

Official Journal

of the European Union

L 299



English edition

Legislation

Volume 56

9 November 2013

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Price: EUR 4

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⁽¹⁾ Text with EEA relevance

EN

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 1116/2013

of 6 November 2013

amending Regulation (EU) No 185/2010 as regards clarification, harmonisation and simplification of certain specific aviation security measures**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Experience with the implementation of Commission Regulation (EU) No 185/2010 of 4 March 2010 laying down detailed measures for the implementation of the common basic standards on aviation security ⁽²⁾ has shown the need for small amendments to the implementing modalities of certain common basic standards.
- (2) Certain specific aviation security measures should be clarified, harmonised or simplified in order to improve legal clarity, standardise the common interpretation of the legislation and further ensure the best implementation of the common basic standards on aviation security.

- (3) The amendments concern the implementation of a limited number of measures in relation to access control, aircraft security, screening of cabin baggage and hold baggage, security controls for cargo, mail, in-flight and airport supplies, training of persons and security equipment.
- (4) Regulation (EU) No 185/2010 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Civil Aviation Security,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 185/2010 is amended in accordance with the Annex to this Regulation.

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

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

Done at Brussels, 6 November 2013.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 97, 9.4.2008, p. 72.⁽²⁾ OJ L 55, 5.3.2010, p. 1.

ANNEX

The Annex to Regulation (EU) No 185/2010 is amended as follows:

(1) Chapter 1 is amended as follows:

(a) the following point 1.0.4 is added:

‘1.0.4. “Items carried by persons other than passengers” are belongings intended for the personal use of the person that carries them.’;

(b) the following sentence is added at the end of point 1.2.1.1:

‘Guided tours of the airport escorted by authorised persons shall be considered to have a legitimate reason.’;

(c) the following sentence is added at the end of point 1.2.2.1:

‘Guided tours of the airport escorted by authorised persons shall be considered to have a legitimate reason.’;

(d) the following sentence is added at the end of point 1.2.7.2:

‘A person may be exempted from the requirement to be escorted if that person displays an authorisation and is a holder of a valid airport identification card.’;

(e) the following point 1.2.7.5 is added:

‘1.2.7.5. Whenever a passenger does not travel as a result of an air carriage contract resulting in the delivery of a boarding pass or equivalent, a crew member escorting this passenger may be exempted from the requirements of point 1.2.7.3(a).’;

(f) point 1.3.1.5 is replaced by the following:

‘1.3.1.5. points 4.1.2.4-4.1.2.7 and 4.1.2.11 shall apply to the screening of items carried by persons other than passengers.’;

(2) Chapter 3 is amended as follows:

(a) point 3.1.1.3 is replaced by the following:

‘3.1.1.3. An aircraft arriving into a critical part from a third country not listed in Attachment 3-B shall be subjected to an aircraft security search any time after passenger disembarkation from the area to be searched and/or the unloading of the hold.’;

(b) point 3.1.3 is amended as follows:

(i) the second and fourth indent are deleted;

(ii) the third indent is replaced by the following:

‘— origin of the previous flight.’;

(c) point 3.2.1.1(b) is replaced by the following:

‘(b) having its external doors closed. Where the aircraft is in a critical part, external doors that are not accessible by a person from the ground shall be considered closed if access aids have been removed and placed sufficiently far from the aircraft as to reasonably prevent access by a person; or’;

(d) the second sentence of point 3.2.2.1 is replaced by the following:

‘Point (a) shall not apply for a door that is accessible from the ground by a person.’;

(e) point 3.2.2.2 is replaced by the following:

‘3.2.2.2 Where access aids are removed for doors that are not accessible by a person from the ground, they shall be placed sufficiently far from the aircraft as to reasonably prevent access.’;

- (3) Attachment 3-B is replaced by the following:

‘ATTACHMENT 3-B

AIRCRAFT SECURITY

THIRD COUNTRIES, AS WELL AS OVERSEAS COUNTRIES AND TERRITORIES WITH SPECIAL RELATIONS TO THE UNION ACCORDING TO THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND TO WHICH THE TRANSPORT TITLE OF THAT TREATY DOES NOT APPLY, RECOGNISED AS APPLYING SECURITY STANDARDS EQUIVALENT TO THE COMMON BASIC STANDARDS

As regards aircraft security, the following third countries, as well as overseas countries and territories with special relations to the union according to the treaty on the functioning of the European union and to which the transport title of that treaty does not apply, have been recognised as applying security standards equivalent to the common basic standards:

United States of America

The Commission shall notify without delay the appropriate authorities of the Member States if it has information indicating that security standards applied by the third country with a significant impact on overall levels of aviation security in the Union are no longer equivalent to the common basic standards of the Union.

The appropriate authorities of the Member States shall be notified without delay when the Commission has information about actions, including compensatory measures, confirming that the equivalency of relevant security standards applied by the third country is re-established.;

- (4) in Chapter 4, point 4.1.2.11 is replaced by the following:

‘4.1.2.11. Persons screening cabin baggage by x-ray or EDS equipment shall normally not spend more than 20 minutes continuously reviewing images. After each of these periods, the screener shall not review images for at least 10 minutes. This requirement shall only apply when there is an uninterrupted flow of images to be reviewed.

There shall be a supervisor responsible for screeners of cabin baggage in order to assure optimum team composition, quality of work, training, support and appraisal.;

- (5) Attachment 4-B is replaced by the following:

‘ATTACHMENT 4-B

PASSENGERS AND CABIN BAGGAGE

THIRD COUNTRIES, AS WELL AS OVERSEAS COUNTRIES AND TERRITORIES WITH SPECIAL RELATIONS TO THE UNION ACCORDING TO THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND TO WHICH THE TRANSPORT TITLE OF THAT TREATY DOES NOT APPLY, RECOGNISED AS APPLYING SECURITY STANDARDS EQUIVALENT TO THE COMMON BASIC STANDARDS

As regards passengers and cabin baggage, the following third countries, as well as overseas countries and territories with special relations to the union according to the treaty on the functioning of the European union and to which the transport title of that treaty does not apply, have been recognised as applying security standards equivalent to the common basic standards.

United States of America

The Commission shall notify without delay the appropriate authorities of the Member States if it has information indicating that security standards applied by the third country with a significant impact on overall levels of aviation security in the Union are no longer equivalent to the common basic standards of the Union.

The appropriate authorities of the Member States shall be notified without delay when the Commission has information about actions, including compensatory measures, confirming that the equivalency of relevant security standards applied by the third country is re-established.;

- (6) in Chapter 5, the following point 5.1.7 is added:

‘5.1.7. Persons screening hold baggage by x-ray or EDS equipment shall normally not spend more than 20 minutes continuously reviewing images. After each of these periods, the screener shall not review images for at least 10 minutes. This requirement shall only apply when there is an uninterrupted flow of images to be reviewed.

There shall be a supervisor responsible for screeners of hold baggage in order to assure optimum team composition, quality of work, training, support and appraisal.;

- (7) Attachment 5-A is replaced by the following:

‘ATTACHMENT 5-A

HOLD BAGGAGE

THIRD COUNTRIES, AS WELL AS OVERSEAS COUNTRIES AND TERRITORIES WITH SPECIAL RELATIONS TO THE UNION ACCORDING TO THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND TO WHICH THE TRANSPORT TITLE OF THAT TREATY DOES NOT APPLY, RECOGNISED AS APPLYING SECURITY STANDARDS EQUIVALENT TO THE COMMON BASIC STANDARDS

As regards hold baggage, the following third countries, as well as overseas countries and territories with special relations to the union according to the treaty on the functioning of the European union and to which the transport title of that treaty does not apply, have been recognised as applying security standards equivalent to the common basic standards.

United States of America

The Commission shall notify without delay the appropriate authorities of the Member States if it has information indicating that security standards applied by the third country with a significant impact on overall levels of aviation security in the Union are no longer equivalent to the common basic standards of the Union.

The appropriate authorities of the Member States shall be notified without delay when the Commission has information about actions, including compensatory measures, confirming that the equivalency of relevant security standards applied by the third country is re-established.;

- (8) Chapter 6 is amended as follows:

- (a) in points 6.3.1.2 (c), 6.3.1.2 (d), 6.3.1.5, 6.4.1.2 (c), 6.4.1.2 (e), 6.4.1.5, 6.8.1.4, 6.8.1.5, 6.8.4.1, 6.8.5.1.2, 6.8.5.1.3, 6.8.5.2, attachment 6-A, attachment 6-H1, 11.6.4.1 and 11.6.4.3, the reference to ‘EC database of regulated agents and known consignors’ or ‘Union database of regulated agents and known consignors’ is replaced by a reference to ‘Union database on supply chain security’;

- (b) the following point 6.2.1.4 is added:

‘6.2.1.4. Persons screening cargo by x-ray or EDS equipment shall normally not spend more than 20 minutes continuously reviewing images. After each of these periods, the screener shall not review images for at least 10 minutes. This requirement shall only apply when there is an uninterrupted flow of images to be reviewed.’;

- (c) point 6.3.2.4 is replaced by the following:

‘6.3.2.4. After the security controls referred to in points 6.3.2.1 to 6.3.2.3 of this Regulation and point 6.3 of Commission Decision 2010/774/EU have been applied, the regulated agent shall ensure that:

- (a) Unescorted access to these consignments is limited to authorised persons; and

- (b) These consignments are protected from unauthorised interference until they are handed over to another regulated agent or air carrier. Consignments of cargo and mail that are in a critical part of a security restricted area shall be considered as protected from unauthorised interference. Consignments of cargo and mail that are in parts other than a critical part of a security restricted area shall be located in the access-controlled parts of the regulated agent’s premises or, whenever located outside of such parts, shall

— be physically protected so as to prevent the introduction of a prohibited article, or

— not be left unattended and access is limited to persons involved in the protection and handling of cargo.’;

- (d) the following sentence is added at the end of point 6.3.2.6:

‘A regulated agent tendering consignments to another regulated agent or air carrier may also decide to only transmit the information required under points (a) to (e) and (g) and to retain the information required under point (f) for the duration of the flight(s) or for 24 hours, whichever is the longer.’;

(e) the following point 6.3.2.9 is added:

‘6.3.2.9 A regulated agent shall ensure that all staff implementing security controls are recruited and trained in accordance with the requirements of chapter 11 and all staff with access to identifiable air cargo or identifiable air mail to which the required security controls have been applied have been recruited and subject to security awareness training in accordance with the requirements of chapter 11.’;

(f) point 6.4.2.1(b) is replaced by the following:

‘(b) all staff implementing security controls are recruited and trained in accordance with the requirements of chapter 11 and all staff with access to identifiable air cargo or identifiable air mail to which the required security controls have been applied have been recruited and subject to security awareness training in accordance with the requirements of chapter 11; and’;

(g) the title of point 6.6.2 is replaced by the following:

‘6.6.2. **Protection for cargo and mail at airports for loading onto an aircraft**’;

(h) point 6.6.2.2 is replaced by the following:

‘6.6.2.2. Consignments of cargo and mail in a part other than a critical part of a security restricted area shall be located in the access-controlled parts of a regulated agent’s premises or, whenever located outside of such parts, shall be considered as protected from unauthorised interference if:

(a) they are physically protected so as to prevent the introduction of a prohibited article; or

(b) they are not left unattended and access is limited to persons involved in the protection and loading of cargo and mail onto an aircraft.’;

(i) the following sentence is added at the end of point 6.8.2.2:

‘The appropriate authority may accept the EU aviation security validation report of a third country entity for ACC3 designation in cases where that entity carries out the entire cargo operation, including loading into the hold of the aircraft, on behalf of the ACC3 and the EU aviation security validation report covers all these activities.’;

(j) point 6.8.3.2 is replaced by the following:

‘6.8.3.2. Until 30 June 2014, the screening requirements shall, as a minimum, meet ICAO standards. Thereafter, cargo and mail carried into the Union shall be screened by one of the means or methods listed in point 6.2.1 of Decision 2010/774/EU to a standard sufficient to reasonably ensure that it contains no prohibited articles.’;

(9) Attachment 6-B is replaced by the following:

‘ATTACHMENT 6-B

GUIDANCE FOR KNOWN CONSIGNORS

This guidance will help you to assess your existing security arrangements against the required criteria for known consignors as described in Regulation (EC) No 300/2008 of the European Parliament and of the Council on common rules in the field of civil aviation security and its implementing acts. This should enable you to ensure that you meet the requirements before arranging an official on-site validation visit.

