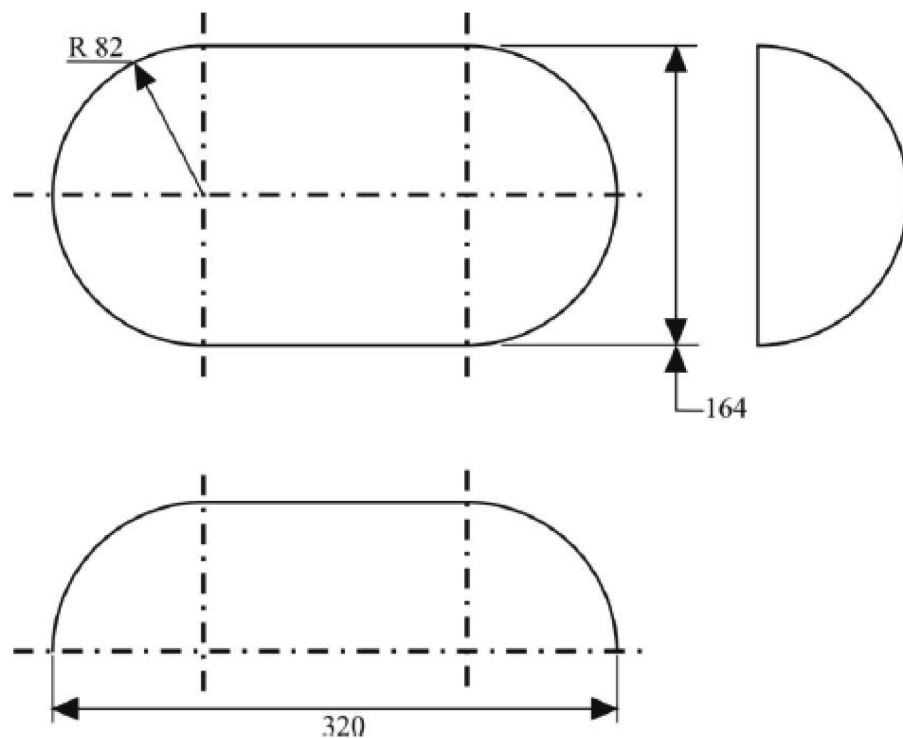
2.2. Test procedure

2.2.1. A test force to $\frac{1\ 000}{H_1} \pm 50$ N shall be applied using a device, conforming to paragraph 2.1 above, to the rear part of the seat corresponding to each seating position of the seat.

2.2.1.1. The direction of application of the force shall be situated in the vertical median plane of the seating position concerned; it shall be horizontal and from the rear towards the front of the seat.

- 2.2.1.2. This direction shall be situated at the height H_1 which shall be between 0,70 m and 0,80 m and above the reference plane. The exact height shall be determined by the manufacturer.
- 2.2.2. A test force equal to $\frac{2\,000}{H_2} \pm 100$ N shall be applied simultaneously to the rear part of the seat corresponding to each seating position of the seat in the same vertical plane and in the same direction at the height H_2 which shall be between 0,45 and 0,55 m above the reference plane, with a device conforming to paragraph 2.1 above. The exact height shall be determined by the manufacturer.
- 2.2.3. The test form shall be maintained as far as possible in contact with the rear of the seat during the application of the forces specified in paragraphs 2.2.1 and 2.2.2 above. They shall be able to pivot in a horizontal plane.
- 2.2.4. Where a seat consists of more than one seating position, the forces corresponding to each seating position shall be applied simultaneously and there shall be as many upper and lower forms as seating positions.
- 2.2.5. The initial position of each seating position of each of the forms shall be determined by bringing the test devices into contact with the seat with a force equal to at least 20 N.
- 2.2.6. The forces indicated in paragraphs 2.2.1 and 2.2.2 above shall be applied as rapidly as possible and shall be maintained together at the specified value, whatever the deformation, for at least 0,2 seconds.
- 2.2.7. If the test has been carried out with one or more forces but not with all forces greater than those specified in paragraphs 2.2.1 and 2.2.2 above and if the seat complies with the requirements, the test shall be considered to be satisfied.

