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Contents

I *Legislative acts*

REGULATIONS

- ★ **Regulation (EU) 2021/337 of the European Parliament and of the Council of 16 February 2021 amending Regulation (EU) 2017/1129 as regards the EU Recovery prospectus and targeted adjustments for financial intermediaries and Directive 2004/109/EC as regards the use of the single electronic reporting format for annual financial reports, to support the recovery from the COVID-19 crisis ⁽¹⁾** 1

DIRECTIVES

- ★ **Directive (EU) 2021/338 of the European Parliament and of the Council of 16 February 2021 amending Directive 2014/65/EU as regards information requirements, product governance and position limits, and Directives 2013/36/EU and (EU) 2019/878 as regards their application to investment firms, to help the recovery from the COVID-19 crisis ⁽¹⁾** 14

II *Non-legislative acts*

REGULATIONS

- ★ **Council Implementing Regulation (EU) 2021/339 of 25 February 2021 implementing Article 8a of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus** 29
- ★ **Commission Delegated Regulation (EU) 2021/340 of 17 December 2020 amending Delegated Regulations (EU) 2019/2013, (EU) 2019/2014, (EU) 2019/2015, (EU) 2019/2016, (EU) 2019/2017 and (EU) 2019/2018 with regard to energy labelling requirements for electronic displays, household washing machines and household washer-dryers, light sources, refrigerating appliances, household dishwashers, and refrigerating appliances with a direct sales function ⁽¹⁾** 62

⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Regulation (EU) 2021/341 of 23 February 2021 amending Regulations (EU) 2019/424, (EU) 2019/1781, (EU) 2019/2019, (EU) 2019/2020, (EU) 2019/2021, (EU) 2019/2022, (EU) 2019/2023 and (EU) 2019/2024 with regard to ecodesign requirements for servers and data storage products, electric motors and variable speed drives, refrigerating appliances, light sources and separate control gears, electronic displays, household dishwashers, household washing machines and household washer-dryers and refrigerating appliances with a direct sales function ⁽¹⁾	108
★ Commission Implementing Regulation (EU) 2021/342 of 25 February 2021 reimposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in the Kingdom of Thailand, in so far as it concerns River Kwai International Food Industry Co., Ltd, following the reopening of the interim review pursuant to Article 11(3) of Regulation (EU) 2016/1036 of the European Parliament and of the Council	149
★ Commission Implementing Regulation (EU) 2021/343 of 25 February 2021 concerning the authorisation of a preparation of <i>Lactobacillus buchneri</i> DSM 29026 as a feed additive for all animal species ⁽¹⁾	157
★ Commission Implementing Regulation (EU) 2021/344 of 25 February 2021 concerning the authorisation of sorbitan monolaurate as a feed additive for all animal species ⁽¹⁾	160
★ Commission Implementing Regulation (EU) 2021/345 of 25 February 2021 approving active chlorine generated from sodium chloride by electrolysis as an active substance for use in biocidal products of product types 2, 3, 4 and 5 ⁽¹⁾	163
★ Commission Implementing Regulation (EU) 2021/346 of 25 February 2021 concerning the authorisation of a preparation of <i>Lactobacillus parafarraginis</i> DSM 32962 as a feed additive for all animal species ⁽¹⁾	167
★ Commission Implementing Regulation (EU) 2021/347 of 25 February 2021 approving active chlorine released from hypochlorous acid as an active substance for use in biocidal products of product-types 2, 3, 4 and 5 ⁽¹⁾	170
★ Commission Implementing Regulation (EU) 2021/348 of 25 February 2021 approving carbendazim as an existing active substance for use in biocidal products of product-types 7 and 10 ⁽¹⁾	174
★ Commission Implementing Regulation (EU) 2021/349 of 25 February 2021 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin	179
★ Commission Implementing Regulation (EU) 2021/350 of 25 February 2021 amending for the 318th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations	182

DECISIONS

★ Council Decision (EU) 2021/351 of 22 February 2021 on the position to be adopted on behalf of the European Union in the meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing	184
★ Council Decision (CFSP) 2021/352 of 25 February 2021 amending Decision (CFSP) 2018/905 extending the mandate of the European Union Special Representative for the Horn of Africa	187

⁽¹⁾ Text with EEA relevance.

★ Council Decision (CFSP) 2021/353 of 25 February 2021 amending Decision 2012/642/CFSP concerning restrictive measures against Belarus	189
★ Commission Implementing Decision (EU) 2021/354 of 25 February 2021 postponing the expiry date of approval of propiconazole for use in biocidal products of product-type 8 ⁽¹⁾	219
★ Commission Decision (EU) 2021/355 of 25 February 2021 concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council (<i>notified under document C(2021) 1215</i>) ⁽¹⁾	221

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

★ Decision No 1/2021 of the Partnership Council established by the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part of 23 February 2021 as regards the date on which provisional application pursuant to the Trade and Cooperation Agreement is to cease (2021/356)	227
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⁽¹⁾ Text with EEA relevance.

I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2021/337 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 16 February 2021

amending Regulation (EU) 2017/1129 as regards the EU Recovery prospectus and targeted adjustments for financial intermediaries and Directive 2004/109/EC as regards the use of the single electronic reporting format for annual financial reports, to support the recovery from the COVID-19 crisis

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) The COVID-19 pandemic is severely affecting people, companies, healthcare systems and the economies of Member States. In its Communication of 27 May 2020 entitled 'Europe's moment: Repair and Prepare for the Next Generation', the Commission stressed that liquidity and access to finance will be a continued challenge. It is therefore crucial to support the recovery from the severe economic shock caused by the COVID-19 pandemic by introducing targeted amendments to existing Union financial services law. Those amendments form a package of measures and are adopted under the label 'Capital Markets Recovery Package'.
- (2) Regulation (EU) 2017/1129 of the European Parliament and of the Council ⁽³⁾ lays down requirements for the drawing up, approval and distribution of the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market situated or operating within a Member State. As part of the package of measures to help issuers to recover from the economic shock resulting from the COVID-19 pandemic, targeted amendments to the prospectus regime are necessary. Those amendments should enable issuers and financial intermediaries to reduce costs and free up resources for the recovery phase in the immediate aftermath of the COVID-19 pandemic. Those amendments should remain in line with the overarching objectives of Regulation (EU) 2017/1129 to foster fundraising through capital markets, ensure a high level of consumer and investor protection,

⁽¹⁾ OJ C 10, 11.1.2021, p. 30.

⁽²⁾ Position of the European Parliament of 11 February 2021 (not yet published in the Official Journal) and decision of the Council of 15 February 2021.

⁽³⁾ Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Directive 2003/71/EC (OJ L 168, 30.6.2017, p. 12).

drive supervisory convergence throughout the Member States, and ensure the proper functioning of the internal market. Those amendments should also specifically take full account of the extent to which the COVID-19 pandemic has affected issuers' present situation and their future prospects.

- (3) The COVID-19 crisis makes Union companies, in particular small and medium-sized enterprises (SMEs) and start-ups, more fragile and vulnerable. Where appropriate in order to facilitate and diversify funding sources for Union companies, with a particular focus on SMEs, including start-ups and middle-capitalisation companies, the removal of unjustified barriers and excessive administrative burden can help to promote the ability of Union companies to access equity markets, in addition to promoting more diverse, longer-term and more competitive investment opportunities for retail and large investors. In that regard, this Regulation should also aim to make it easier for potential investors to learn about investment opportunities in companies, since potential investors often have difficulty evaluating start-up companies and small firms with a short business record, a situation which leads to fewer innovative openings, especially for persons starting a business.
- (4) Credit institutions have been active in the effort to support companies that needed financing and are expected to be a fundamental pillar of the recovery. Regulation (EU) 2017/1129 entitles credit institutions to an exemption from the obligation to publish a prospectus in the case of an offer or admission to trading on a regulated market of certain non-equity securities issued in a continuous or repeated manner up to an aggregated amount of EUR 75 million over a period of 12 months. That exemption threshold should be increased for a limited period of time in order to foster fundraising for credit institutions and give them breathing space to support their clients in the real economy. As the application of that exemption threshold is limited to the recovery phase, it should only be available for a limited period of time, ending on 31 December 2022.
- (5) In order to swiftly address the severe economic impact of the COVID-19 pandemic, it is important to introduce measures to facilitate investments in the real economy, allow for a rapid recapitalisation of companies in the Union and enable issuers to tap into public markets at an early stage in the recovery process. In order to achieve those objectives, it is appropriate to create a new short-form prospectus to be known as the EU Recovery prospectus that, while also addressing the economic and financial issues specifically raised by the COVID-19 pandemic, is easy to produce for issuers, easy to understand for investors, particularly retail investors, who want to finance issuers, and easy to scrutinise and approve for competent authorities. The EU Recovery prospectus should be seen primarily as a facilitator of re-capitalisation, with careful monitoring by competent authorities to ensure that investor information requirements are met. Importantly, the amendments to Regulation (EU) 2017/1129 contained in this Regulation should not be used to replace the scheduled review of, and possible amendment to, Regulation (EU) 2017/1129, which would need to be accompanied by a full impact assessment. In that regard, it would not be appropriate to add additional elements to the disclosure regimes that are not already required under that Regulation or under Commission Delegated Regulation (EU) 2019/980 ⁽⁴⁾, with the exception of specific information relating to the impact of the COVID-19 pandemic. Such elements should only be introduced in the case of a legislative proposal from the Commission on the basis of its review of Regulation (EU) 2017/1129, as provided for in Article 48 of that Regulation.
- (6) It is important to align retail investor information and key information documents across different financial products and laws, and to ensure full investment choice and comparability in the Union. In addition, consumer and retail investor protection should be considered in the foreseen review of Regulation (EU) 2017/1129 to ensure harmonised, simple and easy-to-understand information documents for all retail investors.

⁽⁴⁾ Commission Delegated Regulation (EU) 2019/980 of 14 March 2019 supplementing Regulation (EU) 2017/1129 of the European Parliament and of the Council as regards the format, content, scrutiny and approval of the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Commission Regulation (EC) No 809/2004 (OJ L 166, 21.6.2019, p. 26).

- (7) Information on environmental, social and governance (ESG) matters by companies has become increasingly relevant for investors in order to measure the sustainability impact of their investments and to integrate sustainability considerations in their investment decision-making processes and risk management. Companies, as a result, face increasing pressure to respond to demands from both investors and credit institutions on ESG matters and are required to comply with multiple standards for ESG disclosures, which are often fragmented and inconsistent. Therefore, for the purpose of improving companies' disclosure of sustainability-related information and harmonising the requirements for such disclosure provided for in Regulation (EU) 2017/1129, while also taking into account other Union financial services law, the Commission should, in the context of the review of Regulation (EU) 2017/1129, assess whether it is appropriate to integrate sustainability-related information in Regulation (EU) 2017/1129 and assess whether it is appropriate to make a legislative proposal in order to ensure coherence with sustainability objectives and the comparability of sustainability-related information across Union financial services law.
- (8) Companies that have had shares admitted to trading on a regulated market or traded on an SME growth market continuously for at least the last 18 months before the offer of shares or admission to trading should have complied with periodic and ongoing disclosure requirements under Regulation (EU) No 596/2014 of the European Parliament and of the Council ⁽⁵⁾, Directive 2004/109/EC of the European Parliament and of the Council ⁽⁶⁾ or, for issuers on SME growth markets, under Commission Delegated Regulation (EU) 2017/565 ⁽⁷⁾. Hence, much of the required content of a prospectus will already be publicly available and investors will be trading on the basis of that information. Therefore, the EU Recovery prospectus should only be used for secondary issuances of shares. The EU Recovery prospectus should facilitate equity funding and thereby allow companies to rapidly recapitalise. The EU Recovery prospectus should not enable issuers to move from an SME growth market to a regulated market. Furthermore, the EU Recovery prospectus should only focus on essential information enabling investors to make informed investment decisions. Nevertheless, if applicable, issuers or offerors should address how the COVID-19 pandemic has affected the issuers' business activities as well as the pandemic's future anticipated impact on the issuers' business activities, if any.
- (9) In order to be an efficient tool for issuers, the EU Recovery prospectus should be a single document of a limited size, allow for incorporation by reference, and benefit from the passport for pan-European offers of shares to the public or admissions to trading on a regulated market.
- (10) The EU Recovery prospectus should include a short-form summary as a useful source of information for investors, in particular retail investors. That summary should be set out at the beginning of the EU Recovery prospectus and should focus on key information that would enable investors to decide which offers to the public and admissions to trading of shares to study further and thereafter to review the EU Recovery prospectus as a whole in order to take their decision. The key information should include information covering specifically the business and financial impact, if any, of the COVID-19 pandemic, as well as its anticipated future impact, if any. The EU Recovery prospectus should ensure retail investor protection by adhering to the relevant provisions of Regulation (EU) 2017/1129, while avoiding excessive administrative burden. In that regard, it is essential that the summary does not diminish investor protection nor give a misleading impression to investors. Issuers or offerors should therefore ensure a high level of diligence in the drafting of that summary.

⁽⁵⁾ Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC (OJ L 173, 12.6.2014, p. 1).

⁽⁶⁾ Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (OJ L 390, 31.12.2004, p. 38).

⁽⁷⁾ Commission Delegated Regulation (EU) 2017/565 of 25 April 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council as regards organisational requirements and operating conditions for investment firms and defined terms for the purposes of that Directive (OJ L 87, 31.3.2017, p. 1).

- (11) Since the EU Recovery prospectus would provide significantly less information than a simplified prospectus under the simplified disclosure regime for secondary issuances, it should not be possible for issuers to use it for highly dilutive issuances of shares with a significant impact on the issuer's capital structure, prospects and financial situation. The use of the EU Recovery prospectus should therefore be limited to offers comprising no more than 150 % of outstanding capital. Precise criteria for the calculation of such a threshold should be laid down in this Regulation.
- (12) In order to collect data that supports the assessment of the EU Recovery prospectus regime, the EU Recovery prospectus should be included in the storage mechanism referred to in Article 21(6) of Regulation (EU) 2017/1129. To limit the administrative burden for changing that storage mechanism, the EU Recovery prospectus should be able to use the same data as that defined for the secondary issuance prospectus set out in Article 14 of Regulation (EU) 2017/1129, provided that the two types of prospectuses remain clearly differentiated.
- (13) The EU Recovery prospectus should complement the other forms of prospectuses laid down in Regulation (EU) 2017/1129 in view of the specificities of different types of securities, issuers, offers and admissions. Therefore, unless explicitly stated otherwise, all references to the term 'prospectus' under Regulation (EU) 2017/1129 are to be understood as referring to all different forms of prospectuses, including the EU Recovery prospectus laid down in this Regulation.
- (14) Regulation (EU) 2017/1129 requires financial intermediaries to inform investors of the possibility of a supplement being published and, under certain circumstances, to contact investors on the same day that a supplement is published. The deadline by which investors must be contacted, as well as the scope of investors to be contacted, can create difficulties for financial intermediaries. In order to provide relief and free-up resources for financial intermediaries while maintaining a high level of investor protection, a more proportionate regime should be laid down. In particular, it should be clarified that financial intermediaries should contact investors who purchase or subscribe securities at the latest at the closing of the initial offer period. The initial offer period should be understood as referring to the time period during which securities are offered to the public by the issuer or the offeror as prescribed in the prospectus and exclude subsequent periods during which securities are resold on the market. The initial offer period should encompass both primary and secondary issuances of securities. Such a regime should specify which investors should be contacted by financial intermediaries when a supplement is published and should extend the deadline by which those investors are to be contacted. Irrespective of the new regime provided for in this Regulation, the existing provisions of Regulation (EU) 2017/1129, which ensure that the supplement is accessible for all investors by requiring the publication of the supplement on a publicly available website, should continue to apply.
- (15) As the EU Recovery prospectus regime is limited to the recovery phase, that regime should expire by 31 December 2022. In order to ensure the continuity of EU Recovery prospectuses, those EU Recovery prospectuses that have been approved before the expiration of the EU Recovery prospectus regime should benefit from a grandfathering provision.
- (16) By 21 July 2022, the Commission is to present a report to the European Parliament and the Council on the application of Regulation (EU) 2017/1129, accompanied where appropriate by a legislative proposal. That report should assess, inter alia, whether the disclosure regime for EU Recovery prospectuses is appropriate to meet the objectives pursued by this Regulation. That assessment should address the question whether the EU Recovery prospectus strikes a proper balance between investor protection and the reduction of administrative burden.
- (17) Directive 2004/109/EC requires issuers whose securities are admitted to trading on a regulated market situated or operating within a Member State to prepare and disclose their annual financial reports in a single electronic reporting format, starting from financial years beginning on or after 1 January 2020. That single electronic reporting format is specified in Commission Delegated Regulation (EU) 2019/815 ^(*). Considering that the preparation of annual financial reports using the single electronic reporting format requires the allocation of

^(*) Commission Delegated Regulation (EU) 2019/815 of 17 December 2018 supplementing Directive 2004/109/EC of the European Parliament and of the Council with regard to regulatory technical standards on the specification of a single electronic reporting format (OJ L 143, 29.5.2019, p. 1).

additional human and financial resources, in particular during the first year of preparation, and considering the constraints on issuers' resources due to the COVID-19 pandemic, a Member State should be able to postpone the application of the requirement to prepare and disclose annual financial reports using the single electronic reporting format by one year. To exercise that option, a Member State should notify the Commission of its intention to allow for such postponement and its intention should be duly justified.