It is important that the validator is able to talk to the right people during the validation visit (e.g. person responsible for security and person responsible for recruitment of staff). An EU checklist will be used to record the validator’s assessments. Once the validation checklist is completed, the information contained in the checklist will be handled as classified information.

Please note that questions on the EU checklist are of two types: (1) those where a negative response will automatically mean that you cannot be accepted as a known consignor and (2) those which will be used to build up a general picture of your security provisions to allow the validator to reach an overall conclusion. The areas where a “fail” will automatically be recorded are indicated by the requirements indicated in bold type below. If there is a “fail” on the requirements indicated in bold type, the reasons will be given to you and advice on adjustments needed to pass.

Introduction

The cargo must be originated by your company on the site to be inspected. This covers manufacture on the site and **pick and pack** operations where the items are not identifiable as air cargo until they are selected to meet an order. (See also Note.)

You will have **to determine where a consignment of cargo/mail becomes identifiable as air cargo/air mail** and demonstrate that you have the relevant measures in place to protect it from unauthorised interference or tampering. This will include details concerning the production, packing, storage and/or despatch.

Organisation and responsibilities

You will be required to provide **details about your organisation** (name, VAT or Chamber of Commerce number or Corporate registration number if applicable), **address of site to be validated** and main address of organisation (if different from the site to be validated). The date of the previous validation visit and last unique alphanumeric identifier (if applicable) are required, as well as of the nature of the business, the approximate number of employees on site, **name and title of person responsible for air cargo/air mail security and contact details**.

Staff recruitment procedure

You will be required to provide details of your recruitment procedures for all staff (permanent, temporary or agency staff, drivers) with access to identifiable air cargo/air mail. The recruitment procedure shall include **a pre-employment check or a background check** in accordance with point 11.1 of the Annex to Regulation (EU) No 185/2010. The on-site validation visit will involve an interview with the person responsible for the recruitment of staff. He/she will need to present evidence (e.g. blank forms) to substantiate the company procedures. This recruitment procedure shall apply to staff recruited after 29 April 2010.

Staff security training procedure

You will need to demonstrate that **all staff** (permanent, temporary or agency staff, drivers) **with access to air cargo/air mail have received the appropriate training on security awareness matters**. This training shall take place in accordance with point 11.2.7 of the Annex to Regulation (EU) No 185/2010. Individual training records should be kept on file. **In addition, you will be required to show that all relevant staff implementing security controls have received training or recurrent training in accordance with chapter 11 of the Annex to Regulation (EU) No 185/2010.**

Physical security

You will be required to demonstrate how your site is protected (e.g. a physical fence or barrier) and that relevant access control procedures are in place. Where applicable, you will be required to provide details of any possible alarm- and/or CCTV system. **It is essential that access to the area where air cargo/air mail is processed or stored, is controlled.** All doors, windows and other points of access to air cargo/air mail need to be secure or subject to access control.

Production (where applicable)

You will need to demonstrate that access to the production area is controlled and the production process supervised. If the product can be identified as air cargo/air mail in the course of production then you will have to show **that measures are taken to protect air cargo/air mail from unauthorised interference or tampering at this stage.**

Packing (where applicable)

You will need to demonstrate that access to the packing area is controlled and the packing process supervised. If the product can be identified as air cargo/air mail in the course of packing then you will have to show **that measures are taken to protect air cargo/air mail from unauthorised interference or tampering at this stage.**

You will be required to provide details of your packing process and show that all finished goods are checked prior to packing.

You will need to describe the finished outer packing and demonstrate that it is robust. You also have to demonstrate how the finished outer packing is made tamper evident, for example by the use of numbered seals, security tape, special stamps or cardboard boxes fixed by a tape. You also need to show that you hold those under secure conditions when not in use and control their issue.

Storage (where applicable)

You will need to demonstrate that access to the storage area is controlled. If the product can be identified as air cargo/air mail while being stored then you will have to show **that measures are taken to protect air cargo/air mail from unauthorised interference or tampering at this stage.**

Finally, **you will have to demonstrate that finished and packed air cargo/air mail is checked before despatch.**

Despatch (where applicable)

You will need to demonstrate that access to the despatch area is controlled. If the product can be identified as air cargo/air mail in the course of despatch then you will have to show **that measures are taken to protect air cargo/air mail from unauthorised interference or tampering at this stage.**

Transportation

You will have to provide details concerning the method of transportation of cargo/mail to the regulated agent.

If you use your own transport, you will have to demonstrate that your drivers have been trained to the required level. **If a contractor is used by your company, you will have to ensure that a) the air cargo/air mail is sealed or packed by you so as to ensure that any tampering would be evident and b) the haulier declaration as contained in Attachment 6-E of the Annex to Regulation (EU) No 185/2010 has been signed by the haulier.**

If you are responsible for the transportation of air cargo/air mail, you will have to show that the means of transport **are securable**, either through the use of seals, if practicable, or any other method. Where numbered seals are used, you will have to demonstrate that access to the seals is controlled and numbers are recorded; if other methods are used you will have to show how cargo/mail is made tamper evident and/or kept secure. In addition you will need to show that there are measures in place to verify the identity of the drivers of vehicles collecting your air cargo/air mail. You will also need to show that you ensure that cargo/mail is secure when it leaves the premises. **You will have to demonstrate that air cargo/air mail is protected from unauthorised interference during transportation.**

You will not have to provide evidence about driver training or a copy of the haulier declaration where a regulated agent has made the transport arrangements for collecting air cargo/air mail from your premises.

Consignor's responsibilities

You will need to declare that you will accept unannounced inspections by the appropriate authority's inspectors for the purpose of monitoring these standards.

You will also need to declare to provide [name of appropriate authority] with the relevant details promptly but at least within 10 working days if:

- (a) the overall responsibility for security is assigned to anyone other than the person named;**
- (b) there are any other changes to premises or procedures likely to significantly impact on security;**
- (c) your company ceases trading, no longer deals with air cargo/air mail or can no longer meet the requirements of the relevant EU legislation.**

Finally, you will need to declare to maintain standards of security until the subsequent on-site validation visit and/or inspection.

You will then be required to accept full responsibility for the declaration and to sign the validation document.

NOTES**Explosive and incendiary devices**

Assembled explosive and incendiary devices may be carried in consignments of cargo if the requirements of all safety rules are met in full.

Consignments from other sources

A known consignor may pass consignments which it has not itself originated to a regulated agent, provided that:

- (a) they are separated from consignments which it has originated; and
- (b) the origin is clearly indicated on the consignment or on accompanying documentation.

All such consignments must be screened before they are loaded on to an aircraft.;

- (10) Attachment 6-C is replaced by the following:

'ATTACHMENT 6-C**VALIDATION CHECKLIST FOR KNOWN CONSIGNORS****Completion notes:**

When completing this form please note that:

- Items marked* are required data and **MUST** be completed.
- If the answer to any question in **bold type** is **NO**, the validation **MUST** be assessed as a **FAIL**. This does not apply where the questions do not apply.
- The overall assessment can only be assessed as a **PASS** after the consignor has signed the declaration of commitments on the last page.
- The original declaration of commitments must be retained by or made available to the appropriate authority until the validation expires. A copy of the declaration should also be given to the consignor.

PART 1**Organisation and responsibilities**

1.1. Date of validation*	
Please use exact date format, e.g. 1.10.2010	
dd/mm/yyyy	
1.2. Date of previous validation and Unique Identifier where applicable.	
dd/mm/yyyy	
UNI	
1.3. Name of organisation to be validated*	
Name	
VAT/Chamber of Commerce number/Corporate registration number (if applicable)	
1.4. Address of site to be validated*	
Number/Unit/Building	
Street	
Town	
Postcode	
Country	

1.5. Main address of organisation (if different from site to be validated, provided that it is in the same country)

Number/Unit/Building	
Street	
Town	
Postcode	
Country	

1.6. Nature of Business(es) — types of cargo processed

1.7. Is the applicant responsible for...?

(a) Production (b) Packing (c) Storage (d) Despatch (e) Other, please specify	
---	--

1.8. Approximate number of employees on site

1.9. Name and title of person responsible for air cargo/air mail security

Name	
Job title	

1.10. Contact telephone number

Tel. No	
---------	--

1.11. E mail address*

E mail	
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PART 2

Identifiable air cargo/air mail ("Targetability")

Aim: To establish the point (or: place) where cargo/mail becomes identifiable as air cargo/air mail. Targetability is defined as being able to assess when/where the cargo/mail is identifiable as air cargo/air mail.

2.1. By inspection of the production, packing, storage, selection, despatch and any other relevant areas, ascertain where and how a consignment of air cargo/air mail becomes identifiable as such.

Describe:

NB. Detailed information should be given on the protection of identifiable air cargo/air mail from unauthorised interference or tampering in Parts 5 to 8.

PART 3

Staff recruitment and training

Aim: To ensure that all staff (permanent, temporary, agency staff, drivers) with access to identifiable air cargo/air mail have been subject to an appropriate pre-employment check and/or background check as well as trained in accordance with point 11.2.7 of the Annex to Regulation (EU) No 185/2010. In addition, to ensure that all staff implementing security controls in respect of supplies are trained in accordance with chapter 11 of the Annex to Regulation (EU) No 185/2010.

Whether or not 3.1 and 3.2 are questions in **bold type** (and thus where a NO answer must be assessed as a fail) depends on the applicable national rules of the State where the site is located. However, at least one of these two questions shall be in **bold type**, whereby it should also be allowed that where a background has been carried out, then a pre-employment check is no longer required. The person responsible for implementing security controls shall always have a background check.

3.1. Is there a recruitment procedure for all staff with access to identifiable air cargo/air mail which includes a pre-employment check in accordance with point 11.1.4 of the Annex to Regulation (EU) No 185/2010? This applies to staff recruited after [the date of application of Regulation (EC) No 300/2008].