Figure 1

Static test apparatus

*Appendix 6***ENERGY ABSORPTION CHARACTERISTICS OF THE REAR PART OF SEAT BACKS**

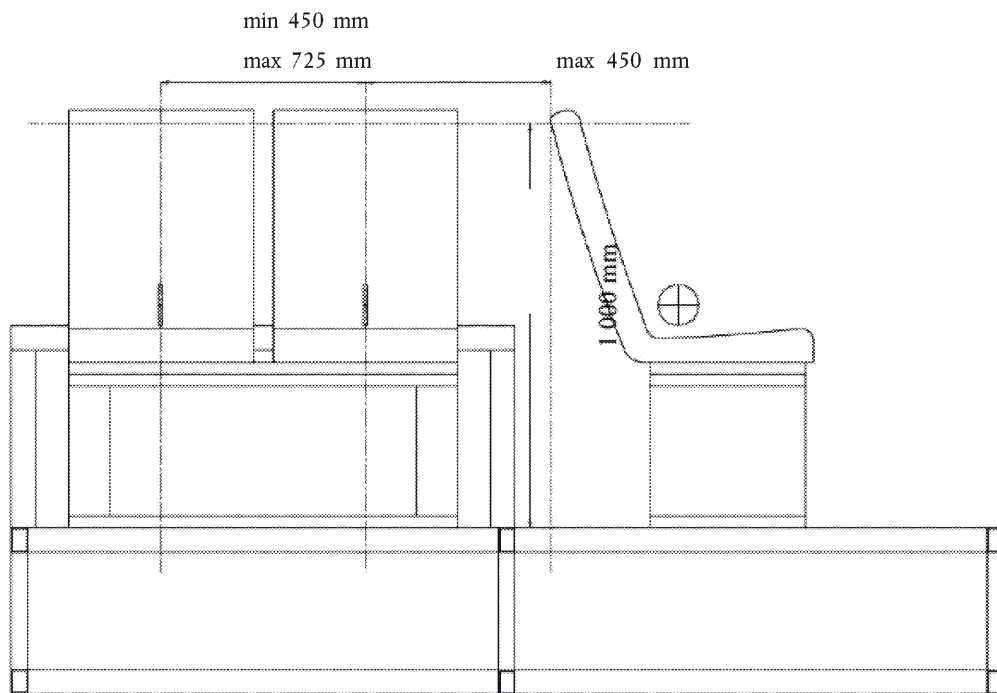
1. Elements of the rear part of seat backs situated in the reference zone, as defined in paragraph 2.21 of this Regulation, shall be verified at the request of the manufacturer according to the energy absorbing requirements set out in Annex 4, to Regulation No 21. For this purpose, all accessories fitted shall be tested in all positions of use, except tables which shall be considered in the stowed position.
 2. This test shall be referred to in the communication form concerning the approval of a seat type conforming to the model in Annex 1 to this Regulation. A drawing showing the area of the part of the seat back, verified by the energy dissipation test, shall be enclosed.
 3. This test may be applied to parts of a vehicle other than a seat (paragraph 3.5.3 of Appendix 1 and paragraph 2.3 of Appendix 7).
-

Appendix 7

REQUIREMENTS FOR THE SAFEGUARDING OF PASSENGERS IN SIDE-FACING SEATS ACCORDING TO PARAGRAPH 7.4.4

1. The distance between the foremost side-facing seat and the vehicle part forward of this foremost side-facing seat shall not exceed 450 mm. All measurements are to be taken 1 000 mm above the reference plane of the foremost side-facing seat (see Figure 1).