- (18) Since the objectives of this Regulation, namely to introduce measures to facilitate investments in the real economy, allow for a rapid recapitalisation of companies in the Union and enable issuers to tap into public markets at an early stage in the recovery process, cannot be sufficiently achieved by the Member States but can rather, by reason of their scale and effects be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (19) Regulation (EU) 2017/1129 and Directive 2004/109/EC should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2017/1129

Regulation (EU) 2017/1129 is amended as follows:

- (1) in Article 1(4), the following point is added:
- ‘(l) from 18 March 2021 to 31 December 2022, non-equity securities issued in a continuous or repeated manner by a credit institution, where the total aggregated consideration in the Union for the securities offered is less than EUR 150 000 000 per credit institution calculated over a period of 12 months, provided that those securities:
- (i) are not subordinated, convertible or exchangeable; and
- (ii) do not give a right to subscribe for or acquire other types of securities and are not linked to a derivative instrument.’;
- (2) in Article 1(5), first subparagraph, the following point is added:
- ‘(k) from 18 March 2021 to 31 December 2022, non-equity securities issued in a continuous or repeated manner by a credit institution, where the total aggregated consideration in the Union for the securities offered is less than EUR 150 000 000 per credit institution calculated over a period of 12 months, provided that those securities:
- (i) are not subordinated, convertible or exchangeable; and
- (ii) do not give a right to subscribe for or acquire other types of securities and are not linked to a derivative instrument.’;
- (3) in Article 6(1), the introductory part of the first subparagraph is replaced by the following:
- ‘1. Without prejudice to Articles 14(2), 14a(2) and 18(1), a prospectus shall contain the necessary information which is material to an investor for making an informed assessment of’;
- (4) in Article 7, the following paragraph is inserted:
- ‘12a. By way of derogation from paragraphs 3 to 12 of this Article, an EU Recovery prospectus drawn up in accordance with Article 14a shall include a summary drawn up in accordance with this paragraph.

The summary of an EU Recovery prospectus shall be drawn up as a short document written in a concise manner and of a maximum length of two sides of A4-sized paper when printed.

The summary of an EU Recovery prospectus shall not contain cross-references to other parts of the prospectus or incorporate information by reference and shall:

- (a) be presented and laid out in a way that is easy to read, using characters of readable size;
- (b) be written in a language and a style that facilitate the understanding of the information, in particular, in language that is clear, non-technical, concise and comprehensible for investors;
- (c) be made up of the following four sections:
 - (i) an introduction, containing all of the information referred to in paragraph 5 of this Article, including warnings and the date of approval of the EU Recovery prospectus;
 - (ii) key information on the issuer, including, if applicable, a specific reference of not less than 200 words to the business and financial impact on the issuer of the COVID-19 pandemic;
 - (iii) key information on the shares, including the rights attached to those shares and any limitations on those rights;
 - (iv) key information on the offer of shares to the public and/or the admission to trading on a regulated market.;
- (5) the following Article is inserted:

'Article 14a

EU Recovery prospectus

1. The following persons may choose to draw up an EU Recovery prospectus under the simplified disclosure regime set out in this Article in the case of an offer of shares to the public or of an admission to trading of shares on a regulated market:

- (a) issuers whose shares have been admitted to trading on a regulated market continuously for at least the last 18 months and who issue shares fungible with existing shares which have been previously issued;
- (b) issuers whose shares have already been traded on an SME growth market continuously for at least the last 18 months, provided that a prospectus has been published for the offer of those shares, and who issue shares fungible with existing shares which have been previously issued;
- (c) offerors of shares admitted to trading on a regulated market or an SME growth market continuously for at least the last 18 months.

Issuers may only draw up an EU Recovery prospectus provided that the number of shares intended to be offered represents, together with the number of shares already offered via an EU Recovery prospectus over a period of 12 months, if any, no more than 150 % of the number of shares already admitted to trading on a regulated market or an SME growth market, as the case may be, on the date of approval of the EU Recovery prospectus.

The period of 12 months referred to in the second subparagraph shall begin on the date of approval of the EU Recovery prospectus.

2. By way of derogation from Article 6(1), and without prejudice to Article 18(1), the EU Recovery prospectus shall contain the relevant reduced information which is necessary to enable investors to understand:

- (a) the prospects and financial performance of the issuer and the significant changes in the financial and business position of the issuer that have occurred since the end of the last financial year, if any, as well as its financial and non-financial long-term business strategy and objectives, including, if applicable, a specific reference of not less than 400 words to the business and financial impact of the COVID-19 pandemic on the issuer and the anticipated future impact of the same;
- (b) the essential information on the shares, including the rights attached to those shares and any limitations on those rights, the reasons for the issuance and its impact on the issuer, including on the overall capital structure of the issuer, as well as a disclosure of capitalisation and indebtedness, a working capital statement, and the use of proceeds.

3. The information contained in the EU Recovery prospectus shall be written and presented in an easily analysable, concise and comprehensible form and shall enable investors, especially retail investors, to make an informed investment decision, taking into account the regulated information that has already been disclosed to the public pursuant to Directive 2004/109/EC, where applicable, Regulation (EU) No 596/2014 and, where applicable, information referred to in Commission Delegated Regulation (EU) 2017/565 (*).

4. The EU Recovery prospectus shall be drawn up as a single document containing the minimum information set out in Annex Va. It shall be of a maximum length of 30 sides of A4-sized paper when printed and shall be presented and laid out in a way that is easy to read, using characters of readable size.

5. Neither the summary nor the information incorporated by reference in accordance with Article 19 shall be taken into account as regards the maximum length referred to in paragraph 4 of this Article.

6. Issuers may decide the order in which the information set out in Annex Va is set out in the EU Recovery prospectus.

(*) Commission Delegated Regulation (EU) 2017/565 of 25 April 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council as regards organisational requirements and operating conditions for investment firms and defined terms for the purposes of that Directive (OJ L 87, 31.3.2017, p. 1).;

(6) in Article 20, the following paragraph is inserted:

‘6a. By way of derogation from paragraphs 2 and 4, the time limits set out in the first subparagraph of paragraph 2 and paragraph 4 shall be reduced to seven working days for an EU Recovery prospectus. The issuer shall inform the competent authority at least five working days before the date envisaged for the submission of an application for approval.’;

(7) in Article 21, the following paragraph is inserted:

‘5a. An EU Recovery prospectus shall be classified in the storage mechanism referred to in paragraph 6 of this Article. The data used for the classification of prospectuses drawn up in accordance with Article 14 may be used for the classification of EU Recovery prospectuses drawn up in accordance with Article 14a, provided that the two types of prospectuses are differentiated in that storage mechanism.’;

(8) Article 23 is amended as follows:

(a) the following paragraph is inserted:

‘2a. By way of derogation from paragraph 2, from 18 March 2021 to 31 December 2022, where the prospectus relates to an offer of securities to the public, investors who have already agreed to purchase or subscribe for the securities before the supplement is published shall have the right, exercisable within three working days after the publication of the supplement, to withdraw their acceptances, provided that the significant new factor, material mistake or material inaccuracy referred to in paragraph 1 arose or was noted before the closing of the offer period or the delivery of the securities, whichever occurs first. That period may be extended by the issuer or the offeror. The final date of the right of withdrawal shall be stated in the supplement.

The supplement shall contain a prominent statement concerning the right of withdrawal, which clearly states:

(a) that a right of withdrawal is only granted to those investors who had already agreed to purchase or subscribe for the securities before the supplement was published and where the securities had not yet been delivered to the investors at the time when the significant new factor, material mistake or material inaccuracy arose or was noted;

(b) the period in which investors can exercise their right of withdrawal; and

(c) whom investors may contact should they wish to exercise the right of withdrawal.’;

(b) the following paragraph is inserted:

‘3a. By way of derogation from paragraph 3, from 18 March 2021 to 31 December 2022, where investors purchase or subscribe securities through a financial intermediary between the time when the prospectus for those securities is approved and the closing of the initial offer period, that financial intermediary shall inform those investors of the possibility of a supplement being published, where and when it would be published and that the financial intermediary would assist them in exercising their right to withdraw acceptances in such a case.

Where the investors referred to in the first subparagraph of this paragraph have the right of withdrawal referred to in paragraph 2a, the financial intermediary shall contact those investors by the end of the first working day following that on which the supplement is published.

Where the securities are purchased or subscribed directly from the issuer, that issuer shall inform investors of the possibility of a supplement being published and where it would be published and that, in such a case, they could have a right to withdraw the acceptance.’;

(9) the following Article is inserted:

‘Article 47a

Time limitation of the EU Recovery prospectus regime

The EU Recovery prospectus regime set out in Article 7(12a), Article 14a, Article 20(6a) and Article 21(5a) expires on 31 December 2022.

EU Recovery prospectuses approved between 18 March 2021 and 31 December 2022 shall continue to be governed in accordance with Article 14a until the end of their validity or until 12 months have elapsed after 31 December 2022, whichever occurs first.’;

(10) in Article 48, paragraph 2 is replaced by the following:

‘2. The report shall assess, inter alia, whether the prospectus summary, the disclosure regimes set out in Articles 14, 14a and 15 and the universal registration document referred to in Article 9 remain appropriate in light of their pursued objectives. In particular, the report shall include the following:

- (a) the number of EU Growth prospectuses of persons in each of the categories referred to in points (a) to (d) of Article 15(1) and an analysis of the evolution of each such number and of the trends in the choice of trading venues by the persons entitled to use the EU Growth prospectus;
- (b) an analysis of whether the EU Growth prospectus strikes a proper balance between investor protection and the reduction of administrative burdens for the persons entitled to use it;
- (c) the number of EU Recovery prospectuses approved and an analysis of the evolution of such number, as well as an estimate of the actual additional market capitalisation mobilised by EU Recovery prospectuses at the date of issue in order to gather experience about the EU Recovery prospectus for post-evaluation;
- (d) the cost of preparing and having an EU Recovery prospectus approved compared to the current costs for the preparation and approval of a standard prospectus, a secondary issuance prospectus and an EU Growth prospectus, together with an indication of the overall financial savings achieved and of which costs could be further reduced, and the total costs of complying with this Regulation for issuers, offerors and financial intermediaries together with a calculation of those costs as a percentage of operational costs;
- (e) an analysis of whether the EU Recovery prospectus strikes the proper balance between investor protection and the reduction of administrative burden for the persons entitled to use it, and of the accessibility of essential information for investments;

- (f) an analysis of whether it would be appropriate to extend the duration of the EU Recovery prospectus regime, including whether the threshold referred to in the second subparagraph of Article 14a(1), beyond which an EU Recovery prospectus may not be used, is appropriate;
 - (g) an analysis of whether the measures laid down in Articles 23(2a) and 23(3a) achieved the objective of providing additional clarity and flexibility to both financial intermediaries and investors and whether it would be appropriate to make those measures permanent.;
- (11) the text set out in the Annex to this Regulation is inserted as Annex Va.

Article 2

Amendment to Directive 2004/109/EC

In Article 4(7), the first subparagraph is replaced by the following:

‘7. For financial years beginning on or after 1 January 2020, all annual financial reports shall be prepared in a single electronic reporting format provided that a cost-benefit analysis has been undertaken by the European Supervisory Authority (European Securities and Markets Authority) (ESMA) established by Regulation (EU) No 1095/2010 of the European Parliament and of the Council (*). However, a Member State may allow issuers to apply that reporting requirement for financial years beginning on or after 1 January 2021, provided that that Member State notifies the Commission of its intention to allow such a delay by 19 March 2021, and that its intention is duly justified.

(*) Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).’.

Article 3

Entry into force and application

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, 16 February 2021.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
A. P. ZACARIAS

ANNEX

‘ANNEX Va

MINIMUM INFORMATION TO BE INCLUDED IN THE EU RECOVERY PROSPECTUS**I. Summary**

The EU Recovery prospectus must include a summary drawn up in accordance with Article 7(12a).

II. Name of the issuer, country of incorporation, link to the issuer's website

Identify the company issuing shares, including its legal entity identifier (LEI), its legal and commercial name, its country of incorporation and the website where investors can find information on the company's business operations, the products it makes or the services it provides, the principal markets where it competes, its major shareholders, the composition of its administrative, management and supervisory bodies and of its senior management and, where applicable, information incorporated by reference (with a disclaimer that the information on the website does not form part of the prospectus unless that information is incorporated by reference into the prospectus).

III. Responsibility statement and statement on the competent authority**1. Responsibility statement**

Identify the persons responsible for drawing up the EU Recovery prospectus and include a statement by those persons that, to the best of their knowledge, the information contained in the EU Recovery prospectus is in accordance with the facts and that the EU Recovery prospectus makes no omission likely to affect its import.

Where applicable, the statement must contain information sourced from third parties, including the source(s) of that information, and statements or reports attributed to a person as an expert and the following details of that person:

- (a) name;
- (b) business address;
- (c) qualifications; and
- (d) material interest (if any) in the issuer.

2. Statement on the competent authority

The statement must indicate the competent authority that has approved, in accordance with this Regulation, the EU Recovery prospectus, specify that such approval is not an endorsement of the issuer nor of the quality of the shares to which the EU Recovery prospectus relates, that the competent authority has only approved the EU Recovery prospectus as meeting the standards of completeness, comprehensibility and consistency imposed by this Regulation, and specify that the EU Recovery prospectus has been drawn up in accordance with Article 14a.