YES or NO	
If YES, which type	

3.2. Does this recruitment procedure also include a background check, including a check on criminal records, in accordance with point 11.1.3 of the Annex to Regulation (EU) No 185/2010?

This applies to staff recruited after [the date of application of Regulation (EC) No 300/2008].

YES or NO	
If YES, which type	

3.3. Does the appointment process for the named person responsible for the application and supervision of the implementation of security controls at the site include a requirement for a background check, including a check on criminal records in accordance with point 11.1.3 of the Annex to Regulation (EU) No 185/2010?

YES or NO	
If YES, describe	

3.4. Do staff with access to identifiable air cargo/air mail receive security awareness training in accordance with point 11.2.7 of the Annex to Regulation (EU) No 185/2010 before being given access to identifiable air cargo/air mail? Do staff implementing security controls in respect of supplies receive training in accordance with chapter 11 of the Annex to Regulation (EU) No 185/2010?

YES or NO	
If YES, describe	

3.5. Do staff (as referred to above) receive refresher training in accordance with the frequency established for this training?

YES or NO	
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3.6. Assessment — Are the measures sufficient to ensure that all staff with access to identifiable air cargo/air mail and staff implementing security controls have been properly recruited and trained in accordance with chapter 11 of the Annex to Regulation (EU) No 185/2010?

YES or NO	
If NO, specify reasons	

PART 4

Physical security

Aim: To establish if there is a level of (physical) security on the site or at the premises sufficient to protect identifiable air cargo/air mail from unauthorised interference.

4.1. Is the site protected by a physical fence or barrier?	
YES or NO	

4.2. Are all the access points to the site subject to access control?	
YES or NO	
4.3. If YES, are the access points...?	
Staffed	
Manual	
Automatic	
Electronic	
Other, specify	
4.4. Is the building of sound construction?	
YES or NO	
4.5. Does the building have an effective alarm system?	
YES or NO	
4.6. Does the building have an effective CCTV system?	
YES or NO	
4.7. If yes, are the images of the CCTV recorded?	
YES or NO	
4.8. Are all doors, windows and other points of access to identifiable air cargo/air mail secure or subject to access control?	
YES or NO	
4.9. If no, specify reasons	
4.10. Assessment: Are the measures taken by the organisation sufficient to prevent unauthorised access to those parts of the site and premises where identifiable air cargo/air mail is processed or stored?	
YES or NO	
If NO, specify reasons	

PART 5

Production

Aim: To protect identifiable air cargo/air mail from unauthorised interference or tampering.

Answer these questions where the product could be identified as air cargo/air mail in the course of the production process.

5.1. Is access controlled to the production area?	
YES or NO	
5.2. If YES, how?	
5.3. Is the production process supervised?	
YES or NO	
5.4. If YES, how?	
5.5. Are controls in place to prevent tampering at the stage of production?	
YES or NO	

If YES, describe

5.6. Assessment: Are measures taken by the organisation sufficient to protect identifiable air cargo/air mail from unauthorised interference or tampering during production?

YES or NO	
If NO, specify reasons	

PART 6

Packing

Aim: To protect identifiable air cargo/air mail from unauthorised interference or tampering.

Answer these questions where the product could be identified as air cargo/air mail in the course of the packing process.

6.1. Is the packing process supervised?

YES or NO	
-----------	--

6.2. If YES, how?

6.3. Please describe the finished outer packaging:

(a) Is the finished outer packaging robust?

YES or NO	
Describe:	

(b) Is the finished outer packaging tamper evident?

YES or NO	
Describe:	

6.4.(a) Are numbered seals, security tape, special stamps or cardboard boxes fixed by a tape used to make air cargo/air mail tamper evident?

YES or NO	
If YES:	

6.4.(b) Are the seals, security tape or special stamps held under secure conditions when not in use?

YES or NO	
Describe:	

6.4.(c) Is the issue of numbered seals, security tape, and/or stamps controlled?

YES or NO	
Describe:	

6.5. If the answer to 6.4(a) is YES, how is this controlled?

6.6. Assessment: Are the packing procedures sufficient to protect identifiable air cargo/air mail from unauthorised interference and/or tampering?

YES or NO	
If NO, specify reasons	

PART 7

Storage

Aim: To protect identifiable air cargo/air mail from unauthorised interference or tampering.

Answer these questions where the product could be identified as air cargo/air mail in the course of the storage process.

7.1. Is the finished and packed air cargo/air mail stored securely and checked for tampering?

YES or NO	
-----------	--

7.2. **Assessment: Are the storage procedures sufficient to protect identifiable air cargo/air mail from unauthorised interference and/or tampering?**

YES or NO	
-----------	--

If NO, specify reasons

PART 8

Despatch

Aim: To protect identifiable air cargo/air mail from unauthorised interference or tampering.

Answer these questions where the product could be identified as air cargo/air mail in the course of the despatch process.

8.1. Is access controlled to the despatch area?

YES or NO	
-----------	--

8.2. If YES, how?

8.3. Who has access to the despatch area?

Employees?	
------------	--

YES or NO	
-----------	--

Drivers?	
----------	--

YES or NO	
-----------	--

Visitors?	
-----------	--

YES or NO	
-----------	--

Contractors?	
--------------	--

YES or NO	
-----------	--

8.4. **Assessment: Is the protection sufficient to protect the air cargo/air mail from unauthorised interference or tampering in the despatch area?**

YES or NO	
-----------	--

If NO, specify reasons

PART 8A

Consignments from other sources

Aim: to establish the procedures for dealing with unsecured consignments.

Answer these questions only if consignments for carriage by air are being accepted from other companies.

8A.1. Does the company accept consignments of cargo intended for carriage by air from any other companies?

YES OR NO	
------------------	--

8A.2. If YES, how are these kept separate from the company's own cargo and how are they identified to the regulated agent/haulier?

--

PART 9

Transportation

Aim: To protect identifiable air cargo/air mail from unauthorised interference or tampering.

9.1. How is the air cargo/air mail conveyed to the regulated agent?

(a) By, or on behalf of, the regulated agent?

YES or NO	
-----------	--

(b) Consignor's own transport?

YES or NO	
-----------	--

(c) Contractor used by the consignor?

YES or NO	
-----------	--

9.2. Where a contractor is used by the consignor:
 — is the air cargo/air mail being sealed or packed before transportation so as to ensure that any tampering would be evident? and
 — has the haulier declaration been signed by the haulier?

YES or NO	
------------------	--

Only answer the following questions where 9.1(b) or 9.1(c) applies

9.3. Is the cargo compartment of the transport vehicle securable?

YES or NO	
-----------	--

If YES, specify how...

9.4(a) Where the cargo compartment of the transport vehicle is securable, are numbered seals used?

YES or NO	
-----------	--

9.4(b) Where numbered seals are used, is access to the seals controlled and the numbers recorded on issue?

YES or NO	
-----------	--

If YES, specify how...

9.5. Where the cargo compartment of the transport vehicle is not securable, is the air cargo/air mail tamper evident?

YES or NO	
-----------	--

9.6. If YES, describe tamper evidence employed.

9.7. If NO, how is it kept secure?

9.8. Assessment: Are the measures sufficient to protect air cargo/air mail from unauthorised interference during transportation?

YES or NO	
------------------	--

If NO, specify reasons	
-------------------------------	--

Declaration of commitments

I declare that:

- I will accept unannounced inspections by the appropriate authority's inspectors for the purpose of monitoring these standards. If the inspector discovers any serious lapses in security, this could lead to the withdrawal of my status as known consignor.
- I will provide [name of appropriate authority] with the relevant details promptly but at least within 10 working days if:
 - the overall responsibility for security is assigned to anyone other than the person named at point 1.9,
 - there are any other changes to premises or procedures likely to significantly impact on security, and
 - the company ceases trading, no longer deals with air cargo/air mail or can no longer meet the requirements of the relevant EU legislation.
- I will maintain standards of security until the subsequent on-site validation visit and/or inspection.
- I shall accept full responsibility for this declaration.

Signed

Position in company

Assessment (and notification)

Pass/Fail

Where the overall assessment is a fail, list below the areas where the consignor fails to achieve the required standard of security or has a specific vulnerability. Also advice on the adjustments needed to achieve the required standard and thus to pass.

Signed

(Name of validator)

(11) Attachment 6-C3 is amended as follows:

- (a) the words 'Reference: Point 6.8.3.1' in the fifth paragraph of Part 4 are deleted;
- (b) the seventh paragraph in Part 5 is replaced by the following:
 'Reference: Point 6.8.3';
- (c) the fifth paragraph in Part 7 is replaced with the following:
 'Reference: Points 6.8.3.1, 6.8.3.2, 6.8.3.3 as well as 6.2.1 and 6.7';
- (d) the first paragraph in Part 11 is replaced with the following:

'Objective: After assessing the 10 previous parts of this checklist, the EU aviation security validator has to conclude if its on-site verification corresponds with the content of the part of the air carrier security programme describing the measures for the EU/EEA bound air cargo/air mail and if the security controls sufficiently implement the objectives listed in this checklist.;

(12) point 6-Fiii of Attachment 6-F is replaced by the following:

'6-Fiii

VALIDATION ACTIVITIES OF THIRD COUNTRIES AS WELL AS OVERSEAS COUNTRIES AND TERRITORIES WITH SPECIAL RELATIONS TO THE UNION ACCORDING TO THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND TO WHICH THE TRANSPORT TITLE OF THAT TREATY DOES NOT APPLY, RECOGNISED AS EQUIVALENT TO EU AVIATION SECURITY VALIDATION';

(13) in Attachment 8-B, in the first indent, point (b) is replaced by the following:

'(b) ensure that persons with access to in-flight supplies receive general security awareness training in accordance with point 11.2.7 of the Annex to Regulation (EU) No 185/2010 before being given access to these supplies. In addition, ensure that persons implementing screening of in-flight supplies receive training according to 11.2.3.3 of the Annex to Regulation (EU) No 185/2010 and persons implementing other security controls in respect of in-flight supplies receive training according to 11.2.3.10 of the Annex to Regulation (EU) No 185/2010; and';

(14) Chapter 9 is amended as follows:

(a) point 9.0.2(a) is replaced by the following:

'(a) "airport supplies" mean all items intended to be sold, used or made available for any purpose or activity in the security restricted area of airports, other than "items carried by persons other than passengers";

(b) point 9.1.1.1(b) is replaced by the following:

'(b) the required security controls have been applied to the supplies by a known supplier or regulated supplier and the supplies have been protected from unauthorised interference from the time that those controls were applied until delivery to the security restricted area.';

(15) in Attachment 9-A, in the first indent, point (b) is replaced by the following:

'(b) ensure that persons with access to airport supplies receive general security awareness training in accordance with point 11.2.7 of the Annex to Regulation (EU) No 185/2010 before being given access to these supplies. In addition, ensure that persons implementing screening of airport supplies receive training according to point 11.2.3.3 of the Annex to Regulation (EU) No 185/2010 and persons implementing other security controls in respect of airport supplies receive training according to point 11.2.3.10 of the Annex to Regulation (EU) No 185/2010; and';