Figure 1

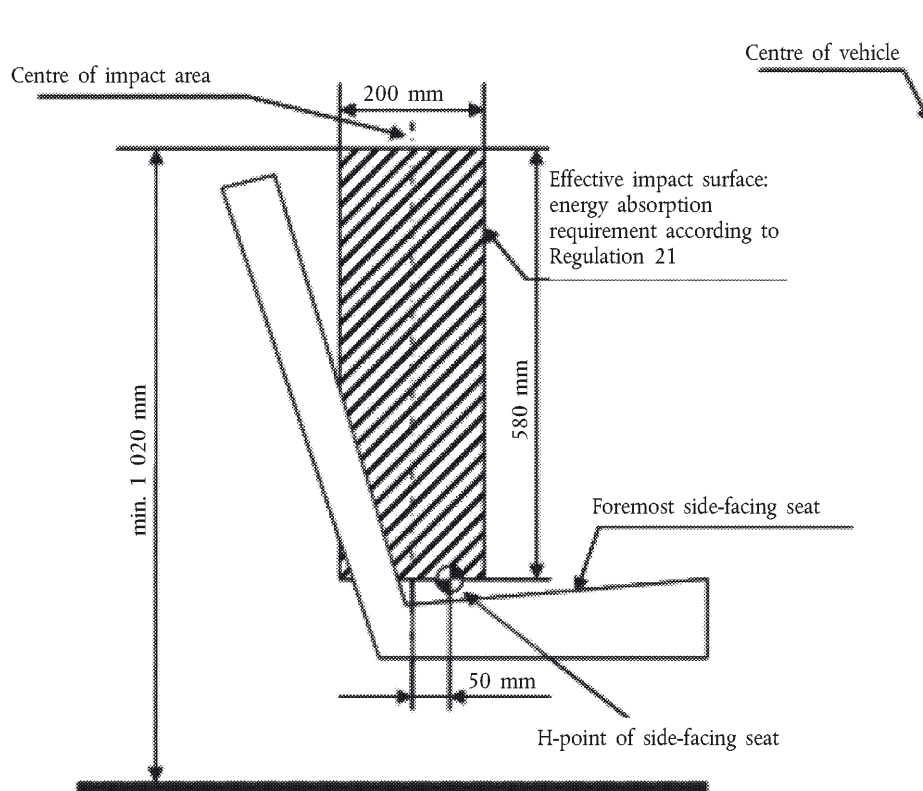
Positioning requirements for side-facing seats

2. The vehicle part (e.g. partition, wall or seat back of a forward facing seat) in front of the foremost side-facing seat shall fulfil the following requirements in order to safeguard the passenger in that foremost side-facing seat (see Figure 2):
 - 2.1. The height of the vehicle part, based on the reference plane of the foremost side-facing seat, must not be less than 1 020 mm; and
 - 2.2. The effective impact surface of the vehicle part has a width of 200 mm and a height of 580 mm. This surface shall be positioned so that the vertical centre-line is located 50 mm behind the H-point of the foremost side-facing seat; and
 - 2.3. The corresponding surface of the vehicle part in place projected onto a vertical plane through this H-point, shall cover at least 95 per cent of the effective impact surface. This vehicle part shall fulfil the energy absorption requirement by Appendix 6.
 - 2.3.1. If there is a gap in the corresponding surface (typically two forward-facing seats with a gap in between) a distance shall be determined for each gap by means of a sphere having a diameter of 165 mm. The sphere shall be put into contact with the gap in a point of the gap area which allows the maximum sphere intrusion, considering no load is to be applied. The distance between the two points of contact of the sphere must be less than 60 mm;

3. At the manufacturers' choice, a test according to Appendix 1 with the appropriate manikin for side-facing seats may be conducted.

Figure 2

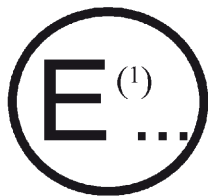
Positioning requirements for the vehicle part forward of the foremost side-facing seat



ANNEX 1

COMMUNICATION

(Maximum format: A4 (210 × 297 mm))



issued by: Name of administration

.....

.....

.....