IV. Risk factors

A description of the material risks that are specific to the issuer and a description of the material risks that are specific to the shares being offered to the public and/or admitted to trading on a regulated market, in a limited number of categories, in a section headed “Risk Factors”.

In each category, the most material risks, in the assessment undertaken by the issuer, offeror or person asking for admission to trading on a regulated market, taking into account the negative impact on the issuer as well as on the shares being offered to the public and/or admitted to trading on a regulated market and the probability of their occurrence, shall be set out first. The risks shall be corroborated by the content of the EU Recovery prospectus.

V. Financial statements

The EU Recovery prospectus must include the financial statements (annual and half-yearly) published over the period of 12 months prior to the approval of the EU Recovery prospectus. Where both annual and half-yearly financial statements have been published, only the annual statements must be required where they postdate the half-yearly financial statements.

The annual financial statements must be independently audited. The audit report must be prepared in accordance with Directive 2006/43/EC of the European Parliament and of the Council ⁽¹⁾ and Regulation (EU) No 537/2014 of the European Parliament and of the Council ⁽²⁾.

Where Directive 2006/43/EC and Regulation (EU) No 537/2014 do not apply, the annual financial statements must be audited or reported on as to whether or not, for the purposes of the EU Recovery prospectus, they give a true and fair view in accordance with auditing standards applicable in a Member State or an equivalent standard. Otherwise, the following information must be included in the EU Recovery prospectus:

- (a) a prominent statement disclosing which auditing standards have been applied;
- (b) an explanation of any significant departures from International Standards on Auditing.

Where audit reports on the annual financial statements have been refused by the statutory auditors or where they contain qualifications, modifications of opinion, disclaimers or an emphasis of matter, the reason must be given, and such qualifications, modifications, disclaimers or emphasis of matter must be reproduced in full.

A description of any significant change in the financial position of the group which has occurred since the end of the last financial period for which either audited financial statements or interim financial information have been published, must also be included, or an appropriate negative statement must be included.

Where applicable, pro forma information must also be included.

VI. Dividend policy

A description of the issuer's policy on dividend distributions and any current restrictions thereon, as well as on share repurchases.

VII. Trend information

A description of:

- (a) the most significant recent trends in production, sales and inventory, and costs and selling prices since the end of the last financial year to the date of the EU Recovery prospectus;
- (b) information on any known trends, uncertainties, demands, commitments or events that are reasonably likely to have a material effect on the issuer's prospects for at least the current financial year;
- (c) information on the issuer's short and long-term financial and non-financial business strategy and objectives, including, if applicable, a specific reference of not less than 400 words to the business and financial impact of the COVID-19 pandemic on the issuer and the anticipated future impact of the same.

If there is no significant change in either of the trends referred to in points (a) or (b) of this section, a statement to that effect is to be made.

VIII. Terms and conditions of the offer, firm commitments and intentions to subscribe and key features of the underwriting and placement agreements

Set out the offer price, the number of shares offered, the amount of the issue/offer, the conditions to which the offer is subject, and the procedure for the exercise of any right of pre-emption.

⁽¹⁾ Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audits of annual accounts and consolidated accounts, amending Council Directives 78/660/EEC and 83/349/EEC and repealing Council Directive 84/253/EEC (OJ L 157, 9.6.2006, p. 87).

⁽²⁾ Regulation (EU) No 537/2014 of the European Parliament and of the Council of 16 April 2014 on specific requirements regarding statutory audit of public-interest entities and repealing Commission Decision 2005/909/EC (OJ L 158, 27.5.2014, p. 77).

To the extent known to the issuer, provide information on whether major shareholders or members of the issuer's management, supervisory or administrative bodies intend to subscribe for the offer, or whether any person intends to subscribe for more than 5 % of the offer.

Present any firm commitments to subscribe for more than 5 % of the offer and all material features of the underwriting and placement agreements, including the name and address of the entities agreeing to underwrite or place the issue on a firm commitment basis or under "best efforts" arrangements and the quotas.

IX. Essential information on the shares and on their subscription

Provide the following essential information about the shares offered to the public or admitted to trading on a regulated market:

- (a) the international security identification number (ISIN);
- (b) the rights attached to the shares, the procedure for the exercise of those rights and any limitations of those rights;
- (c) where the shares can be subscribed as well as on the time period, including any possible amendments, during which the offer will be open and a description of the application process together with the issue date of new shares.

X. Reasons for the offer and use of proceeds

Provide information on the reasons for the offer and, where applicable, the estimated net amount of the proceeds broken into each principal intended use and presented in order of priority of such uses.

Where the issuer is aware that the anticipated proceeds will not be sufficient to fund all the proposed uses, it must state the amount and sources of other funds needed. Details must also be given with regard to the use of the proceeds, in particular where proceeds are being used to acquire assets, other than in the ordinary course of business, to finance announced acquisitions of other business, or to discharge, reduce or retire indebtedness.

XI. Receipt of state aid support

Provide a statement with information as to whether the issuer has benefited from state aid in whatever form in the context of the recovery as well as the purpose of the aid, type of instrument and amount of the aid received and conditions attached to it, if any.

The statement as to whether the issuer received state aid must contain a declaration that the information is provided solely under the responsibility of the persons responsible for the prospectus, as referred to in Article 11(1), that the competent authority's role in approving the prospectus is to scrutinise its completeness, comprehensibility and consistency, and that therefore in respect of the statement on state aid the competent authority is not obliged to independently verify that statement.

XII. Working capital statement

Statement by the issuer that, in its opinion, the working capital is sufficient for the issuer's present requirements or, if not, how the issuer proposes to provide the additional working capital needed.

XIII. Capitalisation and indebtedness

A statement of capitalisation and indebtedness (distinguishing between guaranteed and unguaranteed, secured and unsecured indebtedness) as of a date no earlier than 90 days prior to the date of the EU Recovery prospectus. The term "indebtedness" also includes indirect and contingent indebtedness.

In the case of material changes in the capitalisation and indebtedness position of the issuer within the 90 day period, additional information must be given through the presentation of a narrative description of such changes or through the updating of those figures.

XIV. Conflicts of interest

Provide information about any interests related to the issuance, including conflicts of interest, and details of the persons involved and the nature of the interests.

XV. Dilution and shareholding after the issuance

Present a comparison of participation in share capital and voting rights for existing shareholders before and after the capital increase resulting from the public offer, with the assumption that existing shareholders do not subscribe for the new shares and, separately, with the assumption that existing shareholders do take up their entitlement.

XVI. Documents available

A statement that for the term of the EU Recovery prospectus the following documents, where applicable, can be inspected:

- (a) the up to date memorandum and articles of association of the issuer;
- (b) all reports, letters, and other documents, valuations and statements prepared by an expert at the issuer's request any part of which is included or referred to in the EU Recovery prospectus.

An indication of the website on which the documents may be inspected.'

DIRECTIVES

DIRECTIVE (EU) 2021/338 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 16 February 2021

amending Directive 2014/65/EU as regards information requirements, product governance and position limits, and Directives 2013/36/EU and (EU) 2019/878 as regards their application to investment firms, to help the recovery from the COVID-19 crisis

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 53(1) thereof,

Having regard to the proposal from the European Commission,

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

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

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) The COVID-19 pandemic is severely affecting people, companies, health systems and the economies and financial systems of Member States. In its Communication of 27 May 2020 entitled 'Europe's moment: Repair and Prepare for the Next Generation' the Commission stressed that liquidity and access to finance will be a continued challenge. It is therefore crucial to support the recovery from the severe economic shock caused by the COVID-19 pandemic through the introduction of limited targeted amendments to existing Union financial services law. The overall aim of those amendments should therefore be to remove unnecessary red tape and introduce carefully calibrated measures that are deemed effective in order to mitigate the economic turmoil. Those amendments should avoid making changes that increase administrative burdens on the sector and should leave complex legislative questions to be settled during the planned review of Directive 2014/65/EU of the European Parliament and of the Council ⁽³⁾. Those amendments form a package of measures and are adopted under the label 'Capital Markets Recovery Package'.
- (2) Directive 2014/65/EU was adopted in 2014 in response to the financial crisis that unfolded in 2007 and 2008. That Directive has substantially strengthened the financial system of the Union and guaranteed a high level of investor protection across the Union. Further efforts to reduce regulatory complexity and investment firms' compliance costs and to eliminate distortions of competition could be considered, provided that investor protection is sufficiently taken into consideration at the same time.
- (3) As regards the requirements that were intended to protect investors, Directive 2014/65/EU has not fully achieved its objective to adopt measures that take the particularities of each category of investors, i.e. retail clients, professional clients and eligible counterparties, sufficiently into account. Some of those requirements have not always enhanced investor protection but at times have rather hindered the smooth execution of investment decisions. Therefore, certain requirements set out in Directive 2014/65/EU should be amended to facilitate the provision of investment services and the performance of investment activities, and those amendments should be made in a balanced way which fully protects investors.

⁽¹⁾ OJ C 10, 11.1.2021, p. 30.

⁽²⁾ Position of the European Parliament of 11 February 2021 (not yet published in the Official Journal) and decision of the Council of 15 February 2021.

⁽³⁾ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).

- (4) The issuance of bonds is crucial in order to raise capital and to overcome the COVID-19 crisis. Product governance requirements can restrict the sale of bonds. Bonds with no other embedded derivative than a make-whole clause are generally considered safe and simple products that are eligible for retail clients. In the event of its early redemption, a bond with no other embedded derivative than a make-whole clause protects investors against losses by ensuring that those investors are provided with a payment equal to the sum of the net present value of the remaining coupon payments and the principal amount of the bond that they would have received if the bond had not been called. Product governance requirements should therefore no longer apply to bonds with no other embedded derivative than a make-whole clause. In addition, eligible counterparties are considered to have sufficient knowledge of financial instruments. It is therefore justified to exempt eligible counterparties from the product governance requirements applicable to financial instruments exclusively marketed or distributed to them.
- (5) The call for evidence, launched by the European Supervisory Authority (the European Securities and Markets Authority) (ESMA) established by Regulation (EU) No 1095/2010 of the European Parliament and of the Council⁽⁴⁾, on the impact of inducements and costs and charges disclosure requirements under Directive 2014/65/EU and the public consultation conducted by the Commission both confirmed that professional clients and eligible counterparties do not need standardised and mandatory costs information as they already receive the necessary information when they negotiate with their service provider. The information provided to professional clients and eligible counterparties is tailored to their needs and often more detailed. Services provided to professional clients and eligible counterparties should therefore be exempted from the costs and charges disclosure requirements, except with regard to the services of investment advice and portfolio management because professional clients entering into investment advice or portfolio management relationships do not necessarily have sufficient expertise or knowledge to allow such services to be exempted from those requirements.
- (6) Investment firms are currently required to undertake a cost-benefit analysis of certain portfolio activities in cases of ongoing relationships with their clients in which financial instruments are switched. Investment firms are thereby required to obtain the necessary information from their clients and to be able to demonstrate that the benefits of such switching outweigh the costs. As that procedure is overly burdensome with regard to professional clients, who tend to switch on a frequent basis, services provided to them should be exempted from that requirement. Professional clients would, however, retain the possibility to opt in. As retail clients need a high level of protection, that exemption should be limited to services provided to professional clients.
- (7) Clients with an ongoing relationship with an investment firm receive mandatory service reports, either periodically or based on triggers. Neither investment firms nor their professional clients or eligible counterparties find such service reports useful. Those reports have proven to be particularly unhelpful for professional clients and eligible counterparties in extremely volatile markets, as the reports are provided in a high frequency and number. Professional clients and eligible counterparties often react to those service reports either by not reading them, or by making quick investment decisions rather than continuing with a long-term investment strategy. Eligible counterparties should therefore no longer receive mandatory service reports. Professional clients should also no longer receive such service reports, but they should have the possibility to opt in to receiving them.
- (8) In the immediate aftermath of the COVID-19 pandemic, issuers, and in particular small and middle-capitalisation companies, need to be supported by strong capital markets. Research on small and middle-capitalisation issuers is essential to help issuers to connect with investors. That research increases the visibility of issuers and thus ensures a sufficient level of investment and liquidity. Investment firms should be allowed to pay jointly for the provision of research and for the provision of execution services provided certain conditions are met. One of the conditions should be that the research is provided on issuers whose market capitalisation did not exceed EUR 1 billion, as expressed by the end-year quotes, for the 36 months preceding the provision of the research. That requirement relating to market capitalisation should be construed as covering both listed companies and non-listed companies, on the understanding that, for the latter, the balance sheet item on own capital did not exceed the EUR 1 billion

⁽⁴⁾ Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84).

threshold. It should also be noted that newly listed companies and non-listed companies established for less than 36 months are included within the scope as long as they can demonstrate that their market capitalisation did not exceed the EUR 1 billion threshold, as expressed by end-year quotes since their listing, or expressed by the own-capital for the financial years when they are or were not listed. To ensure that newly established companies that exist for less than 12 months can equally benefit from the exemption, it is sufficient that they did not exceed the EUR 1 billion threshold since the date of their establishment.

- (9) Directive 2014/65/EU introduced reporting requirements for trading venues, systematic internalisers and other execution venues on how orders were executed on terms most favourable to the client. The resulting technical reports contain large amounts of detailed quantitative information about the execution venue, the financial instrument, the price, the costs and the likelihood of execution. They are rarely read, as is evidenced by the very low numbers of views on the websites of trading venues, systematic internalisers and other execution venues. As they do not enable investors and other users to make any meaningful comparisons on the basis of the information they contain, the publication of those reports should be temporarily suspended.
- (10) In order to facilitate communication between investment firms and their clients and thus facilitate the investment process itself, investment information should no longer be provided on paper but should, as a default option, be provided electronically. Retail clients should however be able to request the provision of that information on paper.
- (11) Directive 2014/65/EU allows persons that trade in commodity derivatives or emission allowances or derivatives thereof on a professional basis to make use of an exemption from the requirement to obtain authorisation as an investment firm when their trading activity is ancillary to their main business. Currently, persons applying for the ancillary activity exemption are required to notify annually the relevant competent authority that they make use of that exemption and to provide the necessary elements to satisfy the two quantitative tests that determine whether their trading activity is ancillary to their main business. The first test compares the size of an entity's speculative trading activity to the total trading activity in the Union on an asset class basis. The second test compares the size of the speculative trading activity, with all asset classes included, to the total trading activity in financial instruments by the entity at group level. There is an alternative form of the second test, which consists of comparing the estimated capital used for the speculative trading activity to the actual amount of capital used at group level for the main business. For the purposes of establishing when an activity is considered to be an ancillary activity, competent authorities should be able to rely on a combination of quantitative and qualitative elements, subject to clearly defined conditions. The Commission should be empowered to provide guidance on the circumstances under which national authorities can apply an approach combining quantitative and qualitative threshold criteria, as well as to develop a delegated act on the criteria. Persons that are eligible for the ancillary activity exemption, including market makers, are those dealing on own account or those providing investment services other than dealing on own account in commodity derivatives or emission allowances or derivatives thereof to customers or suppliers of their main business. The exemption should be available for each of those cases individually and on an aggregate basis where the activity is ancillary to their main business, when considered on a group basis. The ancillary activity exemption should not be available for persons who apply a high-frequency algorithmic trading technique or are part of a group the main business of which is the provision of investment services or banking activities, or acting as a market maker in relation to commodity derivatives.
- (12) Competent authorities currently have to set and apply limits on the size of a net position which a person can hold at all times in commodity derivatives traded on trading venues and in economically equivalent over-the-counter (EOTC) contracts. As the position limit regime has proved to be unfavourable for the development of new commodity markets, nascent commodity markets should be excluded from the position limit regime. Instead, position limits should only apply to critical or significant commodity derivatives that are traded on trading venues, and to their EOTC contracts. Critical or significant derivatives are commodity derivatives with an open interest of at least 300 000 lots on average over a one-year period. Due to the critical importance of agricultural commodities for citizens, agricultural commodity derivatives and their EOTC contracts will remain under the current position limit regime.