(16) Chapter 11 is amended as follows:

(a) point 11.1.5 is replaced by the following:

'11.1.5. Background or pre-employment checks shall be completed before the person undergoes any security training involving access to information which is not publicly available. Background checks shall be repeated at regular intervals not exceeding five years.';

(b) point 11.2.3.7(b) is replaced by the following:

'(b) knowledge of procedures for sealing aircraft, if applicable for the person to be trained';

(c) the first sentence of point 11.2.3.9 is replaced by the following:

'Training of persons implementing security controls for cargo and mail other than screening shall result in the following competencies:';

(d) the following sentence is added at the end of point 11.2.6.1:

'For objective reasons, the appropriate authority may exempt persons from this training requirement if their access is limited to areas in the terminal accessible to passengers.';

(e) the following sentence is added at the end of point 11.3.1:

'Persons performing tasks as listed in point 11.2.3.3 may be exempted from these requirements if they are only authorised to implement visual checks and/or hand searches.';

(f) point 11.5.3(a) is replaced by the following:

'(a) have knowledge and competencies as specified in point 11.5.4; and';

(g) the first sentence of point 11.5.4 is replaced by the following:

'In order to be certified as an instructor qualified to give training defined in points 11.2.3.1 to 11.2.3.5 and in points 11.2.4 (unless it concerns the training of supervisors exclusively supervising persons referred to in points 11.2.3.6 to 11.2.3.10) and 11.2.5, a person shall have knowledge of the work environment in the relevant aviation security field and qualifications and competencies in the following areas:';

(17) Chapter 12 is amended as follows:

(a) point 12.1.2.2 is replaced by the following:

‘12.1.2.2. All WTMD exclusively used for screening persons other than passengers shall meet at least standard 1.’;

(b) the following points 12.5.1.4 and 12.5.1.5 are added:

‘12.5.1.4. There shall be a TIP administrator responsible for the configuration management of the TIP system.

12.5.1.5. The appropriate authority shall regularly monitor the correct implementation of the TIP systems and ensure that the systems are correctly configured, including realistic and relevant projection of objects, are in compliance with the requirements and have up-to-date image libraries.’;

(c) point 12.8.2 is replaced by the following:

‘12.8.2. Before its planned introduction the Member State concerned shall inform in writing the Commission and the other Member States of the proposed method of screening it intends to allow, enclosing an assessment indicating how it shall guarantee that the application of the new method will meet the requirement of point 12.8.1(b). The notification shall also contain detailed information on the location(s) where the method of screening is planned to be used and the intended length of the evaluation period.’;

(d) the following point 12.10 is added:

‘12.10. METAL DETECTION EQUIPMENT (MDE)

Detailed provisions on the use of MDE are laid down in a separate Commission Decision.’

COMMISSION IMPLEMENTING REGULATION (EU) No 1117/2013

of 6 November 2013

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Arancia Rossa di Sicilia (PGI)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and food-stuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Regulation (EU) No 1151/2012 repealed and replaced Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and food-stuffs ⁽²⁾.
- (2) Pursuant to the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006, the Commission examined Italy's application for the approval of amendments to the specification for the protected geographical indication 'Arancia Rossa di Sicilia', registered under Commission Regulation (EC) No 1107/96 ⁽³⁾.

- (3) Since the amendments in question are not minor, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾, as required by Article 6(2) of Regulation (EC) No 510/2006. As no statement of objection under Article 7 of that Regulation has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

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

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

Done at Brussels, 6 November 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 12.

⁽³⁾ OJ L 148, 21.6.1996, p. 1.

⁽⁴⁾ OJ C 369, 29.11.2012, p. 16.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

ITALY

Arancia Rossa di Sicilia (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1118/2013

of 6 November 2013

approving a non-minor amendment to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Miel de Corse – Mele di Corsica (PDO)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of an amendment to the specification for the protected designation of origin 'Miel de Corse – Mele di Corsica' registered under Commission Regulation (EC) No 1187/2000 ⁽²⁾.
- (2) Since the amendment in question is not minor within the meaning of Article 53(2) of Regulation (EU)

No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of objection under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendment should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendment to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation is hereby approved.

Article 2

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

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

Done at Brussels, 6 November 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOȘ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 133, 6.6.2000, p. 19.

⁽³⁾ OJ C 134, 14.5.2013, p. 39.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.4. Other products of animal origin (eggs, honey, various dairy products except butter, etc.)

FRANCE

Miel de Corse – Mele di Corsica (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 1119/2013

of 6 November 2013

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Melva de Andalucía (PGI)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EC) No 1151/2012, the Commission has examined Spain's application for the approval of amendments to the specification for the protected geographical indication 'Melva de Andalucía' registered under Commission Regulation (EC) No 289/2009 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the

amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

- (3) As no statement of objection under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

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

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

Done at Brussels, 6 November 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOȘ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 94, 8.4.2009, p. 15.

⁽³⁾ OJ C 60, 1.3.2013, p. 15.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.7. Fresh fish, molluscs and crustaceans and products derived therefrom

SPAIN

Melva de Andalucía (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 1120/2013

of 6 November 2013

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Piment d'Espelette/Piment d'Espelette – Ezpeletako Biperra (PDO)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

(1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Piment d'Espelette'/Piment d'Espelette – Ezpeletako Biperra' registered under Commission Regulation (EC) No 1495/2002 ⁽²⁾.

(2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the

amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.

(3) As no statement of objection under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

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

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

Done at Brussels, 6 November 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 225, 22.8.2002, p. 11.

⁽³⁾ OJ C 57, 27.2.2013, p. 11.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.8. Other products listed in Annex I to the Treaty (spices, etc.)

FRANCE

Piment d'Espelette/Piment d'Espelette – Ezpeletako Biberri (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 1121/2013

of 6 November 2013

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Volaille de Bresse/Poulet de Bresse/Poularde de Bresse/Chapon de Bresse (PDO)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) By virtue of the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Volaille de Bresse'/'Poulet de Bresse'/'Poularde de Bresse'/'Chapon de Bresse' registered under Commission Regulation (EC) No 1107/96 ⁽²⁾ as amended by Regulation (EC) No 1509/2000 ⁽³⁾.
- (2) The purpose of the application is to amend the specification as regards the name, the product description, proof of origin, the method of production, labelling, national requirements and the contact details of the group and of the inspection authorities.

- (3) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* as required by Article 50(2)(a) of that Regulation ⁽⁴⁾.

- (4) As no statement of objection under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name contained in the Annex to this Regulation are hereby approved.

Article 2

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

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

Done at Brussels, 6 November 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 148, 21.6.1996, p. 1.

⁽³⁾ OJ L 174, 13.7.2000, p. 7.

⁽⁴⁾ OJ C 102, 9.4.2013, p. 12.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.1. Fresh meat (and offal)

FRANCE

Volaille de Bresse/Poulet de Bresse/Poularde de Bresse/Chapon de Bresse (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 1122/2013

of 6 November 2013

approving a minor amendment to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Κονσερβολιά Στυλιδας (Konservolia Styliidas) (PDO))

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular the second subparagraph of Article 53(2) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Greece's application for the approval of an amendment to the specification for the protected designation of origin 'Κονσερβολιά Στυλιδας (Konservolia Styliidas)', registered under Commission Regulation (EC) No 1263/96 ⁽²⁾.
- (2) The application concerns the amendment to the specification under the headings Description and Method of Production, and specifically to add an additional commercial type, the pitted olive.

- (3) The Commission has examined the amendment in question and decided that it is justified. Since in accordance with Article 53(2) of Regulation (EU) No 1151/2012 this concerns a minor amendment, the Commission may adopt it without using the procedure set out in Articles 50 to 52 of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected designation of origin 'Κονσερβολιά Στυλιδας (Konservolia Styliidas)' is hereby amended in accordance with Annex I to this Regulation.

Article 2

The consolidated single document setting out the main points of the specification is set out in Annex II to this Regulation.

Article 3

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

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

Done at Brussels, 6 November 2013.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 163, 2.7.1996, p. 19.

ANNEX I

The following amendment to the specification for the protected designation of origin 'Κονσερβολιά Στυλίδας' (Konservolia Stylidas) have been approved:

(1) Description of product:

The description has been amended to include whole pitted olives in the 'Konservolia Stylidas' product range. Market requirements and changing consumer habits have led to the need to diversify the commercial types available on the market.

The characteristics of the pitted olives (taste, colour, smell) do not differ in any way from those of 'Konservolia Stylidas' whole olives, as the pitting takes place once the olive has acquired its final organoleptic characteristics, and therefore the link with the product's geographical area does not change. Furthermore, the composition of the brine, which can generally change a product's taste, is also exactly the same for the whole olives and the pitted ones.

(2) Method of Production:

This section has been amended to include the pitting of the olives. The whole pitted olives are 'Konservolia Stylidas' olives, mainly green, that have been fermented, so that the product already has its final physical, chemical and organoleptic characteristics. The pit is removed using special pitting machines, always through the major axis of the fruit (it is not possible to remove an olive pit through the short axis). The olives are then placed in a 7-9 % brine solution, exactly like 'Konservolia Stylidas' whole olives. This procedure does not alter the physical, chemical or organoleptic characteristics of 'Konservolia Stylidas'.

ANNEX II

Consolidated single document

Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾

‘ΚΟΝΣΕΡΒΟΛΙΑ ΣΤΥΛΙΔΑΣ’ (KONSERVOLIA STYLIDAS)

EC No: EL-PDO-0117-0345-01.01.2012

PGI () PDO (X)

1. Name

‘Κονσερβολιά Στυλίδας’ (Konservolia Stylidas)

2. Member State or Third Country

Greece

3. Description of the agricultural product or foodstuff**3.1. Type of product**

Class 1.6. Fruit, vegetables and cereals, fresh or processed

3.2. Description of product to which the name in (1) applies

These are table olives obtained from the Konservolia variety, whole or whole pitted. The product has a fruity taste and firm flesh that is easily removed from the pit and keeps well. The black olives are black to inky in colour, whilst the green olives are green to straw yellow. The average weight of the fruit is 7 g. The ratio of pit to fruit is 6 to 1. The olive must not be damaged by olive fly, show signs of bruising or contain impurities. The olives are size-graded as follows, in accordance with the international standard:

Trade name	Number of olives per kilogram
Super Super Mammoth	70-90
Super Mammoth	91-100
Mammoth	101-110
Super Colossal	111-120
Colossal	121-140
Giants	141-160
Extra Jumbo	161-180
Jumbo	181-200
Extra Large	201-230
Large	231-260
Superior	261-290
Brilliants	291-320
Fine	321-350
Bullets	351-380

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Replaced by Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

3.3. *Raw materials (for processed products only)*

—

3.4. *Feed (for products of animal origin only)*

—

3.5. *Specific steps in production that must take place in the defined geographical area*

'Konservolia Stylidas' must be grown and processed within the defined geographical area.