Concerning ⁽²⁾: Approval granted
 Approval extended
 Approval refused
 Approval withdrawn
 Production definitively discontinued

of a seat type or types with regard to its (their) strength pursuant to Regulation No 80

Approval No Extension No

1. Trade name or mark of the seat:
2. Seat type:
3. Manufacturer's name and address:
4. If applicable, name and address of the manufacturer's representative:
5. Additional information:
 - 5.1. Brief description of the seat type, its attachment fittings and its adjustment, displacement and locking systems including the minimum distance between fitting points:
 - 5.2. Position and arrangement of seats:
 - 5.3. Seats, if any, which incorporate a safety belt anchorage:
 - 5.4. Energy absorption test of the rear part of the seat-back: yes/no ⁽²⁾
 - 5.5. Drawings showing the area of the rear part of the seat-back verified for energy dissipation:
 - 5.6. Seat approved in accordance with paragraph 5.1 of this Regulation (dynamic test): yes/no ⁽²⁾
 - 5.6.1. Test 1 according to Appendix 1: yes/no ⁽²⁾
 - 5.6.2. Test 2 according to Appendix 1: yes/no ⁽²⁾
 - 5.6.3. Description of the safety-belts and anchorages used for the purpose of test 2:
 - 5.6.4. Type of auxiliary seat used for test 2 (if different from the type of seat approved):
 - 5.7. Seat approved in accordance with paragraph 5.1 of this Regulation (static test): yes/no ⁽²⁾
 - 5.8. Test according to Appendix 5: yes/no ⁽²⁾
 - 5.9. Test according to Appendix 6: yes/no ⁽²⁾
6. Seat submitted for approval on:

7. Type of device: deceleration/acceleration ⁽²⁾
8. Technical Service, responsible for the approval test:
9. Date of report issued by that Service:
10. Number of report issued by that Service:
11. Approval granted/refused/extended/withdrawn ⁽²⁾
12. Position of approval mark on the seat:
13. Place:
14. Date:
15. Signature:
16. The following documents, bearing the approval number shown above, are available on request:
.....

⁽¹⁾ Distinguishing number of the country which has granted/extended/refused/withdrawn approval (see approval provisions in the Regulation).

⁽²⁾ Strike out what does not apply.

ANNEX 2

COMMUNICATION

(Maximum format: A4 (210 × 297 mm))



issued by: Name of administration

.....

.....

.....

Concerning ⁽²⁾: Approval granted
 Approval extended
 Approval refused
 Approval withdrawn
 Production definitely discontinued

of a type of a vehicle with regard to the strength of the seat anchorages pursuant to Regulation No 80

Approval No Extension No

1. Trade name or mark of the vehicle:
2. Vehicle type:
3. Manufacturer's name and address:
4. If applicable, name and address of the manufacturer's representative:
5. Additional information:
- 5.1. Brief description of the vehicle type according to its anchorages and minimum value of the distance between the anchorages:
- 5.2. Make and type of type approved seats (if any):
- 5.3. For each row of seats: individual/bench, fixed/adjustable, fixed back/adjustable back, tipping back/inclining back ⁽²⁾
- 5.4. Position and arrangement of seats (type approved seats and other seats):
- 5.5. Seats, if any, which incorporate a safety belt anchorages:
6. Vehicle submitted for approval on:
7. Technical Service, responsible for the approval test:
8. Date of report issued by that Service:
9. Number of report issued by that Service:
10. Approval granted/refused/extended/withdrawn ⁽²⁾
11. Location of approval mark on the vehicle:
12. Place:
13. Date:
14. Signature:
15. The following documents, bearing the approval number shown above, are available on request:

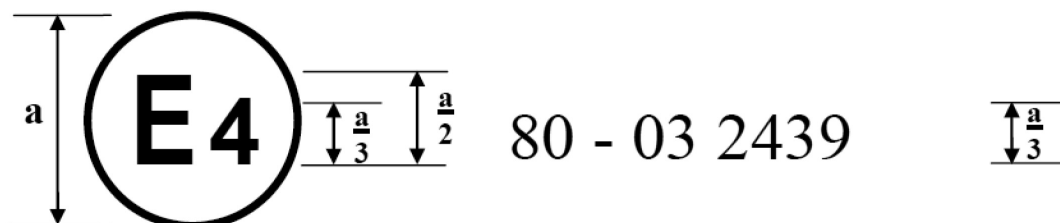
⁽¹⁾ Distinguishing number of the country which has granted/extended/refused/withdrawn approval (see approval provisions in the Regulation).