- (13) Directive 2014/65/EU does not allow hedging exemptions for any financial entities. Several predominantly commercial groups that set up a financial entity for their trading purposes have found themselves in a situation where their financial entity could not carry out all the trading for the group, as the financial entity was not eligible for the hedging exemption. Therefore, a narrowly defined hedging exemption for financial entities should be introduced. That hedging exemption should be available where, within a predominantly commercial group, a person has been registered as an investment firm and trades on behalf of that commercial group. To limit the hedging exemption to those financial entities that trade on behalf of the non-financial entities in a predominantly commercial group, that exemption should only apply to the positions held by such financial entity that are objectively measurable as reducing risks directly relating to the commercial activities of the non-financial entities of the group.
- (14) Even in liquid contracts, only a limited number of market participants typically act as market makers in commodity markets. When those market participants have to apply position limits, they are not able to be as effective as market makers. Therefore, an exemption from the position limit regime should be introduced for financial and non-financial counterparties for positions resulting from transactions undertaken to fulfil obligations to provide liquidity.
- (15) The amendments as regards the position limit regime are designed to support the development of new energy contracts, and do not seek to relax the regime for agricultural commodity derivatives.
- (16) The current position limit regime also does not recognise the unique characteristics of securitised derivatives. Securitised derivatives are transferable securities within the meaning of point (c) of point (44) of Article 4(1) of Directive 2014/65/EU. The securitised derivatives market is characterised by a large number of different issuances, each one registered with the central securities depository for a specific size, and any possible increase follows a specific procedure duly approved by the relevant competent authority. That is in contrast to commodity derivative contracts, for which the amount of open interest, and thereby the size of a position, is potentially unlimited. At the time of issue, the issuer or the intermediary in charge of the distribution of the issuance holds 100 % of the issue, which challenges the very application of a position limit regime. In addition, most securitised derivatives are then ultimately held by a large number of retail investors, which does not raise the same risk of abuse of a dominant position or to orderly pricing and settlement conditions as for commodity derivative contracts. Moreover, the notion of spot month and other months, for which position limits are to be set under Article 57(3) of Directive 2014/65/EU, is not applicable to securitised derivatives. Securitised derivatives should therefore be excluded from the application of position limits and reporting requirements.
- (17) Since the entry into force of Directive 2014/65/EU, no same commodity derivative contracts have been identified. Due to the concept of same commodity derivative in that Directive, the calculation methodology for determining the other months' position limit is detrimental to the trading venue with the less liquid market when trading venues are competing on commodity derivatives based on the same underlying and sharing the same characteristics. Therefore, the reference to 'same contract' in Directive 2014/65/EU should be deleted. Competent authorities should be able to agree that the commodity derivatives traded on their respective trading venues are based on the same underlying and share the same characteristics, in which case the central competent authority within the meaning of the first subparagraph of Article 57(6) of Directive 2014/65/EU should set the position limit.
- (18) Significant differences exist in the way positions are managed by trading venues in the Union. Therefore, position management controls should be reinforced where necessary.
- (19) In order to ensure the further development of euro-denominated commodity markets in the Union, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of all of the following: the procedure by which persons are able to apply for an exemption for positions resulting from transactions undertaken to fulfil obligations to provide liquidity; the procedure by which a financial entity that is part of a predominantly commercial group is able to apply for a hedging exemption for positions held by that financial entity that are objectively measurable as reducing risks directly relating to the commercial activities of the non-financial entities of that predominantly commercial group;

the clarification of the content of position management controls; and the development of criteria for establishing when an activity is to be considered to be ancillary to the main business at group level. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ⁽⁵⁾. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

- (20) The EU Emissions Trading System (ETS) is the Union's flagship policy for achieving the decarbonisation of the economy in line with the European Green Deal. Trading in emission allowances and derivatives thereof is subject to Directive 2014/65/EU and to Regulation (EU) No 600/2014 of the European Parliament and of the Council ⁽⁶⁾ and represents an important element of the Union's carbon market. The ancillary activity exemption under Directive 2014/65/EU enables certain market participants to be active in emission allowance markets without having to be authorised as investment firms, provided certain conditions are met. In view of the importance of orderly, well-regulated and supervised financial markets, the significant role of the ETS in achieving the Union's sustainability objectives, and the role that a well-functioning secondary market in emission allowances has in supporting the functioning of the ETS, it is essential that the ancillary activity exemption is appropriately designed to contribute to those objectives. That is particularly relevant where trading in emission allowances takes place on third-country trading venues. In order to ensure the protection of the Union's financial stability, market integrity, investor protection and the level playing field, and to ensure that the ETS continues to function in a transparent and robust manner to ensure cost-effective emission reductions, the Commission should monitor the further development of trading in emission allowances and derivatives thereof in the Union and in third countries, assess the impact of the ancillary activity exemption on the ETS and, where necessary, propose any appropriate amendment as regards the scope and application of the ancillary activity exemption.
- (21) In order to provide additional legal clarity, avoid an unnecessary administrative burden for Member States and ensure a uniform legal framework for investment firms, which will fall within the scope of Directive (EU) 2019/2034 of the European Parliament and of the Council ⁽⁷⁾ as of 26 June 2021, it is appropriate to postpone the date of transposition of Directive (EU) 2019/878 of the European Parliament and of the Council ⁽⁸⁾ as regards the measures applicable to investment firms. In order to ensure a consistent application of the legal framework applicable to investment firms set out in Article 67 of Directive (EU) 2019/2034, the transposition deadline for Directive (EU) 2019/878 with respect to investment firms should therefore be extended to 26 June 2021.
- (22) In order to ensure that the objectives pursued by the amendments to Directives 2013/36/EU ⁽⁹⁾ and (EU) 2019/878 are achieved, and in particular to avoid any disruptive effects for Member States, it is appropriate to provide that those amendments become applicable as of 28 December 2020. While providing for a retroactive application of the amendments, legitimate expectations of the persons concerned are nevertheless respected as the amendments do not encroach on the rights and obligations of economic operators or individuals.

⁽⁵⁾ OJ L 123, 12.5.2016, p. 1.

⁽⁶⁾ Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84).

⁽⁷⁾ Directive (EU) 2019/2034 of the European Parliament and of the Council of 27 November 2019 on the prudential supervision of investment firms and amending Directives 2002/87/EC, 2009/65/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU and 2014/65/EU (OJ L 314, 5.12.2019, p. 64).

⁽⁸⁾ Directive (EU) 2019/878 of the European Parliament and of the Council of 20 May 2019 amending Directive 2013/36/EU as regards exempted entities, financial holding companies, mixed financial holding companies, remuneration, supervisory measures and powers and capital conservation measures (OJ L 150, 7.6.2019, p. 253).

⁽⁹⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

- (23) Directives 2013/36/EU, 2014/65/EU and (EU) 2019/878 should therefore be amended accordingly.
- (24) This amending Directive aims to supplement existing Union law and its objective can therefore best be achieved at Union level rather than by different national initiatives. Financial markets are inherently cross-border and are becoming more so. Because of that integration, isolated national intervention would be far less efficient and would lead to the fragmentation of markets, resulting in regulatory arbitrage and distortion of competition.
- (25) Since the objective of this Directive, namely to refine existing Union law ensuring uniform and appropriate requirements that apply to investment firms throughout the Union, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (26) In accordance with the Joint Political Declaration of 28 September 2011 of Member States and the Commission on explanatory documents ⁽¹⁰⁾, Member States have undertaken to accompany, in justified cases, the notification of their transposition measures with one or more documents explaining the relationship between the components of a directive and the corresponding parts of national transposition instruments. With regard to this Directive, the legislator considers the transmission of such documents to be justified.
- (27) In view of the need to introduce targeted measures to support economic recovery from the COVID-19 crisis as quickly as possible, this Directive should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union*,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendments to Directive 2014/65/EU

Directive 2014/65/EU is amended as follows:

(1) Article 2 is amended as follows:

(a) in paragraph 1, point (j) is replaced by the following:

‘(j) persons:

- (i) dealing on own account, including market makers, in commodity derivatives or emission allowances or derivatives thereof, excluding persons who deal on own account when executing client orders; or
- (ii) providing investment services, other than dealing on own account, in commodity derivatives or emission allowances or derivatives thereof to the customers or suppliers of their main business;

provided that:

- for each of those cases individually and on an aggregate basis, the activity is ancillary to their main business, when considered on a group basis,
- those persons are not part of a group the main business of which is the provision of investment services within the meaning of this Directive, the performance of any activity listed in Annex I to Directive 2013/36/EU, or acting as a market maker for commodity derivatives,
- those persons do not apply a high-frequency algorithmic trading technique, and
- those persons report upon request to the competent authority the basis on which they have assessed that their activity under points (i) and (ii) is ancillary to their main business.’;

⁽¹⁰⁾ OJ C 369, 17.12.2011, p. 14.

(b) paragraph 4 is replaced by the following:

‘4. By 31 July 2021, the Commission shall adopt a delegated act in accordance with Article 89 in order to supplement this Directive by specifying, for the purpose of point (j) of paragraph 1 of this Article, the criteria for establishing when an activity is to be considered to be ancillary to the main business at group level.

Those criteria shall take into account the following elements:

- (a) whether the net outstanding notional exposure in commodity derivatives or emission allowances or derivatives thereof for cash settlement traded in the Union, excluding commodity derivatives or emission allowances or derivatives thereof traded on a trading venue, is below an annual threshold of EUR 3 billion; or
- (b) whether the capital employed by the group to which the person belongs is predominantly allocated to the main business of the group; or
- (c) whether or not the size of the activities referred to in point (j) of paragraph 1 exceeds the total size of the other trading activities at group level.

The activities referred to in this paragraph shall be considered at group level.

The elements referred to in the second subparagraph of this paragraph shall exclude:

- (a) intragroup transactions as referred to in Article 3 of Regulation (EU) No 648/2012 that serve group-wide liquidity or risk management purposes;
- (b) transactions in commodity derivatives or emission allowances or derivatives thereof that are objectively measurable as reducing risks directly relating to the commercial activity or treasury financing activity;
- (c) transactions in commodity derivatives or emission allowances or derivatives thereof entered into to fulfil obligations to provide liquidity on a trading venue, where such obligations are required by regulatory authorities in accordance with Union law or with national laws, regulations and administrative provisions, or by trading venues.’;

(2) Article 4(1) is amended as follows:

(a) the following point is inserted:

‘(8a) “switching of financial instruments” means selling a financial instrument and buying another financial instrument or exercising a right to make a change with regard to an existing financial instrument;’;

(b) the following point is inserted:

‘(44a) “make-whole clause” means a clause that aims to protect the investor by ensuring that, in the event of early redemption of a bond, the issuer is required to pay to the investor holding the bond an amount equal to the sum of the net present value of the remaining coupon payments expected until maturity and the principal amount of the bond to be redeemed;’;

(c) point (59) is replaced by the following:

‘(59) “agricultural commodity derivatives” means derivative contracts relating to products listed in Article 1 of, and Annex I, Parts I to XX and XXIV/1, to, Regulation (EU) No 1308/2013 of the European Parliament and of the Council (*), as well as to products listed in Annex I to Regulation (EU) No 1379/2013 of the European Parliament and of the Council (**);

(*) Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

(**) Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).’;

(d) the following point is inserted:

‘(62a) “electronic format” means any durable medium other than paper;’;

(e) the following point is added:

‘(65) “predominantly commercial group” means any group of which the main business is not the provision of investment services within the meaning of this Directive, or the performance of any activity listed in Annex I to Directive 2013/36/EU, or acting as a market maker in relation to commodity derivatives.’;

(3) the following article is inserted:

‘Article 16a

Exemptions from product governance requirements

An investment firm shall be exempted from the requirements set out in the second to fifth subparagraphs of Article 16(3) and in Article 24(2), where the investment service it provides relates to bonds with no other embedded derivative than a make-whole clause or where the financial instruments are marketed or distributed exclusively to eligible counterparties.’;

(4) Article 24 is amended as follows:

(a) in paragraph 4, the following subparagraphs are added:

‘Where the agreement to buy or sell a financial instrument is concluded using a means of distance communication which prevents the prior delivery of the information on costs and charges, the investment firm may provide the information on costs and charges either in electronic format or on paper, where requested by a retail client, without undue delay after the conclusion of the transaction, provided that both of the following conditions are met:

- (i) the client has consented to receiving the information without undue delay after the conclusion of the transaction;
- (ii) the investment firm has given the client the option of delaying the conclusion of the transaction until the client has received the information.

In addition to the requirements of the third subparagraph, the investment firm shall be required to give the client the option of receiving the information on costs and charges over the phone prior to the conclusion of the transaction.’;

(b) the following paragraph is inserted:

‘5a. Investment firms shall provide all information required to be provided by this Directive to clients or potential clients in electronic format, except where the client or potential client is a retail client or potential retail client who has requested receiving the information on paper, in which case that information shall be provided on paper, free of charge.

Investment firms shall inform retail clients or potential retail clients that they have the option of receiving the information on paper.

Investment firms shall inform existing retail clients that receive the information required to be provided by this Directive on paper of the fact that they will receive that information in electronic format at least eight weeks before sending that information in electronic format. Investment firms shall inform those existing retail clients that they have the choice either to continue receiving information on paper or to switch to information in electronic format. Investment firms shall also inform existing retail clients that an automatic switch to the electronic format will occur if they do not request the continuation of the provision of the information on paper within that eight week period. Existing retail clients who already receive the information required to be provided by this Directive in electronic format do not need to be informed.’;

(c) the following paragraph is inserted:

‘9a. Member States shall ensure that the provision of research by third parties to investment firms providing portfolio management or other investment or ancillary services to clients is to be regarded as fulfilling the obligations under paragraph 1 if:

- (a) before the execution or research services have been provided, an agreement has been entered into between the investment firm and the research provider, identifying the part of any combined charges or joint payments for execution services and research that is attributable to research;
- (b) the investment firm informs its clients about the joint payments for execution services and research made to the third party providers of research; and
- (c) the research for which the combined charges or the joint payment is made concerns issuers whose market capitalisation for the period of 36 months preceding the provision of the research did not exceed EUR 1 billion, as expressed by end-year quotes for the years when they are or were listed or by the own-capital for the financial years when they are or were not listed.

For the purpose of this Article, research shall be understood as covering research material or services concerning one or several financial instruments or other assets, or the issuers or potential issuers of financial instruments, or as covering research material or services closely related to a specific industry or market such that it informs views on financial instruments, assets or issuers within that industry or market.