3.6. *Specific rules concerning slicing, grating, packaging, etc.*

—

3.7. *Specific rules concerning labelling*

—

4. **Concise definition of the geographical area**

The production area is the area within the administrative boundaries of the Communities of Glifa, Vathikilo, Pelasgia, Mili, Spartia, Achladi, Raches, Paleokerasia, Achinos, Karavomilos, Anidro, Neraida, Stylida, Avlaki, Agia Marina, Limogardi and Longitsi in Fthiotida Province in the Prefecture of Fthiotida.

5. **Link with the geographical area**

5.1. *Specificity of the geographical area*

The climate in Fthiotida Prefecture is mild Mediterranean. The meteorological data for the last five years are as follows:

Average temperature: 16,5 °C

Relative humidity: 65-70 %

Rainfall: 589 millimetres/year

Sunshine: 210 hours/month

The soil is predominantly sandy clay, in flat or sloping areas.

5.2. *Specificity of the product*

The product has a fruity taste and firm flesh that is easily removed from the pit and keeps well. The black olives are black to inky in colour, whilst the green olives are green to straw yellow. Their excellent physical, chemical and organoleptic characteristics have made Stylida table olives well-known on the Greek and international market. They have won a number of awards at Greek and international fairs.

5.3. *Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)*

The variety of olive produced in this geographical area is the 'Konservolia', which has traditionally been grown in the area since ancient times, and yields the distinctive table olives known for their excellent physical, chemical and organoleptic qualities. 'Konservolia Stylidas' olives are grown in areas of the Fthiotida Prefecture which have mild winters and cool summers. This specific variety of olive has adjusted perfectly to the soil and climate which, in combination with the traditional growing, harvesting and processing methods used, shapes the distinctive characteristics of the final product.

Publication reference of the specification

(Article 5(7) of Regulation (EC) No 510/2006)

http://www.minagric.gr/images/stories/docs/agrotis/POP-PGE/prodiagrafes_konserbopolis_stilidas200313.pdf

COMMISSION REGULATION (EU) No 1123/2013**of 8 November 2013****on determining international credit entitlements pursuant to Directive 2003/87/EC of the European Parliament and of the Council****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC ⁽¹⁾, and in particular Article 11a(8) thereof,

Whereas:

- (1) The Protocol to the United Nations Framework Convention on Climate Change (the Kyoto Protocol) establishes two mechanisms for the creation of international credits that Parties may use to offset emissions. Joint Implementation (JI) provides for the creation of emission reduction units (ERUs), whereas the Clean Development Mechanism (CDM) provides for the creation of certified emission reductions (CERs).
- (2) The national allocation plans of Member States adopted pursuant to Article 9 of Directive 2003/87/EC provide for the use by operators of certain quantities of CERs and ERUs to comply with their obligations to surrender allowances as referred to in Article 12 of Directive 2003/87/EC in respect of the period 2008 to 2012.
- (3) Article 11a of Directive 2003/87/EC provides for continued use of CERs and ERUs issued under the Kyoto Protocol in the emissions trading scheme set up by Directive 2003/87/EC, in the period from 2013 to 2020 and includes provisions related to the levels allowed by category of operator and aircraft operator to comply with their obligations to surrender allowances under Article 12 of Directive 2003/87/EC. Article 11a(8) sets out certain minimum entitlements, expressed in percentage levels, of international credit use by operators and aircraft operators in the period from 2008 to 2020 and foresees measures to determine the exact percentage limits.
- (4) Directive 2003/87/EC provided for linking the Kyoto Protocol's project based mechanisms with the emission trading scheme in order to increase the cost-effectiveness of achieving reductions of global greenhouse gas emissions. In view of the number of allowances valid for the period 2013 to 2020 issued pursuant to the second sub paragraph of Article 13(2) of Directive 2003/87/EC, the entitlements to use international

credits should be set at the minimum levels specified in the first and third subparagraphs of Article 11a(8). As a consequence the overall limit on the use of international credits provided for in the fifth subparagraph of Article 11a(8) of Directive 2003/87/EC will be respected and the second subparagraph and the second sentence of the fourth subparagraph of Article 11a(8) of Directive 2003/87/EC will not apply herein. Any residual entitlement for 2012 from aircraft operators is maintained in accordance with Articles 11a(2), (3) and (4) of Directive 2003/87/EC.

- (5) Operators of stationary installations with a significant capacity extension pursuant to Article 20 of Commission Decision 2011/278/EU of 27 April 2011 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council ⁽²⁾ should be entitled to be treated either as existing operators or as new entrants.
- (6) Articles 58 to 61 of Commission Regulation (EU) No 389/2013 of 2 May 2013 establishing a Union Registry pursuant to Directive 2003/87/EC of the European Parliament and of the Council, Decisions No 280/2004/EC and No 406/2009/EC of the European Parliament and of the Council and repealing Commission Regulations (EU) No 920/2010 and (EU) No 1193/2011 ⁽³⁾ provide details for the practical implementation of entitlement limits set out herein.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. Each operator of a stationary installation which received a free allocation or an entitlement to use international credits in the period from 2008 to 2012 shall be entitled to use international credits during the period 2008 to 2020 up to the amount allowed in the period from 2008 to 2012, or to an amount corresponding to a maximum of 11 % of its allocation in the period from 2008 to 2012, whichever is the higher.
2. Each operator of a stationary installation which received neither a free allocation nor an entitlement to use international credits in the period from 2008 to 2012 and, by derogation

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.

⁽²⁾ OJ L 130, 17.5.2011, p. 1-45.

⁽³⁾ OJ L 122, 3.5.2013, p. 1.

from paragraph 1, each operator of a stationary installation within the meaning of the first two indents of Article 3(h) of Directive 2003/87/EC shall be entitled to use international credits in the period from 2008 to 2020 up to a maximum of 4,5 % of its verified emissions in the period from 2013 to 2020.

3. Each operator of a stationary installation with a significant capacity extension pursuant to Article 20 of Decision 2011/278/EU shall be entitled to use international credits during the period from 2008 to 2020 up to the amount allowed to it in the period from 2008 to 2012, or to an amount corresponding to a maximum of 11 % of their allocation during the period from 2008 to 2012, or up to a maximum of 4,5 % of their verified emissions during the period from 2013 to 2020, whichever is the higher.

4. Each operator of a stationary installation which received a free allocation for the period from 2008 to 2012 and carrying out activities not listed in Annex I of Directive 2003/87/EC as amended by Regulation (EC) No 219/2009 of the European Parliament and of the Council⁽¹⁾, but listed in Annex I of Directive 2003/87/EC as amended by Directive 2009/29/EC of the European Parliament and of the Council⁽²⁾ shall be entitled to use international credits during the period from 2008 to 2020 up to the amount allowed to them from the period from 2008 to 2012, or to an amount corresponding to a maximum of 11 % of their allocation during the period from 2008 to 2012, or up to a maximum of 4,5 % of their verified emissions during the period from 2013 to 2020, whichever is the higher.

5. Each aircraft operator shall be entitled to use international credits up to a maximum of 1,5 % of its verified emissions during the period from 2013 to 2020, without prejudice to any residual entitlement from 2012.

Article 2

1. Member States shall calculate and publish the international credit entitlement for each of its operators in accordance with Article 1(1) and notify the Commission in accordance with Article 59 of Regulation (EU) No 389/2013 one month after the date of the entry into force of this Regulation.

2. For each of the operators referred to in Article 1(2) and aircraft operators referred to in Article 1(5) an international credit entitlement is calculated on the basis of verified emissions and updated annually. For the operators referred to in Article 1(3) and 1(4) an updated international credit entitlement will be calculated according to the higher of the entitlement calculated in Article 1(1) or 4,5 % of verified emissions for the period from 2013 to 2020. Once verified emissions are approved, Member States shall notify the Commission of the changes to international credit entitlement in accordance with Article 59 of Regulation (EU) No 389/2013.

Article 3

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

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

Done at Brussels, 8 November 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 87, 31.3.2009, p. 109.

⁽²⁾ OJ L 140, 5.6.2009, p. 63.

COMMISSION IMPLEMENTING REGULATION (EU) No 1124/2013**of 8 November 2013****amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance bifenox****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular the first alternative of Article 21(3) and Article 78(2) thereof,

Whereas:

(1) Commission Directive 2008/66/EC ⁽²⁾ included bifenox as active substance in Annex I to Council Directive 91/414/EEC ⁽³⁾.

(2) Active substances included in Annex I to Directive 91/414/EEC are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁴⁾.

(3) In accordance with the first subparagraph of Article 21(1) of Regulation (EC) No 1107/2009 Belgium submitted a request to the Commission to review the approval of bifenox in the light of new scientific and technical knowledge resulting from information submitted to that Member State by the notifier pursuant to Article 56(1) of that Regulation. That information concerned formation of nitrofen resulting from the application of bifenox.

(4) Belgium assessed the information submitted by the notifier. It submitted its assessment, in the form of an addendum to the draft assessment report, to the other Member States, the Commission and the European Food Safety Authority, hereinafter 'the Authority', on 21 March 2013.

(5) In the light of that information the Commission considered that there are indications that bifenox no longer satisfies the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009.

(6) The Commission invited the notifier to submit its comments.

(7) The Commission has come to the conclusion that, given the fact that under certain environmental conditions the use of bifenox has the potential to form nitrofen a risk for the environment cannot be excluded except by imposing further restrictions.

(8) It is confirmed that the active substance bifenox is to be deemed to have been approved under Regulation (EC) No 1107/2009. When assessing applications for authorisation of plant protection products, Member States should pay particular attention to the potential of bifenox to form nitrofen and impose restrictions as regards the conditions of use, where appropriate.

(9) The Annex to Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1***Amendment to Implementing Regulation (EU) No 540/2011**

Part A of the Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

*Article 2***Entry into force**

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

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2008/66/EC of 30 June 2008 amending Council Directive 91/414/EEC to include bifenox, diflufenican, fenoxaprop-P, fenpropidin and quinclamine as active substances (OJ L 171, 1.7.2008, p. 9).

⁽³⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

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

Done at Brussels, 8 November 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

The column 'Specific provisions' of row 180, bifenox, of Part A of the Annex to Implementing Regulation (EU) No 540/2011 is replaced by the following:

PART A

Only uses as herbicide may be authorised.

PART B

For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on bifenox, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 14 March 2008 shall be taken into account.

In this overall assessment Member States shall pay particular attention to:

- (a) the operator safety and ensure that conditions of use prescribe the application of adequate personal protective equipment where appropriate;
- (b) the dietary exposure of consumers to bifenox residues in products of animal origin and in succeeding rotational crops;
- (c) the environmental conditions leading to the potential formation of nitrofen.

Member States shall impose restrictions as regards the conditions of use, where appropriate in view of point (c).'