⁽²⁾ Strike out what does not apply.

ANNEX 3

ARRANGEMENTS OF APPROVAL MARKS

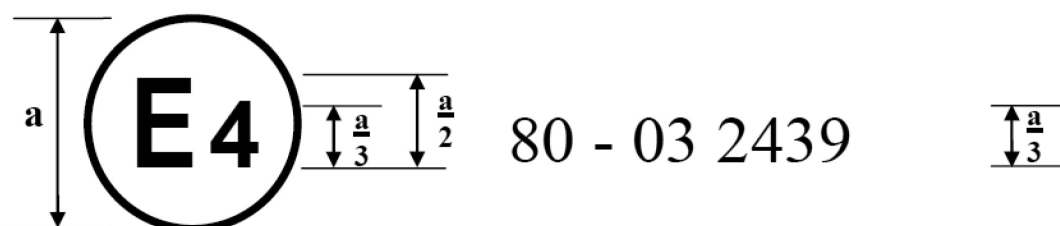
1. Arrangement in the approval mark for a seat



$a = 8 \text{ mm min}$

The above approval mark affixed to a seat shows that the seat type concerned has, with regard to the strength of the seats, the test being carried out in accordance with paragraph 2 of Annex 4, been approved in the Netherlands (E4) under number 032439. The approval number indicates that the approval was granted in accordance with the requirements of Regulation No 80 as amended by the 03 series of amendments.

2. Arrangement in the approval mark for a vehicle type



$a = 8 \text{ mm min}$

The above approval mark, affixed to a vehicle, shows that this type of vehicle has been approved in the Netherlands (E4) under number 032439 with regard to the strength of the anchorages on the vehicle. The approval number indicates that the approval was granted in accordance with the requirements of Regulation No 80 as amended by the 03 series of amendments.

ANNEX 4

Procedure for determining the 'H' point and the actual torso angle for seating position in motor vehicles ⁽¹⁾

Appendix 1 — Description of the three dimensional 'H' point machine (3-D H machine) ⁽¹⁾, ⁽²⁾

Appendix 2 — Three-dimensional reference system ⁽¹⁾

Appendix 3 — Reference data concerning seating positions ⁽¹⁾

⁽¹⁾ The procedure is described in Annex 1 to the Consolidated Resolution on the Construction of Vehicles (RE.3) (document ECE/TRANS/WP.29/78/Rev.2). www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29resolutions.html

⁽²⁾ For details of the construction of the 3 DH machine refer to Society of Automotive Engineers (SAE), 400 Commonwealth Drive, Warrendale, Pennsylvania 15096, United States of America. The machine corresponds to that described in ISO Standard 6549-1980.

CORRIGENDA

Corrigendum to Commission Regulation (EU) No 294/2013 of 14 March 2013 amending and correcting Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive

(Official Journal of the European Union L 98 of 6 April 2013)

On page 45, new Chapter 10(B) Health certificate, in the title of the fourth page of the certificate:

for: **'Treated blood products, excluding of equidae, for the manufacture of derived products for purposes outside the feed chain for farmed animals',**

read: **'Rendered fats not intended for human consumption for certain purposes outside the feed chain'.**

NOTICE TO READERS

Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union*

In accordance with Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union* (OJ L 69, 13.3.2013, p. 1), as of 1 July 2013, only the electronic edition of the Official Journal shall be considered authentic and shall have legal effect.

Where it is not possible to publish the electronic edition of the Official Journal due to unforeseen and exceptional circumstances, the printed edition shall be authentic and shall have legal effect in accordance with the terms and conditions set out in Article 3 of Regulation (EU) No 216/2013.

NOTE TO READERS — WAY OF REFERRING TO ACTS

As of 1 July 2013 the way of referring to acts has changed.

During a transitional period this new practice will coexist with the previous one.

EUR-Lex (<http://new.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>



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