Research shall also comprise material or services that explicitly or implicitly recommend or suggest an investment strategy and provide a substantiated opinion as to the present or future value or price of financial instruments or assets, or otherwise contain analysis and original insights and reach conclusions based on new or existing information that could be used to inform an investment strategy and be relevant and capable of adding value to the investment firm's decisions on behalf of clients being charged for that research.’;

(5) in Article 25(2), the following subparagraph is added:

‘When providing either investment advice or portfolio management that involves the switching of financial instruments, investment firms shall obtain the necessary information on the client's investment and shall analyse the costs and benefits of the switching of financial instruments. When providing investment advice, investment firms shall inform the client whether or not the benefits of the switching of financial instruments are greater than the costs involved in such switching.’;

(6) in Article 27(3), the following subparagraph is added:

‘The periodic reporting requirement to the public laid down in this paragraph shall not apply until 28 February 2023. The Commission shall comprehensively review the adequacy of the reporting requirements laid down in this paragraph and submit a report to the European Parliament and the Council by 28 February 2022.’;

(7) in Article 27(6), the following subparagraph is added:

‘The Commission shall comprehensively review the adequacy of the periodic reporting requirements laid down in this paragraph and submit a report to the European Parliament and the Council by 28 February 2022.’;

(8) the following article is inserted:

‘Article 29a

Services provided to professional clients

1. The requirements laid down in point (c) of Article 24(4) shall not apply to services provided to professional clients except for investment advice and portfolio management.

2. The requirements laid down in the third subparagraph of Article 25(2) and in Article 25(6) shall not apply to services provided to professional clients, unless those clients inform the investment firm either in electronic format or on paper that they wish to benefit from the rights provided for in those provisions.

3. Member States shall ensure that investment firms keep a record of the client communications referred to in paragraph 2.’;

(9) in Article 30(1), the first subparagraph is replaced by the following:

‘1. Member States shall ensure that investment firms authorised to execute orders on behalf of clients, and/or to deal on own account, and/or to receive and transmit orders have the possibility of bringing about or entering into transactions with eligible counterparties without being obliged to comply with Article 24, with the exception of paragraph 5a thereof, Article 25, Article 27 and Article 28(1), in respect of those transactions or in respect of any ancillary service directly relating to those transactions.’;

(10) Article 57 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Member States shall ensure that competent authorities, in line with the calculation methodology determined by ESMA in the regulatory technical standards adopted in accordance with paragraph 3, set and apply limits on the size of a net position which a person can hold at all times in agricultural commodity derivatives and critical or significant commodity derivatives that are traded on trading venues, and in economically equivalent OTC contracts. Commodity derivatives shall be considered to be critical or significant where the sum of all net positions of end position holders constitutes the size of their open interest and is at a minimum of 300 000 lots on average over a one-year period. The limits shall be set based on all positions held by a person and those held on his or her behalf at an aggregate group level in order to:

- (a) prevent market abuse;
- (b) support orderly pricing and settlement conditions, including preventing market distorting positions, and ensuring, in particular, convergence between prices of derivatives in the delivery month and spot prices for the underlying commodity, without prejudice to price discovery on the market for the underlying commodity.

The position limits referred to in paragraph 1 shall not apply to:

- (a) positions held by, or on behalf of, a non-financial entity, and which are objectively measurable as reducing risks directly relating to the commercial activity of that non-financial entity;
- (b) positions held by, or on behalf of, a financial entity that is part of a predominantly commercial group and is acting on behalf of a non-financial entity of the predominantly commercial group, where those positions are objectively measurable as reducing risks directly relating to the commercial activity of that non-financial entity;
- (c) positions held by financial and non-financial counterparties for positions that are objectively measurable as resulting from transactions entered into to fulfil obligations to provide liquidity on a trading venue as referred to in point (c) of the fourth subparagraph of Article 2(4);
- (d) any other securities as referred to in point (c) of point (44) of Article 4(1) which relate to a commodity or an underlying as referred to in Section C.10 of Annex I.

ESMA shall develop draft regulatory technical standards to determine a procedure by which a financial entity that is part of a predominantly commercial group may apply for a hedging exemption for positions held by that financial entity that are objectively measurable as reducing risks directly relating to the commercial activities of the non-financial entities of the group.

ESMA shall develop draft regulatory technical standards to determine a procedure setting out how persons may apply for an exemption for positions resulting from transactions entered into to fulfil obligations to provide liquidity on a trading venue.

ESMA shall submit the draft regulatory technical standards referred to in the third and fourth subparagraphs to the Commission by 28 November 2021.

Power is delegated to the Commission to supplement this Directive by adopting the regulatory technical standards referred to in the third and fourth subparagraphs of this paragraph in accordance with Articles 10 to 14 of Regulation (EU) No 1095/2010.’;

(b) paragraphs 3 and 4 are replaced by the following:

‘3. ESMA shall draw up a list of critical or significant commodity derivatives referred to in paragraph 1 and develop draft regulatory technical standards to determine the calculation methodology that competent authorities are to apply when establishing the spot month position limits and other months’ position limits for physically settled and cash settled commodity derivatives based on the characteristics of the relevant derivative concerned.

When drawing up the list of critical or significant commodity derivatives referred to in paragraph 1, ESMA shall take into account the following factors:

- (a) the number of market participants;
- (b) the commodity underlying the derivative concerned.

When determining the calculation methodology referred to in the first subparagraph, ESMA shall take into account the following factors:

- (a) the deliverable supply in the underlying commodity;
- (b) the overall open interest in that derivative and the overall open interest in other financial instruments with the same underlying commodity;
- (c) the number and size of the market participants;
- (d) the characteristics of the underlying commodity market, including patterns of production, consumption and transportation to market;
- (e) the development of new commodity derivatives;
- (f) the experience of investment firms or market operators operating a trading venue and of other jurisdictions regarding the position limits.

ESMA shall submit the draft regulatory technical standards referred to in the first subparagraph to the Commission by 28 November 2021.

Power is delegated to the Commission to supplement this Directive by adopting the regulatory technical standards referred to in the first subparagraph of this paragraph in accordance with Articles 10 to 14 of Regulation (EU) No 1095/2010.

4. A competent authority shall set position limits for critical or significant commodity derivatives and agricultural commodity derivatives that are traded on trading venues, based on the calculation methodology laid down in the regulatory technical standards adopted by the Commission pursuant to paragraph 3. Such position limits shall include economically equivalent OTC contracts.

A competent authority shall review the position limits referred to in the first subparagraph where there is a significant change on the market, including a significant change in deliverable supply or open interest, based on its determination of deliverable supply and open interest, and reset those position limits in accordance with the calculation methodology laid down in the regulatory technical standards adopted by the Commission pursuant to paragraph 3.’;

(c) paragraphs 6, 7 and 8 are replaced by the following:

‘6. Where agricultural commodity derivatives based on the same underlying and sharing the same characteristics are traded in significant volumes on trading venues in more than one jurisdiction, or where critical or significant commodity derivatives based on the same underlying and sharing the same characteristics are traded on trading venues in more than one jurisdiction, the competent authority of the trading venue where the largest volume of trading takes place (“central competent authority”) shall set the single position limit to be applied on all trading in those derivatives. The central competent authority shall consult the competent authorities of other trading venues on which those agricultural commodity derivatives are traded in significant volumes or on which those critical or significant commodity derivatives are traded, on the single position limit to be applied and any revisions to that single position limit.

Competent authorities that do not agree with the setting of the single position limit by the central competent authority shall state in writing the full and detailed reasons why they consider that the requirements laid down in paragraph 1 have not been met. ESMA shall settle any dispute arising from a disagreement between competent authorities in accordance with its powers under Article 19 of Regulation (EU) No 1095/2010.

The competent authorities of the trading venues where agricultural commodity derivatives that are based on the same underlying and that share the same characteristics are traded in significant volumes or critical or significant commodity derivatives that are based on the same underlying and that share the same characteristics are traded, and the competent authorities of position holders in those derivatives, shall put in place cooperation arrangements, which shall include the exchange of relevant data, in order to enable the monitoring and enforcement of the single position limit.

7. ESMA shall monitor at least once a year the way competent authorities have implemented the position limits set in accordance with the calculation methodology established by ESMA under paragraph 3. In doing so, ESMA shall ensure that a single position limit effectively applies to the agricultural commodity derivatives and critical or significant contracts based on the same underlying and sharing the same characteristics irrespective of where they are traded in line with paragraph 6.

8. Member States shall ensure that an investment firm or a market operator operating a trading venue which trades commodity derivatives applies position management controls, including powers for the trading venue to:

- (a) monitor the open interest positions of persons;
- (b) obtain information, including all relevant documentation, from persons about the size and purpose of a position or exposure entered into, information about beneficial or underlying owners, any concert arrangements, and any related assets or liabilities in the underlying market, including, where appropriate, positions held in commodity derivatives that are based on the same underlying and that share the same characteristics on other trading venues and in economically equivalent OTC contracts through members and participants;
- (c) request a person to terminate or reduce a position, on a temporary or permanent basis, and to unilaterally take action to ensure the termination or reduction of the position where the person does not comply with such request; and
- (d) require a person to provide, on a temporary basis, liquidity back into the market at an agreed price and volume with the express intent of mitigating the effects of a large or dominant position.

ESMA shall develop draft regulatory technical standards to specify the content of position management controls, thereby taking into account the characteristics of the trading venues concerned.

ESMA shall submit those draft regulatory technical standards to the Commission by 28 November 2021.

Power is delegated to the Commission to supplement this Directive by adopting the regulatory technical standards referred to in the second subparagraph of this paragraph in accordance with Articles 10 to 14 of Regulation (EU) No 1095/2010.;

(d) in paragraph 12, point (d) is replaced by the following:

‘(d) the definition of what constitutes significant volumes under paragraph 6 of this Article;’

(11) Article 58 is amended as follows:

(a) in paragraph 1, the following subparagraph is added:

‘Position reporting shall not be applicable to any other securities as referred to in point (c) of point (44) of Article 4(1) that relate to a commodity or an underlying as referred to in Section C.10 of Annex I;’

(b) paragraph 2 is replaced by the following:

‘2. Member States shall ensure that investment firms trading in commodity derivatives or emission allowances or derivatives thereof outside a trading venue provide, on at least a daily basis, the central competent authority referred to in Article 57(6) or – where there is no central competent authority – the competent authority of the trading venue where the commodity derivatives or emission allowances or derivatives thereof are traded, with a complete breakdown of their positions taken in economically equivalent OTC contracts and, when relevant, in commodity derivatives or emission allowances or derivatives thereof traded on a trading venue, as well as of those of their clients and the clients of those clients until the end client is reached, in accordance with Article 26 of Regulation (EU) No 600/2014 and, where applicable, of Article 8 of Regulation (EU) No 1227/2011.;

(12) in Article 73, paragraph 2 is replaced by the following:

‘2. Member States shall require investment firms, market operators, APAs and ARMs authorised in accordance with Regulation (EU) No 600/2014 that have a derogation in accordance with Article 2(3) of that Regulation, credit institutions in relation to investment services or activities and ancillary services and branches of third-country firms to have in place appropriate procedures for their employees to report potential or actual infringements internally through a specific, independent and autonomous channel.’;

(13) in Article 89, paragraphs 2 to 5 are replaced by the following:

‘2. The delegation of power referred to in Article 2(3), Article 2(4), second subparagraph of Article 4(1)(2), Article 4(2), Article 13(1), Article 16(12), Article 23(4), Article 24(13), Article 25(8), Article 27(9), Article 28(3), Article 30(5), Article 31(4), Article 32(4), Article 33(8), Article 52(4), Article 54(4), Article 58(6), Article 64(7), Article 65(7) and Article 79(8) shall be conferred on the Commission for an indeterminate period of time from 2 July 2014.

3. The delegation of power referred to in Article 2(3), Article 2(4), second subparagraph of Article 4(1)(2), Article 4(2), Article 13(1), Article 16(12), Article 23(4), Article 24(13), Article 25(8), Article 27(9), Article 28(3), Article 30(5), Article 31(4), Article 32(4), Article 33(8), Article 52(4), Article 54(4), Article 58(6), Article 64(7), Article 65(7) and Article 79(8) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

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

5. A delegated act adopted pursuant to Article 2(3), Article 2(4), second subparagraph of Article 4(1)(2), Article 4(2), Article 13(1), Article 16(12), Article 23(4), Article 24(13), Article 25(8), Article 27(9), Article 28(3), Article 30(5), Article 31(4), Article 32(4), Article 33(8), Article 52(4), Article 54(4), Article 58(6), Article 64(7), Article 65(7) or Article 79(8) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of three months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by three months at the initiative of the European Parliament or of the Council.’;

(14) in Article 90, the following paragraph is inserted:

‘1a. By 31 December 2021, the Commission shall review the impact of the exemption laid down in point (j) of Article 2(1) with regard to emission allowances or derivatives thereof, and shall accompany that review, where appropriate, with a legislative proposal to amend that exemption. In that context, the Commission shall assess the trading in emission allowances and derivatives thereof in the Union and in third countries, the impact of the exemption laid down in point (j) of Article 2(1) on investor protection, the integrity and transparency of the markets in emission allowances and derivatives thereof and whether measures should be adopted in relation to trading that takes place on third country trading venues.’.

Article 2

Amendments to Directive (EU) 2019/878

In Article 2, paragraph 1 is replaced by the following:

‘1. Member States shall adopt and publish, by 28 December 2020, the measures necessary to comply with:

- (a) provisions of this Directive insofar as they concern credit institutions;
- (b) Article 1(1) and (9) of this Directive as regards Article 2(5) and (6) and Article 21b of Directive 2013/36/EU, insofar as they concern credit institutions and investment firms.

They shall immediately inform the Commission thereof.

They shall apply those measures from 29 December 2020. However, the provisions necessary to comply with the amendments set out in point (21) and points (29)(a), (b) and (c) of Article 1 of this Directive as regards Article 84 and Article 98(5) and (5a) of Directive 2013/36/EU shall apply from 28 June 2021 and the provisions necessary to comply with the amendments set out in points (52) and (53) of Article 1 of this Directive as regards Articles 141b, 141c and Article 142(1) of Directive 2013/36/EU shall apply from 1 January 2022.

Member States shall adopt, publish and apply by 26 June 2021 the measures necessary to comply with the provisions of this Directive insofar as they concern investment firms, except for those measures referred to in point (b) of the first subparagraph.

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.’.

Article 3

Amendments to Directive 2013/36/EU

The third, fourth and fifth subparagraphs of Article 94(2) are replaced by the following:

‘For the purpose of identifying staff whose professional activities have a material impact on the institution’s risk profile as referred to in Article 92(3), except as regards staff in investment firms, EBA shall develop draft regulatory technical standards setting out the criteria to define the following:

- (a) managerial responsibility and control functions;
- (b) material business unit and significant impact on the relevant business unit’s risk profile; and
- (c) other categories of staff not expressly referred to in Article 92(3) whose professional activities have an impact on the institution’s risk profile comparably as material as that of those categories of staff referred to therein.

EBA shall submit those draft regulatory technical standards to the Commission by 28 December 2019.

Power is delegated to the Commission to supplement this Directive by adopting the regulatory technical standards referred to in this paragraph in accordance with Articles 10 to 14 of Regulation (EU) No 1093/2010. As regards regulatory technical standards applying to investment firms, the empowerment laid down in Article 94(2) of this Directive as amended by Directive (EU) 2018/843 of the European Parliament and of the Council (*) shall continue to apply until 26 June 2021.

(*) Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43).’.

Article 4

Transposition

1. Member States shall adopt and publish by 28 November 2021 the laws, regulations and administrative provisions necessary to comply with this Directive. They shall immediately communicate the text of those measures to the Commission.

They shall apply those measures from 28 February 2022.

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

3. By way of derogation from paragraph 1, the amendments to Directives 2013/36/EU and (EU) 2019/878 shall apply from 28 December 2020.