COMMISSION IMPLEMENTING REGULATION (EU) No 1125/2013**of 8 November 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, 8 November 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)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	36,9
	MA	42,5
	MK	33,9
	ZZ	37,8
0707 00 05	AL	45,1
	EG	177,3
	MK	59,9
	TR	144,2
	ZZ	106,6
0709 93 10	AL	48,7
	MA	88,1
	TR	154,7
	ZZ	97,2
0805 20 10	AU	136,9
	MA	63,3
	ZA	148,2
	ZZ	116,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	PE	125,0
	SZ	56,1
	TR	80,2
	UY	92,8
	ZA	154,1
	ZZ	101,6
0805 50 10	TR	73,0
	ZA	74,0
	ZZ	73,5
0806 10 10	BR	247,5
	LB	239,8
	PE	271,8
	TR	165,1
	US	324,1
	ZZ	249,7
0808 10 80	BA	64,2
	CL	210,3
	NZ	138,3
	US	133,2
	ZA	174,4
	ZZ	144,1
0808 30 90	CN	65,8
	TR	113,5
	ZZ	89,7

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

DECISIONS

COMMISSION DECISION

of 7 November 2013

establishing the ecological criteria for the award of the EU Ecolabel for flushing toilets and urinals

(notified under document C(2013) 7317)

(Text with EEA relevance)

(2013/641/EU)

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS DECISION:

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

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel ⁽¹⁾, and in particular Article 8(2) thereof,

After consulting the European Union Ecolabelling Board,

Whereas:

- (1) Under Regulation (EC) No 66/2010, the EU Ecolabel may be awarded to products which have a reduced environmental impact during their entire life cycle.
- (2) Regulation (EC) No 66/2010 provides that specific EU Ecolabel criteria are to be established according to product groups.
- (3) Since the consumption of water contributes significantly to the overall environmental impacts of domestic and non-domestic buildings, it is appropriate to establish EU Ecolabel criteria for the product group of 'flushing toilets and urinals'. The criteria should, in particular, promote water-efficient products which contribute to a reduction in the consumption of water and associated other benefits such as reduction of energy consumption.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010,

Article 1

1. The product group 'flushing toilets and urinals' shall comprise: flushing toilet equipment and urinal equipment as defined in Article 2. The product group shall cover products for domestic and non-domestic use.

2. The following products shall be excluded from the product group 'flushing toilets and urinals':

- (a) toilet seats and covers, only when placed on the market or marketed independently from a flushing toilet or urinal equipment;
- (b) toilet equipment which do not use water, use chemical and water for flushing and toilets that require energy to aid the flushing system.

Article 2

For the purpose of this Decision, the following definitions shall apply:

- (1) 'flushing toilet equipment' means either a toilet suite, a toilet receptacle or a toilet flushing system;
- (2) 'toilet suite' means a sanitary appliance combining into a functioning unit a flushing system and a toilet receptacle for receiving and flushing away human urine and faeces and directing it into a drainage system;
- (3) 'toilet receptacle' means a sanitary appliance for receiving and flushing away human urine and faeces and directing it into a drainage system;
- (4) 'urinal equipment' means either a urinal suite, a urinal, a flush-free urinal or a urinal flushing system;

⁽¹⁾ OJ L 27, 30.1.2010, p. 1.

- (5) 'flushing urinal equipment' means either a urinal suite, a urinal or a urinal flushing system;
- (6) 'urinal suite' means a sanitary appliance combining into a functioning unit a flushing system and a urinal for receiving and flushing away urine and directing it into a drainage system;
- (7) 'urinal' means a sanitary appliance for receiving urine and water used for flushing and directing both into a drainage system;
- (8) 'slab urinal' means a sanitary appliance with or without flushing system comprising a floor channel and a slab or sheet fixed to a wall, for receiving urine and water used for flushing and directing both into a drainage system;
- (9) 'flush-free urinal' means a sanitary appliance for receiving urine and directing it into a drainage system, which functions without water;
- (10) 'flushing system' means, for both flushing toilet and flushing urinal equipment, either a flushing cistern with integral warning pipe connection – or a device deemed to be a no less effective device and inlet/outlet devices, or a pressure flush valve;
- (11) 'water-saving device' means a flushing device that permits a part of the full flush volume to be delivered either as double-action mechanisms (interruptible) or double-control mechanisms (dual flush);
- (12) 'full flush volume' means the total volume of water discharged from the flushing system during a flush cycle;
- (13) 'reduced flush volume' means the part of the full flush volume of water discharged by a water-saving device during a flush cycle no greater than two thirds of the full flush volume;
- (14) 'average flush volume' means the arithmetic average of one full flush volume and three reduced flush volumes

calculated by following the methodology set out in Appendix 1 to the Annex;

- (15) 'on-demand flush control' means a flushing device of a sanitary appliance, which can be operated either manually by the user through a handle, lever, button, foot pedal or any equivalent flush actuator, or by a sensor detecting the use of the sanitary appliance;
- (16) 'adjusting device' means a device which allows the full flush volume and, if relevant, the reduced flush volume of a flushing system to be adjusted.

Article 3

The criteria for awarding the EU Ecolabel under Regulation (EC) No 66/2010 for a product falling within the product group 'flushing toilets and urinals' defined in Article 1 of this Decision as well as the related assessment and verification requirements are set out in the Annex.

Article 4

The criteria and the related assessment and verification requirements set out in the Annex shall be valid for four years from 7 November 2013.

Article 5

For administrative purposes, the code number assigned to the product group 'flushing toilets and urinals' shall be 41.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 7 November 2013.

For the Commission

Janez POTOČNIK

Member of the Commission

ANNEX

EU ECOLABEL CRITERIA AND ASSESSMENT REQUIREMENTS

Criteria for awarding the EU Ecolabel to flushing toilet and urinal equipment:

1. Water efficiency
2. Product performance
3. Excluded or limited substances and mixtures
4. Sustainably managed wood as raw materials
5. Product longevity
6. Reduced end-of-life impacts
7. Installation instructions and user information
8. Information appearing on the EU Ecolabel.

Table 1 indicates the applicability of the different criteria to each category of flushing toilet and urinal equipment.

Specific assessment and verification requirements are indicated for each criterion.

Where the applicant is required to provide declarations, documentation, analyses test reports, or other evidence to show compliance with the criteria, these may originate from the applicant or their suppliers or both.

Where possible, the testing shall be performed by laboratories that meet the general requirements of European Standard EN ISO 17025 or equivalent.

Where appropriate, test methods other than those indicated for each criterion may be used if the competent body assessing the application accepts their equivalence.

Where appropriate, competent bodies may require supporting documentation and may carry out independent verifications.

The applicant shall declare the product's compliance with the legal requirements of the country (countries) in which it is intended to be placed on the market.

In test standards, toilet suites, toilet receptacles, urinals and flushing systems are distinguished by class or type, or both. The relevant class(es) or type(s) of the product shall be declared to the competent body assessing the application and all the tests to be performed shall be done for each class and/or type declared by the applicant according to the relevant standard.

Table 1

Applicability of the different criteria to each category of flushing toilet and urinal equipment

Flushing toilet and urinal equipment Criteria	Toilet suites	Toilet receptacles	Toilet flushing systems	Urinal suites	Urinals	Flush-free urinals	Urinal flushing systems
1(a) – Full flush volume	x	x	x	x	x		x
1(b) – Water saving	x	x	x	x	x		x
1(c) – Average flush volume	x	x	x				
1(d) – Flush volume adjustment	x		x	x			x

Flushing toilet and urinal equipment	Toilet suites	Toilet recep- tacles	Toilet flushing systems	Urinal suites	Urinals	Flush-free urinals	Urinal flushing systems
Criteria							
2(a) – Flushing system require- ments	x		x	x			x
2(b) – Flush performance	x	x		x	x		
2(c) – Flush-free urinal requirements						x	
3(a) – Hazardous substances and mixtures	x	x	x	x	x	x	x
3(b) – Substances listed in accordance with Article 59(1) of Regu- lation (EC) No 1907/2006 of the European Parliament and of the Council ⁽¹⁾	x	x	x	x	x	x	x
4 – Sustainably managed wood as raw materials	x	x	x	x	x	x	x
5(a) – Reparability and avail- ability of spare parts	x	x	x	x	x	x	x
5(b) – Warranty	x	x	x	x	x	x	x
6 – Reduced end-of-life impacts	x	x	x	x	x	x	x
7 – Installation instructions and user information	x	x	x	x	x	x	x
8 – Information appearing on the EU Ecolabel	x	x	x	x	x	x	x

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

Criterion 1. Water efficiency

(a) Full flush volume

The full flush volume, independent of the water pressure, of flushing toilet and flushing urinal equipment, when placed on the market, shall not exceed the value presented in Table 2.

Table 2

Maximum limit for full flush volume of flushing toilet and flushing urinal equipment

Product	Full flush volume [l/flush]
Flushing toilet equipment	6,0
Flushing urinal equipment	1,0

Assessment and verification: the applicant shall declare that the product complies with these requirements, and specify the nominal full flush volume (in l/flush) of the product, together with the results of tests conducted in accordance with the testing procedure indicated in the respective EN standards for the given kind of product (see Table 3). For slab urinals, the full flush volume refers to the water flushed over 60 cm width of continuous wall.

Table 3

EN standards for measuring the full flush volume of flushing toilet and urinal equipment

Product	Standard	Standard title
Toilet suites and toilet receptacles	EN 997	WC pans and WC suites with integral trap
Urinal suites and urinals	EN 13407	Wall-hung urinals — Functional requirements and test methods
Flushing systems made of a flushing cistern	EN 14055	WC and urinal flushing cisterns
Flushing systems made of a manual pressure flush valve	EN 12541	Sanitary tapware — Pressure flushing valves and automatic closing urinal valves PN 10
Flushing systems made of a contact-free pressure flush valve	EN 15091	Sanitary tapware — Electronic opening and closing sanitary tapware

(b) Water saving

Toilet suites delivering a full flush volume of more than 4,0 litres and toilet flushing systems shall be equipped with a water-saving device. When placed on the market, the reduced flush volume, independent of the water pressure, delivered when the water-saving device is operated shall not exceed 3,0 l/flush.

Toilet receptacles shall allow the use of a water-saving device, of which the reduced flush volume, independent of the water pressure, delivered when the water-saving device is operated shall not exceed 3,0 l/flush.

Urinal suites and urinal flushing systems shall be equipped with an individual on-demand flush control. For slab urinals with flushing system, there shall be an individual on-demand flush control for not more than 60 cm width of continuous wall.

Urinals shall allow the use of an individual on-demand flush control. Slab urinals without flushing system shall allow individual on-demand flush controls to be placed in not more than 60 cm width of continuous wall.

Any sensor-based flush control shall prevent any false triggering and ensure that the flush is delivered only after the actual use of the product.

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide documentation describing the technology or device applied in the product. For flushing toilet equipment, the applicant shall specify the reduced flush volume (in l/flush) of the product, together with results of tests conducted in accordance with the testing procedure indicated in respective EN standards for the given kind of product (see Table 4). For products equipped with sensor-based flush control, the applicant shall provide a brief description of the measures taken when designing the product to prevent false triggering and ensure flush actuation only after actual product use.

Table 4

EN standards for measuring the reduced flush volume of flushing toilet equipment

Product	Standard	Standard title
Toilet suites and toilet receptacles	EN 997	WC pans and WC suites with integral trap
Toilet flushing system made of a flushing cistern	EN 14055	WC and urinal flushing cisterns

(c) Average flush volume

The average flush volume of flushing toilet equipment, when placed on the market, calculated by following the methodology set out in Appendix 1 shall not exceed 3,5 l/flush. Toilet suites delivering a full flush volume of 4,0 litres or less are exempted from this requirement.

Assessment and verification: the applicant shall declare that the product complies with those requirements and specify the calculated average flush volume (in l/flush) of the product together with the results of tests conducted in accordance with the methodology set out in Appendix 1.

(d) Flush volume adjustment

Flushing systems shall be equipped with an adjusting device so that the flush volumes can be adjusted by the installer to take into account the local conditions of the drainage system. The full flush volume after adjustment according to installation instructions shall not exceed 6 l/flush for flushing toilet equipment or 4 l/flush if the toilet suite is not equipped with a water-saving device, and 1 l/flush for flushing urinal equipment. The reduced flush volume after adjustment according to installation instructions shall not exceed 3 l/flush for flushing toilet equipment.

In the case of flushing systems made of a flushing cistern, the maximum full flush volume after adjustment shall be indicated on the flushing cistern by a water line or a water mark.

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide documentation describing the technology or device applied in the product.

Criterion 2. Product performance**(a) Flushing system requirements**

Flushing systems shall comply with the requirements of the respective EN standards listed in Table 5. The sections of the relevant EN standards in Table 5 below concerning the full flush and reduced flush volumes are excluded from this criterion.

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide the results of tests conducted in accordance with the testing procedure indicated in the respective EN standards for the given kind of product (see Table 5).

Table 5

EN standard compliance for the flushing system

Flushing system	Standard	Standard title
Toilet and urinal flushing cisterns	EN 14055	WC and urinal flushing cisterns
Toilet and urinal manual pressure flush valves	EN 12541	Sanitary tapware – Pressure flushing valves and automatic closing urinal valves PN 10
Toilet and urinal contact-free pressure flush valves	EN 15091	Sanitary tapware — Electronic opening and closing sanitary tapware

(b) *Flush performance*

The flush performance of toilet and urinal suites, toilet receptacles and urinals shall comply with the requirements of the respective EN standards listed in Table 6.

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide the results of tests conducted in accordance with the testing procedure indicated in the respective EN standards for the given kind of product (see Table 6). Toilet suites and toilet receptacles not covered by any EN standard shall demonstrate flush performance levels similar to those of an equivalent class and type covered by Standard EN 997. In that case the applicant shall provide results of tests conducted in accordance with the testing procedure indicated in Standard EN 997 for products of equivalent class and type. Urinal suites and urinals not covered by any EN standard shall demonstrate flush performance levels similar to those of an equivalent class and type covered by Standard EN 13407. In that case the applicant shall provide the results of tests conducted in accordance with the testing procedure indicated in Standard EN 13407 for products of an equivalent class and type.

Table 6

EN standard compliance for the flushing performance of the product

Product	Standard	Standard title
Toilet suites and toilet receptacles	EN 997	WC pans and WC suites with integral trap
Urinal suites and urinals	EN 13407	Wall-hung urinals — Functional requirements and test methods

(c) *Flush-free urinal requirements*

Flush-free urinals shall meet the requirements defined in Appendix 2.

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide the results of tests conducted in accordance with the testing procedure set out in Appendix 2. Any equivalent methodology demonstrating that the requirements set out in Appendix 2 are met shall also be accepted.

Criterion 3. Excluded or limited substances and mixtures(a) *Hazardous substances and mixtures*

According to Article 6(6) of Regulation (EC) No 66/2010 the EU Ecolabel may not be awarded to any product, or any article of it as defined in Article 3(3) of Regulation (EC) No 1907/2006 or homogenous part of it that contains substances meeting the criteria for classification with the hazard statements or risk phrases as specified in Table 7 in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council⁽¹⁾ or Council Directive 67/548/EEC⁽²⁾, or substances referred to in Article 57 of Regulation (EC) No 1907/2006. In case the threshold for classification of a substance or mixture with a hazard class differs from the one of a risk phrase then the former prevails. The risk phrases in Table 7 generally refer to substances. However, if information on substances cannot be obtained, the classification rules for mixtures apply. Substances or mixtures which change their properties through processing and thus become no longer bioavailable, or undergo chemical modification in a way that removes the previously identified hazard are exempted from criterion 3(a).

Table 7

Hazard statements and Risk Phrases

Hazard Statement	Risk Phrase
H300 Fatal if swallowed	R28
H301 Toxic if swallowed	R25
H304 May be fatal if swallowed and enters airways	R65
H310 Fatal in contact with skin	R27
H311 Toxic in contact with skin	R24
H330 Fatal if inhaled	R23/26

⁽¹⁾ OJ L 353, 31.12.2008, p. 1.

⁽²⁾ OJ 196, 16.8.1967, p. 1.

Hazard Statement	Risk Phrase
H331 Toxic if inhaled	R23
H340 May cause genetic defects	R46
H341 Suspected of causing genetic defects	R68
H350 May cause cancer	R45
H350i May cause cancer by inhalation	R49
H351 Suspected of causing cancer	R40
H360F May damage fertility	R60
H360D May damage the unborn child	R61
H360FD May damage fertility. May damage the unborn child	R60/61/60-61
H360Fd May damage fertility. Suspected of damaging the unborn child	R60/63
H360Df May damage the unborn child. Suspected of damaging fertility	R61/62
H361f Suspected of damaging fertility	R62
H361d Suspected of damaging the unborn child	R63
H361fd Suspected of damaging fertility. Suspected of damaging the unborn child.	R62-63
H362 May cause harm to breast fed children	R64
H370 Causes damage to organs	R39/23/24/25/26/27/28
H371 May cause damage to organs	R68/20/21/22
H372 Causes damage to organs through prolonged or repeated exposure	R48/25/24/23
H373 May cause damage to organs through prolonged or repeated exposure	R48/20/21/22
H400 Very toxic to aquatic life	R50
H410 Very toxic to aquatic life with long-lasting effects	R50-53
H411 Toxic to aquatic life with long-lasting effects	R51-53
H412 Harmful to aquatic life with long-lasting effects	R52-53
H413 May cause long-lasting harmful effects to aquatic life	R53
EUH059 Hazardous to the ozone layer	R59
EUH029 Contact with water liberates toxic gas	R29
EUH031 Contact with acids liberates toxic gas	R31
EUH032 Contact with acids liberates very toxic gas	R32
EUH070 Toxic by eye contact	R39-41

Concentration limits for substances or mixtures which may be or have been assigned the hazard statements or risk phrase listed in Table 7, meeting the criteria for classification in the hazard classes or categories, and for substances meeting the criteria set out in points (a), (b) or (c) of Article 57 of Regulation (EC) No 1907/2006, shall not exceed the generic or specific concentration limits determined in accordance with Article 10 of Regulation (EC) No 1272/2008. Where specific concentration limits are determined they shall prevail over the generic ones.

Concentration limits for substances meeting the criteria set out in points (d), (e) or (f) of Article 57 of Regulation (EC) No 1907/2006 shall not exceed 0,1 % weight by weight.

The final product shall not be labelled with an hazard statement.

For flushing toilet equipment and urinal equipment, the substances/components in Table 8 are exempted from the obligation in Article 6(6) of Regulation (EC) No 66/2010 following application of Article 6(7) of the same Regulation:

Table 8

Derogated substance/components

Substance/component	Hazard statements and risk phrases
Articles with weight below 25 g	All hazard statements and risk phrases
Homogeneous parts of complex articles with weight below 25 g	All hazard statements and risk phrases
Nickel in stainless steel of all types	H351, H372 and R40/48/23
Electronic components of flushing toilets and urinals equipment, which fulfil the requirements set out in Article 4 of Directive 2011/65/EU of the European Parliament and of the Council ⁽¹⁾	All hazard statements and risk phrases

⁽¹⁾ OJ L 174, 1.7.2011, p. 88.

Assessment and verification: for the product or any article or homogenous part of it, the applicant shall provide a declaration of compliance with criterion 3(a), together with related documentation, such as declarations of compliance signed by their suppliers, on the non-classification of the substances or materials with any of the hazard classes associated to the hazard statements referred to in Table 7 in accordance with Regulation (EC) No 1272/2008, as far as this can be determined, as a minimum, from the information meeting the requirements listed in Annex VII to Regulation (EC) No 1907/2006. This declaration shall be supported by summarized information on the relevant characteristics associated to the hazard statements referred to in Table 7, to the level of detail specified in Sections 10, 11 and 12 of Annex II to Regulation (EC) No 1907/2006.

Information on intrinsic properties of substances may be generated by means other than tests, for instance through the use of alternative methods such as in vitro methods, by quantitative structure activity models or by the use of grouping or read-across in accordance with Annex XI to Regulation (EC) No 1907/2006. The sharing of relevant data across the supply chain is strongly encouraged.

The information provided shall relate to the forms or physical states of the substance or mixtures as used in the final product.

For substances listed in Annexes IV and V to Regulation (EC) No 1907/2006, which are exempted from registration obligations under point (a) and (b) of Article 2(7) of that Regulation a declaration by the applicant shall suffice to comply with criterion 3(a).

(b) Substances listed in accordance with Article 59(1) of Regulation (EC) No 1907/2006

No derogation from the exclusion in Article 6(6) of Regulation (EC) No 66/2010 shall be given concerning substances identified as substances of very high concern and included in the list provided for in Article 59(1) of Regulation (EC) No 1907/2006 ⁽¹⁾, present in mixtures, in an article or in any homogeneous part of a complex article in concentrations > 0,1 %. Specific concentration limits determined in accordance with Article 10 of Regulation (EC) No 1272/2008 shall apply in cases where the concentration is lower than 0,1 %.

⁽¹⁾ http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp

Assessment and verification: reference to the list of substances identified as substances of very high concern shall be made on the date of application. The applicant shall provide a declaration of compliance with criterion 3(b), together with related documentation, including declarations of compliance signed by the material suppliers and copies of relevant Safety Data Sheets for substances or mixtures in accordance with Annex II to Regulation (EC) No 1907/2006 for substances or mixtures. Concentration limits shall be specified in the safety data sheets in accordance with Article 31 of Regulation (EC) No 1907/2006 for substances and mixtures.

Criterion 4. Sustainably managed wood

Wood or wood-based parts used in flushing toilets and urinals may be recycled or virgin material.

Virgin wood shall be covered by valid sustainable forest management and chain of custody certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent.

However, where certification schemes allow mixing of certified material and uncertified material in a product or product line, the proportion of uncertified material shall not exceed 50 %. Such uncertified material shall be covered by a verification system which ensures that it is legally sourced and meets any other requirement of the certification scheme with respect to uncertified material.

The certification bodies issuing forest and/or chain of custody certificates shall be accredited/recognised by that certification scheme.

Assessment and verification: the applicant shall provide appropriate documentation indicating the types, quantities and origins of wood or wood-based parts used in flushing toilets and urinals.

Where virgin wood is used, the product shall be covered by valid forest management and chain of custody certificates issued by an independent third party certification scheme, such as PEFC, FSC or equivalent. If the product or product line includes uncertified material, proof should be provided that the uncertified material is less than 50 % and is covered by a verification system which ensures that it is legally sourced and meets any other requirement of the certification scheme with respect to uncertified material.