*Article 5***Review**

By 31 July 2021, and based on the outcome of a public consultation conducted by the Commission, the Commission shall review, inter alia, (a) the operation of the structure of the securities markets, reflecting the new economic reality after 2020, data and data quality issues related to market structure, and the transparency rules, including issues related to third countries; (b) the rules on research; (c) the rules on all forms of payments to advisers and their level of professional qualification; (d) product governance; (e) loss reporting; and (f) client categorisation. If appropriate, the Commission shall submit a legislative proposal to the European Parliament and to the Council.

*Article 6***Entry into force**

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

*Article 7***Addressees**

This Directive is addressed to the Member States.

Done at Brussels, 16 February 2021.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
A. P. ZACARIAS

II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2021/339**of 25 February 2021****implementing Article 8a of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EC) No 765/2006 of 18 May 2006 concerning restrictive measures in respect of Belarus ⁽¹⁾, and in particular Article 8a(1) and (3) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 18 May 2006, the Council adopted Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus.
- (2) On the basis of a review of Council Decision 2012/642/CFSP ⁽²⁾, the Council has decided that the restrictive measures set out therein should be extended until 28 February 2022.
- (3) The statements of reasons should be amended for nine natural and three legal persons included in the list of natural and legal persons, entities and bodies subject to restrictive measures set out in Annex I to Regulation (EC) No 765/2006. The date of listing for all natural persons included in that Annex should be added.
- (4) Annex I to Regulation (EC) No 765/2006 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 765/2006 is replaced by the Annex to this Regulation.

⁽¹⁾ OJ L 134, 20.5.2006, p. 1.⁽²⁾ Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures against Belarus (OJ L 285, 17.10.2012, p. 1).

Article 2

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

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

Done at Brussels, 25 February 2021.

For the Council
The President
A. P. ZACARIAS

List of natural and legal persons, entities and bodies referred to in Article 2(1)

A. Natural persons referred to in Article 2(1)

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
1.	Uladzimir Uladzimiravich NAVUMAU Vladimir Vladimirovich NAUMOV	Уладзімір Уладзіміравіч НАВУМАЎ Владимир Владимирович НАУМОВ	Position(s): former Minister of Internal Affairs; former Head of the President's Security Service DOB: 7.2.1956 POB: Smolensk, former USSR (now Russian Federation) Gender: male	Failed to take action to investigate the case of the unresolved disappearances of Yuri Zakharenko, Viktor Gonchar, Anatoly Krasovski and Dmitri Zavadski in Belarus in 1999-2000. Former Minister of Internal Affairs and also former Head of the President's Security Service. As a Minister of Internal Affairs he was responsible for the repression of peaceful demonstrations until his retirement on 6 April 2009 for health reasons. Received a residence in the Drozdy nomenklatura district in Minsk from the Presidential Administration. In October 2014, was awarded the Order 'For Merit' III degree by President Lukashenka.	24.9.2004
2.	Dzmitry Valerievich PAULICHENKA Dmitri Valerievich PAVLICHENKO (Dmitriy Valeriyevich PAVLICHENKO)	Дзмітрый Валер'евіч ПАЎЛІЧЭНКА Дмитрий Валериевич ПАВЛИЧЕНКО	Position(s): former Commander of the Special Rapid Response Unit (SOBR) DOB: 1966 POB: Vitebsk/Viciebsk, former USSR (now Belarus) Address: Belarusian Association of Veterans of Special Forces of the Ministry of Internal Affairs 'Honour', 111 Mayakovskogo St., Minsk 220028, Belarus Gender: male	Key person in the unresolved disappearances of Yuri Zakharenko, Viktor Gonchar, Anatoly Krasovski and Dmitri Zavadski in Belarus in 1999-2000. Former Commander of the Special Rapid Response Unit (SOBR) at the Ministry of Internal Affairs (MoIA). Businessman, Head of 'Honour', the MoIA's Association of veterans from the special forces of the MoIA.	24.9.2004

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
3.	Viktar Uladzimiravich SHEIMAN (Viktar Uladzimiravich SHEYMAN) Viktor Vladimirovich SHEIMAN (Viktor Vladimirovich SHEYMAN)	Віктар Уладзіміравіч ШЭЙМАН Виктор Владимирович ШЕЙМАН	Position(s): Head of the Belarus President Property Management Directorate; Former Minister of Internal Affairs DOB: 26.5.1958 POB: Soltanishki, Grodno/Hrodna Region/Oblast, former USSR (now Belarus) Address: Belarus President Property Management Directorate, 38 K. Marx St., Minsk 220016, Belarus Gender: male	Head of the Belarus President Property Management Directorate. Responsible for the unresolved disappearances of Yuri Zakharenko, Viktor Gonchar, Anatoly Krasovski and Dmitri Zavadski in Belarus in 1999-2000. Former Secretary of the Security Council. Sheiman remains a Special Assistant/Aid to the President.	24.9.2004
4.	Iury Leanidavich SIVAKAU (Yuri Leanidavich SIVAKAU, SIVAKOU) Iury (Yuri) Leonidovich SIVAKOV	Юрый Леанідавіч СІВАКАЎ, СІВАКОЎ Юрий Леонидович СИВАКОВ	Position(s): former Minister of Internal Affairs; former Deputy Head of the Presidential Administration DOB: 5.8.1946 POB: Onor, Sakhalin Region/Oblast, former USSR (now Russian Federation) Address: Belarusian Association of Veterans of Special Forces of the Ministry of Internal Affairs 'Honour', 111 Mayakovskogo St., Minsk 220028, Belarus Gender: male	Orchestrated the unresolved disappearances of Yuri Zakharenko, Viktor Gonchar, Anatoly Krasovski and Dmitri Zavadski in Belarus in 1999-2000. Former Minister of Tourism and Sports, former Minister of Internal Affairs and former Deputy Head of the Presidential Administration.	24.9.2004
5.	Yuri Khadzimurataovich KARAEU Yuri Khadzimuratovich KARAEV	Юрый Хаджымуратавіч КАРАЕЎ Юрий Хаджимуратович КАРАЕВ	Position(s): Former Minister of Internal Affairs; Lieutenant General of Militia (police force); Aide to the President of the Republic of Belarus - Inspector for the Grodno/Hrodna Region/Oblast DOB: 21.6.1966 POB: Ordzhonikidze, former USSR (now Vladikavkaz, Russian Federation) Gender: male	In his former leadership position as Minister of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
				Remains active in the Lukashenka regime as an aide to the President of Belarus – Inspector for the Grodno/Hrodna Region/Oblast.	
6.	Genadz Arkadzievich KAZAKEVICH Gennadi Arkadieovich KAZAKEVICH	Генадзь Аркадзевіч КАЗАКЕВІЧ Геннадий Аркадьевич КАЗАКЕВИЧ	Position(s): Former First Deputy Minister of Internal Affairs; Deputy Minister of Internal Affairs – Chief of the Criminal Militia, Colonel of Militia (police force) DOB: 14.2.1975 POB: Minsk, former USSR (now Belarus) Gender: male	In his former leadership position as First Deputy Minister of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as the Deputy Minister of Internal Affairs. He retains his post of Chief of the Criminal Militia.	2.10.2020
7.	Aliaksandr Piatrovich BARSUKOU Alexander (Alexandr) Petrovich BARSUKOV	Аляксандр Пятровіч БАРСУКОЎ Александр Петрович БАРСУКОВ	Position(s): Former Deputy Minister Internal Affairs; Lieutenant-General of Militia (police force); Aide to the President of the Republic of Belarus - Inspector for the Minsk Region/Oblast DOB: 29.4.1965 POB: Vetkovski (Vetka) District, former USSR (now Belarus) Gender: male	In his former leadership position as Deputy Minister of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as Aide to the President of Belarus – Inspector for the Minsk Region/Oblast.	2.10.2020
8.	Siarhei Mikalaevich KHAMENKA Sergei Nikolaevich KHOMENKO	Сяргей Мікалаевіч ХАМЕНКА Сергей Николаевич ХОМЕНКО	Position(s): Deputy Minister of Internal Affairs, Major-General of Militia (police force) DOB: 21.9.1966 POB: Yasinovataya, former USSR (now Ukraine) Gender: male	In his leadership position as Deputy Minister of the Ministry of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
9.	Yuri Genadzevich NAZARANKA Yuri Gennadievich NAZARENKO	Юрый Генадзевіч НАЗАРАНКА Юрий Геннадьевич НАЗАРЕНКО	Position(s): Former Deputy Minister of Internal Affairs, Former Commander of the Internal Troops; First Deputy Minister of Internal Affairs, Head of the Public Security Police, Major General of Militia (police force) DOB: 17.4.1976 POB: Slonim, former USSR (now Belarus) Gender: male	In his former leadership position as Deputy Minister of the Ministry of Internal Affairs (MoIA) and Commander of the MoIA Internal Troops, he is responsible for the repression and intimidation campaign led by MoIA forces, in particular the Internal Troops under his command, in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as first Deputy Minister of Internal Affairs and Head of the Public Security Police.	2.10.2020
10.	Khazalbek Baktibekavich ATABEKAU Khazalbek Bakhtibekovich ATABEKOV	Хазалбек Бактібекавіч АТАБЕКАЎ Хазалбек Бахтибекович АТАБЕКОВ	Position(s): Deputy Commander of the Internal Troops DOB: 18.3.1967 Gender: male	In his position as Deputy Commander of the Internal Troops of the Ministry of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces, in particular the Internal Troops under his command, in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators, as well as intimidation and violence against journalists.	2.10.2020
11.	Aliaksandr Valerievich BYKAU Alexander (Alexandr) Valerievich BYKOV	Аляксандр Валер'евіч БЫКАЎ Александр Валерьевич БЫКОВ	Position(s): Commander of the Special Rapid Response Unit (SOBR), Lieutenant Colonel Gender: male	In his position as Commander of the Special Rapid Response Unit (SOBR) of the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by SOBR forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
12.	Aliaksandr Sviataslavavich SHEPELEU Alexander (Alexandr) Svyatoslavovich SHEPELEV	Аляксандр Святаслававіч ШЭПЕЛЕЎ Александр Святославович ШЕПЕЛЕВ	Position(s): Head of the Department for Safety and Security, Ministry of Internal Affairs DOB: 14.10.1975 POB: village of Rublevsk, Kruglyanskiy district, Mogilev/Mahiliou Region/Oblast, former USSR (now Belarus) Gender: male	In his senior position as Head of the Department for Safety and Security in the Ministry of Internal Affairs (MoIA), he is involved in the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	2.10.2020
13.	Dzmitry Uladzimiravich BALABA Dmitry Vladimirovich BALABA	Дзмітрый Уладзіміравіч БАЛАБА Дмитрий Владимирович БАЛАБА	Position(s): Head of OMON ('Special Purpose Police Detachment') for the Minsk City Executive Committee DOB: 1.6.1972 POB: village of Gorodilovo, Minsk Region/Oblast, former USSR (now Belarus) Gender: male	In his command position over OMON forces in Minsk, he is responsible for the repression and intimidation campaign led by OMON forces in Minsk in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	2.10.2020
14.	Ivan Uladzimiravich KUBRAKOU Ivan Vladimirovich KUBRAKOV	Іван Уладзіміравіч КУБРАКОЎ Иван Владимирович КУБРАКОВ	Position(s): Former Head of the Main Internal Affairs Directorate of the Minsk City Executive Committee; Minister of Internal Affairs, Major General of Militia (police force) DOB: 5.5.1975 POB: village of Malinovka, Mogilev/Mahiliou Region/Oblast, former USSR (now Belarus) Gender: male	In his former position as Head of the Main Internal Affairs Directorate of the Minsk City Executive Committee, he is responsible for the repression and intimidation campaign led by police forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as the Minister of Internal Affairs.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
15.	Maxim Aliaksandravich GAMOLA (HAMOLA) Maxim Alexandrovich GAMOLA	Максім Аляксандравіч ГАМОЛА Максим Александрович ГАМОЛА	Position(s): Former Head of the Police Department in Moskovski District, Minsk; Deputy head of the Minsk City Police Department, Head of Criminal Police Gender: male	In his former position as Head of the Police Department in Moskovski District, Minsk, he is responsible for the repression and intimidation campaign in that district against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture. He remains active in the Lukashenka regime as Deputy Head of the Minsk City Police Department and Head of Criminal Police.	2.10.2020
16.	Aliaksandr Mikhailavich ALIASHKEVICH Alexander (Alexandr) Mikhailovich ALESHKEVICH	Аляксандр Міхайлавіч АЛЯШКЕВІЧ Александр Михайлович АЛЕШКЕВИЧ	Position(s): First Deputy Head of the District Department of Internal Affairs in Moskovski District, Minsk, Head of Criminal Police Gender: male	In his position as First Deputy Head of the District Department of Internal Affairs in Moskovski District, Minsk and Head of Criminal Police, he is responsible for the repression and intimidation campaign in that district against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
17.	Andrei Vasilievich GALENKA Andrey Vasilievich GALENKA	Андрэй Васільевіч ГАЛЕНКА Андрей Васильевич ГАЛЕНКА	Position(s): Deputy Head of the District Department of Internal Affairs in Moskovski District, Minsk, Head of Public Safety Police Gender: male	In his position as Deputy Head of the District Department of Internal Affairs in Moskovski District, Minsk and Head of Public Safety Police, he is responsible for the repression and intimidation campaign in that district against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
18.	Aliaksandr Paulavich VASILIEU Alexander (Alexandr) Pavlovich VASILIEV	Аляксандр Паўлавіч ВАСІЛЬЕЎ Александр Павлович ВАСИЛЬЕВ	Position(s): Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee DOB: 24.3.1975 POB: Mogilev/Mahilou, former USSR (now Belarus) Gender: male	In his position as Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee, he is responsible for the repression and intimidation campaign in that region/oblast against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
19.	Aleh Mikalaevich SHULIAKOUSKI Oleg Nikolaevich SHULIAKOVSKI	Алег Мікалаевіч ШУЛЯКОЎСКИ Олег Николаевич ШУЛЯКОВСКИЙ	Position(s): First Deputy Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee, Head of Criminal Police DOB: 26.7.1977 Gender: male	In his position as First Deputy Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee and Head of Criminal Police, he is responsible for the repression and intimidation campaign in that region/oblast against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
20.	Anatol Anatolievich VASILIEU Anatoli Anatolievich VASILIEV	Анатоль Анатольевіч ВАСІЛЬЕЎ Анатолий Анатольевич ВАСИЛЬЕВ	Position(s): Deputy Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee, Head of Public Safety Police DOB: 26.1.1972 POB: Gomel/Homyel, Gomel/Homyel Region/Oblast, former USSR (now Belarus) Gender: male	In his position as Deputy Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee and Head of Public Safety Police, he is responsible for the repression and intimidation campaign in that region/oblast against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
21.	Aliaksandr Viachaslavavich ASTREIKA Alexander (Alexandr) Viacheslavovich ASTREIKO	Аляксандр Вячаслававіч АСТРЭЙКА Александр Вячеславович АСТРЕЙКО	Position(s): Head of Department of Internal Affairs of Brest Region/Oblast Executive Committee, Major-General of Militia (police force) DOB: 22.12.1971 POB: Kapył, former USSR (now Belarus) Gender: male	In his position as Head of Department of Internal Affairs of Brest Region/Oblast Executive Committee and Major-General of Militia, he is responsible for the repression and intimidation campaign in that region/oblast against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
22.	Leanid ZHURAVSKI Leonid ZHURAVSKI	Леанід ЖУРАЎСКИ Леонид ЖУРАВСКИЙ	Position(s): Head of OMON ('Special Purpose Police Detachment') in Vitebsk/Viciebsk DOB: 20.9.1975 Gender: male	In his command position over OMON forces in Vitebsk/Viciebsk, he is responsible for the repression and intimidation campaign led by OMON forces in Vitebsk/Viciebsk in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment of peaceful demonstrators.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
23.	Mikhail DAMARNACKI Mikhail DOMARNATSKY	Міхаіл ДАМАРНАЦКІ Михаил ДОМАР- НАЦКИЙ	Position(s): Head of OMON ('Special Purpose Police Detachment') in Gomel/Homyel Gender: male	In his command position over OMON forces in Gomel/Homyel, he is responsible for the repression and intimidation campaign led by OMON forces in Gomel/Homyel in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment of peaceful demonstrators.	2.10.2020
24.	Maxim MIKHOVICH Maxim MIKHOVICH	Максім МІХОВІЧ Максим МИХОВИЧ	Position(s): Head of OMON ('Special Purpose Police Detachment') in Brest, Lieutenant Colonel Gender: male	In his command position over OMON forces in Brest, he is responsible for the repression and intimidation campaign led by OMON forces in Brest in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment of peaceful demonstrators.	2.10.2020
25.	Aleh Uladzimiravich MATKIN Oleg Vladimirovitch MATKIN	Алег Уладзіміравіч МАТКІН Олег Владимирович МАТКИН	Position(s): Head of the Penal Correction Department in the Ministry of Internal Affairs, Major-General of Militia (police force) Gender: male	In his position as Head of the Penal Correction Department that has authority over the detention facilities of the Ministry of Internal Affairs, he is responsible for the inhumane and degrading treatment, including torture, inflicted on citizens detained in those detention facilities in the wake of the 2020 presidential election and for the general brutal crackdown on peaceful protesters.	2.10.2020
26.	Ivan Yurievich SAKALOUSKI Ivan Yurievich SOKOLOVSKI	Іван Юр'евіч САКАЛОЎСКИ Иван Юрьевич СОКОЛОВСКИЙ	Position(s): Director of the Akrestina detention centre, Minsk Gender: male	In his capacity as Director of the Akrestina detention centre in Minsk, he is responsible for the inhumane and degrading treatment, including torture, inflicted on citizens detained in that detention centre in the wake of the 2020 presidential election.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
27.	Valeri Paulavich VAKULCHYK Valery Pavlovich VAKULCHIK	Валерый Паўлавіч ВАКУЛЬЧЫК Валерий Павлович ВАКУЛЬЧИК	Position(s): Former Chairman of the State Security Committee (KGB); Former State Secretary of the Security Council; Aide to the President of the Republic of Belarus – Inspector for the Brest Region/Oblast DOB: 19.6.1964 POB: Radostovo, former USSR (now Belarus) Gender: male	In his former leadership position as Chairman of the State Security Committee (KGB), he was responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members. He remains active in the Lukashenka regime as Aide to the President of Belarus – Inspector for the Brest Region/Oblast.	2.10.2020
28.	Siarhei Yaugenavich TSERABAU Sergey Evgenievich TEREBOV	Сяргей Яўгенавіч ЦЕРАБАЎ Сергей Евгеньевич ТЕРЕБОВ	Position(s): First Deputy Chairman of the State Security Committee (KGB) DOB: 1972 POB: Borisov/Barisaw, former USSR (now Belarus) Gender: male	In his leadership position as First Deputy Chairman of the State Security Committee (KGB), he is responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members.	2.10.2020
29.	Dzmitry Vasilievich RAVUTSKI Dmitry Vasilievich REUTSKY	Дзмітрый Васільевіч РАВУЦКІ Дмитрий Васильевич РЕУЦКИЙ	Position(s): Deputy Chairman of the State Security Committee (KGB) Gender: male	In his leadership position as Deputy Chairman of the State Security Committee (KGB), he is responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members.	2.10.2020
30.	Uladzimir Viktaravich KALACH Vladimir Viktorovich KALACH	Уладзімір Віктаравіч КАЛАЧ Владимир Викторович КАЛАЧ	Position(s): Deputy Chairman of the State Security Committee (KGB) Gender: male	In his leadership position as Deputy Chairman of the State Security Committee (KGB), he is responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members.	2.10.2020