Criterion 5. Product longevity

(a) Reparability and availability of spare parts

The product shall be designed in such a way that its exchangeable components can be replaced easily by the end-user or by a professional service engineer, as appropriate. Information about which elements can be replaced shall be clearly indicated in the information sheet provided in print or in electronic format, or both. The applicant shall also provide clear instructions to enable the end-user or trained experts, as appropriate, to undertake basic repairs.

The applicant shall further ensure that original spare parts or their equivalent are available for at least 10 years from the date of purchase.

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide a sample or samples of the product information sheet provided in print or in electronic format, or both.

(b) Warranty

The product shall be covered by a warranty for repair or replacement of a minimum of five years.

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide a sample of the warranty terms.

Criterion 6. Reduced end-of-life impacts

Plastic parts with a weight above or equal to 25 g shall be marked in accordance with the requirements of Standard EN ISO 11469 so that materials can be identified for recycling, recovery or disposal during the end-of-life phase.

Flush-free urinals shall either use a ready biodegradable fluid or operate completely without fluid.

Assessment and verification: the applicant shall declare that the product complies with those requirements. Additionally, for flush-free urinals, the applicant shall provide documentation describing the technology used and, when a fluid is used, a test report demonstrating the ready biodegradability of the fluid, following the definition and test methods provided for in the 'Guidance on the Application of the CLP Criteria' ⁽¹⁾ according to Regulation (EC) No 1272/2008.

Criterion 7. Installation instructions and user information

The product shall be accompanied by relevant installation and user information, which gives all the technical details needed for a proper installation and provides advice on the product's proper and environmentally friendly use, as well as its maintenance. As a minimum, the installation instructions and user information shall include instruction and information on the following points on the packaging or on documentation accompanying the product in print or in electronic format:

- (a) proper installation instructions, including:
 - in the case of toilet receptacles, urinals and flushing systems placed on the market independently, information on which products they shall be combined with to make a full functioning unit that is water efficient;
 - information on which class(es) or type(s), or both the product has been tested for;
 - information on the specific operating pressures that the product is suitable for;
 - information on which drainage system types according to Standard EN 12056 the product can work with;
 - information describing how to adjust the flush volumes as well as the consequences in terms of residual water level and filling level;
 - a note mentioning the need to consult the relevant national and local regulations before installation of the products;
- (b) information communicating that the main environmental impact is related to consumption of water, and advice on how rational use can minimise the environmental impact, in particular information on proper product use to minimise the consumption of water;
- (c) information communicating that the product has been awarded the EU Ecolabel, together with a brief, specific explanation as to what this means, in addition to the general information provided alongside the EU Ecolabel logo;
- (d) the full flush volume in l/flush (tested as indicated in Criterion 1(a));
- (e) in the case of flushing toilet equipment equipped with or allowing the use of a water saving device, the reduced and average flush volumes in l/flush (tested as indicated in Criterion 1(b) and 1(c), respectively);
- (f) in the case of toilet receptacles and urinals placed on the market independently, information communicating that the product has to be combined with a suitable flushing system, which has an ecolabel, in order to make a full functioning unit that is water efficient, in particular the full flush volume and, if relevant, the reduced and average flush volumes of the flushing system to be combined with shall be indicated;

⁽¹⁾ http://echa.europa.eu/documents/10162/13562/clp_en.pdf

- (g) in the case of flushing systems placed on the market independently, information communicating that the product has to be combined with a suitable toilet receptacle and/or urinal, which has an ecolabel, in order to make a full functioning unit that is water efficient, in particular the full flush volume and, if relevant, the reduced and average flush volumes of the toilet receptacle and/or urinal to be combined with shall also be indicated;
- (h) recommendations on the proper use and maintenance of the product, mentioning all relevant instructions, particularly:
 - advice on maintenance and use of products;
 - information about which spare parts can be replaced;
 - instructions concerning the replacement of washers and other fittings if the product leaks;
 - advice on product cleaning with appropriate tools and cleaning agents in order to prevent damage to the product surface;
- (i) for flush-free urinals, instructions on the maintenance regime, including, if relevant, information on how to preserve and maintain the replaceable cartridge and how to change it and when, and a list of service providers for regular maintenance.
- (j) For flush-free urinals, appropriate recommendations for the disposal of the replaceable cartridges shall be provided, in particular detailing any take-back scheme(s) in place;
- (k) recommendations on appropriate disposal at the product's end-of-life.

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide a sample or samples of the user information or a link to a manufacturer's website containing this information or both.

Criterion 8. Information appearing on the EU Ecolabel

The optional label with text box shall contain the following text:

- high water efficiency and reducing waste water;
- with this ecolabelled product you save water and money;
- reduced end-of-life impacts;

The guidelines for the use of the optional label with the text box can be found in the 'Guidelines for the use of the EU Ecolabel logo' on the website:

http://ec.europa.eu/environment/ecolabel/documents/logo_guidelines.pdf

Assessment and verification: the applicant shall declare that the product complies with those requirements and provide a sample of the label.

*Appendix 1***Methodology to measure and calculate the average flush volume****1. Test methods**

Mount the flushing toilet or equipment following the assembling instructions delivered by the manufacturer. In the case of toilet receptacles, the equipment shall be mounted with a test flushing system, as described in relevant EN standards.

Install the mounted equipment on a firm flat horizontal or vertical surface as appropriate.

Connect the inlet valve to a water supply having a static water pressure of $0,2 \pm 0,01$ MPa ($2 \pm 0,1$ bar) and open the water supply valve. Leave the water supply open during all the tests.

Operate the full flush mechanism control, collect the water delivered and discard it.

1.1. Evaluation of the full flush volume

Operate the full flush mechanism control and collect the water delivered.

Measure the volume using a calibrated container.

Record the measured volume.

Perform the test three times.

If there are differences in the volumes delivered, calculate the full flush volume (V_f) as the arithmetic mean for the three recorded volumes.

1.2. Evaluation of the reduced flush volume

Operate the reduced flush mechanism control and collect the water delivered.

Measure the volume using a calibrated container.

Record the measured volume.

Perform the test three times.

If there are differences in the volumes delivered, calculate the reduced flush volume (V_r) as the arithmetic mean for the three recorded volumes.

2. Calculation of the average flush volume

Calculate the average flush volume (V_a) as follows:

$$V_a = (V_f + (3 \times V_r))/4$$

*Appendix 2***Requirements to be met by flush-free urinals and test methods****1. Flush-free urinal requirements**

Flush-free urinals shall pass all the following tests:

- load resistance test,
- draining test,
- leak tightness test, and
- backflow prevention of foul air and water test.

2. Flush-free urinal test methods**2.1. Load resistance test**

Flush-free urinals shall be deemed to comply with the load resistance test if they meet the requirements on load resistance passing a static load test similar to those defined in EN 13407. Any equivalent method shall be accepted.

2.2. Draining test

Flush-free urinals shall be deemed to comply with the draining test if they meet the requirements on the draining of water by passing a draining of water test similar to those defined in EN 14688. Given that the test in EN 14688 is defined for wash basins, any test adaptation to fit the purpose of testing flush-free urinals shall be accepted. Any equivalent method shall be accepted.

2.3. Leak tightness test

Flush-free urinals shall be deemed to comply with the leak tightness test if they ensure that all fluid poured into them is evacuated only through the outlet connection. Coloured water shall be used for this test to help detect any potential leakage. Any equivalent method shall be accepted.

Alternately, flush-free urinals shall be deemed to comply with the leak tightness test if they meet the requirements on water absorption by passing a determination of water absorption test similar to those defined in EN 13407. Any equivalent method shall be accepted.

2.4. Backflow prevention of foul air and water test

Flush-free urinals shall be deemed to comply with the backflow prevention of foul air and water test if they meet the requirements on odour tightness and resistance of the water seal to pressure similar to those defined in EN 1253-1 by passing, respectively, an odour tightness test and a resistance of the water seal to pressure test similar to those defined in EN 1253-2. Any equivalent method shall be accepted.

COMMISSION IMPLEMENTING DECISION

of 8 November 2013

determining the date from which the Visa Information System (VIS) is to start operations in a ninth, a tenth and an eleventh region

(2013/642/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) ⁽¹⁾, and in particular Article 48(3) thereof,

Whereas:

- (1) According to Commission Implementing Decision 2012/274/EU of 24 April 2012 determining the second set of regions for the start of operations of the Visa Information System (VIS) ⁽²⁾, the ninth region where the collection and transmission of data to the VIS for all applications should start comprises Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan; the tenth region comprises Brunei, Burma/Myanmar, Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand and Vietnam; and the eleventh region comprises the occupied Palestinian territory.
- (2) The Member States have notified the Commission that they have made the necessary technical and legal arrangements to collect and transmit the data referred to in Article 5(1) of the VIS Regulation to the VIS for all applications in these regions, including arrangements for the collection and/or transmission of the data on behalf of another Member State.
- (3) The condition laid down by the first sentence of Article 48(3) of the VIS Regulation thus being fulfilled, it is therefore necessary to determine the date from which the VIS is to start operations in a ninth, a tenth and an eleventh region.
- (4) In view of the need to set the date for the start of the VIS in the very near future, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (5) Given that the VIS Regulation builds upon the Schengen *acquis*, Denmark notified the implementation of the VIS

Regulation in its national law in accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community. Denmark is therefore bound under international law to implement this Decision.

- (6) This Decision constitutes a development of provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ⁽³⁾. The United Kingdom is therefore not bound by it or subject to its application.
- (7) This Decision constitutes a development of provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ⁽⁴⁾. Ireland is therefore not bound by it or subject to its application.
- (8) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis* ⁽⁵⁾, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC ⁽⁶⁾ on certain arrangements for the application of that Agreement.
- (9) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽⁷⁾, which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC ⁽⁸⁾.

⁽³⁾ OJ L 131, 1.6.2000, p. 43.

⁽⁴⁾ OJ L 64, 7.3.2002, p. 20.

⁽⁵⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁶⁾ OJ L 176, 10.7.1999, p. 31.

⁽⁷⁾ OJ L 53, 27.2.2008, p. 52.

⁽⁸⁾ OJ L 53, 27.2.2008, p. 1.

⁽¹⁾ OJ L 218, 13.8.2008, p. 60.

⁽²⁾ OJ L 134, 24.5.2012, p. 20.

- (10) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽¹⁾, which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU ⁽²⁾.
- (11) As regards Cyprus, this Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within the meaning of Article 3(2) of the 2003 Act of Accession.
- (12) As regards Bulgaria and Romania, this Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within the meaning of Article 4(2) of the 2005 Act of Accession.
- (13) As regards Croatia, this Decision constitutes an act building upon, or otherwise related to, the Schengen

acquis within the meaning of Article 4(2) of the 2011 Act of Accession,

HAS ADOPTED THIS DECISION:

Article 1

The Visa Information System shall start operations in the ninth, in the tenth and in the eleventh region determined by Implementing Decision 2012/274/EU on 14 November 2013.

Article 2

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

Article 3

This Decision shall apply in accordance with the Treaties.

Done at Brussels, 8 November 2013.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 160, 18.6.2011, p. 21.

⁽²⁾ OJ L 160, 18.6.2011, p. 19.

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.

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