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31.	Alieg Anatolevich CHARNYSHOU Oleg Anatolevich CHERNYSHEV	Алег Анатолье́віч ЧАРНЫШОЎ Олег Анатольевич ЧЕРНЫШЁВ	Position(s): Deputy Chairman of the State Security Committee (KGB) Gender: male	In his leadership position as Deputy Chairman of the State Security Committee (KGB), he is responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members.	2.10.2020
32.	Aliaksandr Uladzimiravich KANYUK Alexander (Alexandr) Vladimirovich KONYUK	Аляксандр Уладзіміравіч КАНЮК Александр Владимирович КОНЮК	Position(s): Former Prosecutor General of the Republic of Belarus; Ambassador of the Republic of Belarus to Armenia DOB: 11.7.1960 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	In his former position as Prosecutor General, he was responsible for the widespread use of criminal proceedings to disqualify opposition candidates ahead of the 2020 presidential election and to prevent persons from joining the Coordination Council launched by the opposition to challenge the outcome of that election. He remains active in the Lukashenka regime as the ambassador of Belarus to Armenia.	2.10.2020
33.	Lidzia Mihailauna YARMOSHINA Lidia Mikhailovna YERMOSHINA	Лідзія Міхайлаўна ЯРМОШЫНА Лидия Михайловна ЕРМОШИНА	Position(s): Chairwoman of the Central Electoral Commission (CEC) DOB: 29.1.1953 POB: Slutsk, former USSR (now Belarus) Gender: female	As Chairwoman of the CEC, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its leadership have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020

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34.	Vadzim Dzmitryevich IPATAU Vadim Dmitrievich IPATOV	Вадзім Дзмітрыевіч ІПАТАЎ Вадим Дмитриевич ИПАТОВ	Position(s): Deputy Chairman of the Central Electoral Commission (CEC) DOB: 30.10.1964 POB: Kolomyia, Ivano-Frankivsk Region/Oblast, former USSR (now Ukraine) Gender: male	As Deputy Chairman of the CEC, he is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its leadership have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
35.	Alena Mikalaeuna DMUHAILA Elena Nikolaevna DMUHAILO	Алена Мікалаеўна ДМУХАЙЛА Елена Николаевна ДМУХАЙЛО	Position(s): Secretary of the Central Electoral Commission (CEC) DOB: 1.7.1971 Gender: female	As Secretary of the CEC, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its leadership have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
36.	Andrei Anatolievich GURZHY Andrey Anatolievich GURZHIY	Андрэй Анатольевіч ГУРЖЫ Андрей Анатольевич ГУРЖИЙ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 10.10.1975 Gender: male	As a member of the CEC college, he is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
37.	Volga Leanidauna DARASHENKA Olga Leonidovna DOROSHENKO	Вольга Леанідаўна ДАРАШЭНКА Ольга Леонидовна ДОРОШЕНКО	Position(s): Member of the Central Electoral Commission (CEC) DOB: 1976 Gender: female	As a member of the CEC college, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
38.	Siarhei Aliakseevich KALINOUSKI Sergey Alexeyevich KALINOVSKIY	Сяргей Аляксеевіч КАЛІНОЎСКІ Сергей Алексеевич КАЛИНОВСКИЙ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 3.1.1969 Gender: male	As a member of the CEC college, he is responsible for its misconduct of the 2020 presidential electoral, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
39.	Sviatlana Piatrouna KATSUBA Svetlana Petrovna KATSUBO	Святлана Пятроўна КАЦУБА Светлана Петровна КАЦУБО	Position(s): Member of the Central Electoral Commission (CEC) DOB: 6.8.1959 POB: Podilsk, Odessa Region/Oblast, former USSR (now Ukraine) Gender: female	As a member of the CEC college, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
40.	Aliaksandr Mikhailavich LASYAKIN Alexander (Alexandr) Mikhailovich LOSYAKIN	Аляксандр Міхайлавіч ЛАСЯКІН Александр Михайлович ЛОСЯКИН	Position(s): Member of the Central Electoral Commission (CEC) DOB: 21.7.1957 Gender: male	As a member of the CEC college, he is responsible for its misconduct of the 2020 presidential electoral process, its non- compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
41.	Igar Anatolievich PLYSHEUSKI Ihor Anatolievich PLYSHEVSKIY	Ігар Анатольевіч ПЛЫШЭЎСКІ Ігорь Анатольевич ПЛЫШЕВСКИЙ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 19.2.1979 POB: Lyuban, former USSR (now Belarus) Gender: male	As a member of the CEC college, he is responsible for its misconduct of the presidential electoral process, its non- compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
42.	Marina Yureuna RAKHMANAVA Marina Yurievna RAKHMANOVA	Марына Юр'еўна РАХМАНАВА Марина Юрьевна РАХМАНОВА	Position(s): Member of the Central Electoral Commission (CEC) DOB: 26.9.1970 Gender: female	As a member of the CEC college, she is responsible for its misconduct of the 2020 presidential electoral process, its non- compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
43.	Aleh Leanidavich SLIZHEUSKI Oleg Leonidovich SLIZHEVSKI	Алег Леанідавіч СЛІЖЭЎСКІ Олег Леонидович СЛИЖЕВСКИЙ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 16.8.1972 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	As a member of the CEC college, he is responsible for the misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
44.	Irina Aliaksandrauna TSELIKAVETS Irina Alexandrovna TSELIKOVEC	Ірына Аляксандраўна ЦЭЛІКАВЕЦ Ирина Александровна ЦЕЛИКОВЕЦ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 2.11.1976 POB: Zhlobin, former USSR (now Belarus) Gender: female	As a member of the CEC college, she is responsible for the misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
45.	Aliaksandr Ryhoravich LUKASHENKA Alexander (Alexandr) Grigorievich LUKASHENKO	Аляксандр Рыгоравіч ЛУКАШЭНКА Александр Григорьевич ЛУКАШЕНКО	Position(s): President of the Republic of Belarus DOB: 30.8.1954 POB: Kopys settlement, Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: male	As President of Belarus with authority over State bodies, he is responsible for the violent repression by the State apparatus carried out before and after the 2020 presidential election, in particular the dismissal of key opposition candidates, arbitrary arrests and ill-treatment of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
46.	Viktar Aliaksandravich LUKASHENKA Viktor Alexandrovich LUKASHENKO	Віктар Аляксандравіч ЛУКАШЭНКА Виктор Александрович ЛУКАШЕНКО	Position(s): National Security Advisor to the President, Member of the Security Council DOB: 28.11.1975 POB: Mogilev/Mahiliou, former USSR (now Belarus) Gender: male	In his position as National Security Advisor to the President and a Member of the Security Council, as well as his informal supervisory position over Belarus security forces, he is responsible for the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020
47.	Ihar Piatrovich SERGYAENKA Igor Petrovich SERGEENKO	Ігар Пятровіч СЕРГЯЕНКА Игорь Петрович СЕРГЕЕНКО	Position(s): Chief of Staff of the Presidential Administration DOB: 14.1.1963 POB: Stolitsa village in Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: male	In his position as the Chief of Staff of the Presidential Administration, he is closely associated with the President and responsible for ensuring the implementation of presidential powers in the field of domestic and foreign policy. He is therefore supporting the Lukashenka regime, including in the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election.	6.11.2020
48.	Ivan Stanislavovich TERTEL Ivan Stanislavovich TERTEL	Іван Станіслававіч ТЭРТЭЛЬ Иван Станиславович ТЕРТЕЛЬ	Position(s): Chairman of the State Security Committee (KGB), former Chairman of the State Control Committee DOB: 8.9.1966 POB: village Privalka/Privalki in Grodno/Hrodna Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as the Chairman of the State Security Committee (KGB) and in his former position as the Chairman of the State Control Committee, he is responsible for the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020
49.	Raman Ivanavich MELNIK Roman Ivanovich MELNIK	Раман Іванавіч МЕЛЬНІК	Position(s): Head of Main Directorate of Law and Order Protection and Prevention at the Ministry of Internal Affairs	In his leadership position as the Head of Main Directorate of Law and Order Protection and Prevention at the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by the State apparatus in the wake of the 2020	6.11.2020

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		Роман Иванович МЕЛЬНИК	DOB: 29.5.1964 Gender: male	presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	
50.	Ivan Danilavich NASKEVICH Ivan Danilovich NOSKEVICH	Іван Данілавіч НАСКЕВІЧ Иван Данилович НОСКЕВИЧ	Position(s): Chairman of the Investigative Committee DOB: 25.3.1970 POB: village of Cierabličy in Brest Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as the Chairman of the Investigative Committee, he is responsible for the repression and intimidation campaign led by the Committee in the wake of the 2020 presidential election, in particular investigations launched against the Coordination Council and peaceful demonstrators.	6.11.2020
51.	Aliaksey Aliaksandravich VOLKAU Alexei Alexandrovich VOLKOV	Аляксей Аляксандравіч ВОЛКАЎ Алексей Александрович ВОЛКОВ	Position(s): Former First Deputy Chairman of the Investigative Committee; currently Chairman of the State Committee for Forensic Expertise DOB: 7.9.1973 POB: Minsk, former USSR (now Belarus) Gender: male	In his former leadership position as the First Deputy Chairman of the Investigative Committee, he is responsible for the repression and intimidation campaign led by the Committee in the wake of the 2020 presidential election, in particular investigations launched against the Coordination Council and peaceful demonstrators.	6.11.2020
52.	Siarhei Yakaulevich AZEMSHA Sergei Yakovlevich AZEMSHA	Сяргей Якаўлевіч АЗЕМША Сергей Яковлевич АЗЕМША	Position(s): Deputy Chairman of the Investigative Committee DOB: 17.7.1974 POB: Rechitsa, Gomel/Homyel Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as the Deputy Chairman of the Investigative Committee, he is responsible for the repression and intimidation campaign led by the Committee in the wake of the 2020 presidential election, in particular investigations launched against the Coordination Council and peaceful demonstrators.	6.11.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
53.	Andrei Fiodaravich SMAL Andrei Fyodorovich SMAL	Андрэй Фёдаравіч СМАЛЬ Андрей Фёдорович СМАЛЬ	Position(s): Deputy Chairman of the Investigative Committee DOB: 1.8.1973 POB: Brest, former USSR (now Belarus) Gender: male	In his leadership position as the Deputy Chairman of the Investigative Committee, he is responsible for the repression and intimidation campaign led by the Committee in the wake of the 2020 presidential election, in particular investigations launched against the Coordination Council and peaceful demonstrators.	6.11.2020
54.	Andrei Yurevich PAULIUCHENKA Andrei Yurevich PAVLYUCHENKO	Андрэй Юр'евіч ПАЎЛІУЧЕНКА Андрей Юрьевич ПАВЛЮЧЕНКО	Position(s): Head of Operational-Analytical Center DOB: 1.8.1971 Gender: male	In his leadership position as the Head of Operational-Analytical Center, he is closely associated with the President and responsible for the repression of civil society, in particular interrupting connection to telecommunication networks as a tool of repression of civil society, peaceful demonstrators and journalists.	6.11.2020
55.	Ihar Ivanavich BUZOUSKI Igor Ivanovich BUZOVSKI	Ігар Іванавіч БУЗОЎСКІ Игорь Иванович БУЗОВСКИЙ	Position(s): Deputy Minister of Information DOB: 10.7.1972 POB: village of Koshelevo, Grodno/Hrodna Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as Deputy Minister of Information, he is responsible for the repression of civil society, in particular the Ministry of Information decision to cut off access to independent websites and limit internet access in Belarus in the wake of the 2020 presidential election, as a tool of repression of civil society, peaceful demonstrators and journalists.	6.11.2020
56.	Natallia Mikalaeuna EISMANT Natalia Nikolayevna EISMONT	Наталля Мікалаеўна ЭЙСМАНТ Наталья Николаевна ЭЙСМОНТ	Position(s): Press Secretary of the President of Belarus DOB: 16.2.1984 POB: Minsk, former USSR (now Belarus) Maiden name: Kirsanova (Russian spelling: Кирсанова) or Selyun (Russian spelling: Селюн) Gender: female	In her position as Press Secretary of the President of Belarus, she is closely associated with the President and responsible for coordinating media activities of the President, including drafting statements and organising public appearances. She is therefore supporting the Lukashenka regime, including in the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election. In particular, with her public statements defending the President and criticising opposition activists as well as the peaceful protesters, made in the wake of the 2020 presidential election, she contributed to seriously undermining democracy and the rule of law in Belarus.	6.11.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
57.	Siarhei Yaugenavich ZUBKOU Sergei Yevgenevich ZUBKOV	Сяргей Яўгенавіч ЗУБКОЎ Сергей Евгеньевич ЗУБКОВ	Position(s): ALFA Unit Commander DOB: 21.8.1975 Gender: male	In his commanding position over ALFA Unit forces, he is responsible for the repression and intimidation campaign carried out by those forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020
58.	Andrei Aliakseevich RAUKOU Andrei Alexeyevich RAVKOV	Андрэй Аляксеевіч РАЎКОЎ Андрей Алексеевич РАВКОВ	Position(s): Former State Secretary of the Security Council Ambassador of the Republic of Belarus to Azerbaijan DOB: 25.6.1967 POB: village of Revyaki, Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: male	In his former position as State Secretary of the Security Council, he has been closely associated with the President and responsible for the repression and intimidation campaign carried out by the State apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as the ambassador of Belarus to Azerbaijan.	6.11.2020
59.	Pyotr Piatrovich MIKLASHEVICH Petr Petrovich MIKLASHEVICH	Пётр Пятровіч МІКЛАШЭВІЧ Петр Петрович МИКЛАШЕВИЧ	Position(s): Chairman of the Constitutional Court of the Republic of Belarus DOB: 18.10.1954 POB: Minsk Region/Oblast, former USSR (now Belarus) Gender: male	As the chairman of the Constitutional Court, he is responsible for the Constitutional Court's decision adopted on 25 August 2020, by which the results of the fraudulent elections were legitimised. He has therefore supported and facilitated actions of repression and intimidation campaign by the State apparatus against peaceful protestors and journalists and is therefore responsible for seriously undermining democracy and the rule of law in Belarus.	6.11.2020
60.	Anatol Aliaksandravich SIVAK Anatoli Alexandrovich SIVAK	Анатоль Аляксандравіч СІВАК	Position(s): Deputy Prime Minister; former Chairman of the Minsk City Executive Committee DOB: 19.7.1962	In his former leadership capacity as Chairman of the Minsk City Executive Committee, he was responsible for the repression and intimidation campaign run by the local apparatus in Minsk under his oversight in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment,	17.12.2020

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		Анатолий Александрович СИВАК	POB: Zavoit, Narovlya District, Gomel/Homyel Region/Oblast, former USSR (now Belarus) Gender: male	including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He made numerous public statements criticising peaceful protests taking place in Belarus. In his current leadership position as Deputy Prime Minister he continues to support the Lukashenka regime.	
61.	Ivan Mikhailavich EISMANT Ivan Mikhailovich EISMONT	Іван Міхайлавіч ЭЙСМАНТ Иван Михайлович ЭЙСМОНТ	Position(s): Chairman of the Belarusian State Television and Radio Company, Head of Belteleradio Company DOB: 20.1.1977 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	In his current position as Head of the Belarusian State Television and Radio Company, he is responsible for the dissemination of state propaganda in public media and continues to support the Lukashenka regime. This includes using media channels to support the President's continuation of his term in office, despite the fraudulent presidential elections that took place on 9 August 2020, and the subsequent and repeated violent crackdown on peaceful and legitimate protests. Eismont made public statements criticising the peaceful protesters and refused to provide media coverage of the protests. He also fired striking employees of Belteleradio Company under his management, thereby making him responsible for human rights violations.	17.12.2020
62.	Uladzimir Stsiapanavich KARANIK Vladimir Stepanovich KARANIK	Уладзімір Сцяпанавіч КАРАЊІК Владимир Степанович КАРАЊІК	Position(s): Governor of the Grodno/Hrodna Region/Oblast; former Minister of Healthcare DOB: 30.11.1973 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	In his former leadership capacity as the Minister of Healthcare, he was responsible for the use of healthcare services to repress peaceful protesters, including using ambulances to transport protesters in need of medical assistance to isolation wards rather than to hospitals. He made numerous public statements criticising the peaceful protests taking place in Belarus, on one occasion accusing a protester of being intoxicated. In his current leadership position as the Governor of the Grodno/Hrodna Region/Oblast he continues to support the Lukashenka regime.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
63.	Natallia Ivanauna KACHANAVA Natalia Ivanovna KOCHANOVA	Наталля Іванаўна КАЧАНАВА Наталья Ивановна КОЧАНОВА	Position(s): Chair of the Council of the Republic of the National Assembly of Belarus DOB: 25.9.1960 POB: Polotsk, Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: female	In her current leadership position as Chair of the Council of the Republic of the National Assembly of Belarus, she is responsible for supporting the decisions of the President in the field of domestic policy. She is also responsible for organising the fraudulent elections that took place on 9 August 2020. She made public statements defending the brutal crackdown of the security apparatus on peaceful demonstrators.	17.12.2020
64.	Pavel Mikalaevich LIOHKI Pavel Nikolaevich LIOHKI	Павел Мікалаевіч ЛЁГКІ Павел Николаевич ЛЁГКИЙ	Position(s): First Deputy Minister of Information DOB: 30.5.1972 POB: Baranavichy, former USSR (now Belarus) Gender: male	In his leadership position as First Deputy Minister of Information, he is responsible for the repression of civil society, and in particular the Ministry of Information decision to cut off access to independent websites and limit internet access in Belarus in the wake of the 2020 presidential election, as a tool of repression of civil society, peaceful demonstrators and journalists.	17.12.2020
65.	Ihar Uladzimiravich LUTSKY Igor Vladimirovich LUTSKY	Ігар Уладзіміравіч ЛУЦКІ Игорь Владимирович ЛУЦКИЙ	Position(s): Minister of Information DOB: 31.10.1972 POB: Stolin, Brest Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as Minister of Information, he is responsible for the repression of civil society, and in particular the Ministry of Information decision to cut off access to independent websites and limit internet access in Belarus in the wake of the 2020 presidential election, as a tool of repression of civil society, peaceful demonstrators and journalists.	17.12.2020
66.	Andrei Ivanavich SHVED Andrei Ivanovich SHVED	Андрэй Іванавіч ШВЕД Андрей Иванович ШВЕД	Position(s): Prosecutor General of the Republic of Belarus DOB: 21.4.1973 POB: Glushkovichi, Gomel/Homyel Region/Oblast, former USSR (now Belarus) Gender: male	In his position as Prosecutor General, he is responsible for the ongoing repression of civil society and democratic opposition, and in particular the launching of numerous criminal proceedings against peaceful demonstrators, opposition leaders and journalists in the wake of the 2020 presidential elections. He also made public statements threatening participants in “unauthorised rallies” with punishment.	17.12.2020

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67.	Genadz Andreevich BOGDAN Gennady Andreievich BOGDAN	Генадзь Андрэевіч БОГДАН Геннадий Андреевич БОГДАН	Position(s): Deputy Head of the Belarus President Property Management Directorate DOB: 8.1.1977 Gender: male	In his position of Deputy Head of the Belarus President Property Management Directorate, he oversees the functioning of numerous enterprises. The body under his leadership provides financial, material and technical, social, household and medical support to the State apparatus and republican authorities. He is closely associated with the President and continues to support the Lukashenka regime.	17.12.2020
68.	Ihar Paulavich BURMISTRAU Igor Pavlovich BURMISTROV	Ігар Паўлавіч БУРМІСТРАЎ Игорь Павлович БУРМИСТРОВ	Position(s): Chief of Staff and First Deputy Commander of the Internal Troops of the Ministry of Internal Affairs DOB: 30.9.1968 Gender: male	In his leadership position as First Deputy Commander of the Internal Troops of the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by the Internal Troops under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	17.12.2020
69.	Arciom Kanstantinavich DUNKA Artem Konstantinovich DUNKO	Арцём Канстанцінавіч ДУНЬКА Артем Константинович ДУНЬКО	Position(s): Senior Inspector for Special Matters of the Department of Financial Investigations of the State Control Committee DOB: 8.6.1990 Gender: male	In his leadership position as Senior Inspector for Special Matters of the Department of Financial Investigations of the State Control Committee, he is responsible for the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election, in particular investigations launched into opposition leaders and activists.	17.12.2020
70.	Aleh Heorhievich KARAZIEI Oleg Georgevich KARAZEI	Алег Георгіевіч КАРАЗЕЙ Олег Георгиевич КАРАЗЕЙ	Position(s): Head of the Prevention Department of the Main Department of Law Enforcement and Prevention of the Public Security Police of the Ministry of Internal Affairs DOB: 1.1.1979 POB: Minsk Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as Head of the Prevention Department of the Main Department of Law Enforcement and Prevention of the Public Security Police of the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by the police forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
71.	Dzmitry Aliaksandravich KURYAN Dmitry Alexandrovich KURYAN	Дзмітрый Аляксандравіч КУРЬЯН Дмитрий Александрович КУРЬЯН	Position(s): Police Colonel, Deputy Head of the Main Department and Head of the Department of Law Enforcement in the Ministry of Internal Affairs DOB: 3.10.1974 Gender: male	In his leadership position as Police Colonel and Deputy Head of the Main Department and Head of the Department of Law Enforcement in the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by the police forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	17.12.2020
72.	Aliaksandr Henrykavich TURCHIN Alexander (Alexandr) Henrihovich TURCHIN	Аляксандр Генрыхавіч ТУРЧЫН Александр Генрихович ТУРЧИН	Position(s): Chairman of Minsk Regional Executive Committee DOB: 2.7.1975 POB: Novogrudok, Grodno/Hrodna Region/Oblast, former USSR (now Belarus) Gender: male	In his position as the Chairman of Minsk Regional Executive Committee, he is responsible for overseeing local administration, including a number of committees. He is therefore supporting the Lukashenka regime.	17.12.2020
73.	Dzmitry Mikalaevich SHUMILIN Dmitry Nikolayevich SHUMILIN	Дзмітрый Мікалаевіч ШУМІЛІН Дмитрий Николаевич ШУМИЛИН	Position(s): Deputy Head of the department for mass events of the GUV D (Main Department of Internal Affairs) of the Minsk City Executive Committee DOB: 26.7.1977 Gender: male	In his position as Deputy Head of the department for mass events of the GUV D of the Minsk City Executive Committee, he is responsible for the repression and intimidation campaign led by the local apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He is documented as personally taking part in the unlawful detention of peaceful protesters.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
74.	Vital Ivanavich STASIUKOVICH Vitaliy Ivanovich STASIUKOVICH	Віталь Іванавіч СТАСЮКЕВІЧ Виталий Иванович СТАСЮКЕВИЧ	Position(s): Deputy Chief of the Public Security Police in Grodno/Hrodna DOB: 5.3.1976 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	In his position as Deputy Chief of the Public Security Police in Grodno/Hrodna, he is responsible for the repression and intimidation campaign led by the local police force under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. According to witnesses, he personally supervised the unlawful detention of peaceful protesters.	17.12.2020
75.	Siarhei Leanidavich KALINNIK Sergei Leonidovich KALINNIK	Сяргей Леанідавіч КАЛИННИК Сергей Леонидович КАЛИННИК	Position(s): Police Colonel, Chief of the Sovetsky District Police Department of Minsk DOB: 23.7.1979 Gender: male	In his position as Chief of the Sovetsky District Police Department of Minsk, he is responsible for the repression and intimidation campaign led by the local police force under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. According to witnesses, he personally supervised and took part in torturing unlawfully detained protesters.	17.12.2020
76.	Vadzim Siarhaevich PRYGARA Vadim Sergeyevich PRIGARA	Вадзім Сяргеевіч ПРЫГАРА Вадим Сергеевич ПРИГАРА	Position(s): Police Lieutenant Colonel, Head of the District Police Department in Molodechno DOB: 31.10.1980 Gender: male	In his position as Head of the District Police Department in Molodechno, he is responsible for the repression and intimidation campaign led by the local police force under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. According to witnesses, he personally supervised beatings of unlawfully detained protesters. He also made numerous derogatory statements about the protesters to the media.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
77.	Viktar Ivanavich STANISLAUCHYK Viktor Ivanovich STANISLAVCHIK	Віктар Іванавіч СТАНІСЛАЎЧЫК Виктор Иванович СТАНИ- СЛАВЧИК	Position(s): Deputy Head of the Police Department of the Sovetsky District of Minsk, Head of the Public Security Police DOB: 27.1.1971 Gender: male	In his position as Deputy Head of the Police Department of the Sovetsky District of Minsk and Head of the Public Security Police, he is responsible for the repression and intimidation campaign led by the local police force under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. According to witnesses, he personally supervised the detention of peaceful protesters and beatings of those unlawfully detained.	17.12.2020
78.	Aliaksandr Aliaksandravich PIETRASH Alexander (Alexandr) Alexandrovich PETRASH	Аляксандр Аляксандравіч ПЕТРАШ Александр Александрович ПЕТРАШ	Position(s): Chairman of the Moskovski district court in Minsk DOB: 16.5.1988 Gender: male	In his position as chairman of the Moskovski district court in Minsk, he is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters. Violations of rights of defence and reliance on statements from false witnesses were reported during trials conducted under his supervision. He was instrumental in fining and detaining protesters, journalists and opposition leaders in the wake of the 2020 presidential election. He is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
79.	Andrei Aliaksandravich LAHUNOVICH Andrei Alexandrovich LAHUNOVICH	Андрэй Аляксандравіч ЛАГУНОВІЧ Андрей Александрович ЛАГУНОВИЧ	Position(s): Judge of the Sovetsky district court in Gomel/Homyel Gender: male	In his position as judge of the Sovetsky district court in Gomel/Homyel, he is responsible for numerous politically motivated rulings against journalists, activists and protesters. Violations of rights of defence were reported during trials conducted under his supervision. He is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
80.	Alena Vasileuna LITVINA Elena Vasilevna LITVINA	Алена Васільеўна ЛІТВІНА Елена Васильевна ЛИТВИНА	Position(s): Judge of the Leninsky district court in Mogilev/Mahiliou Gender: female	In her position as judge of the Leninsky district court in Mogilev/Mahiliou, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters, in particular the sentencing of Siarhei Tsikhanousky – opposition activist and husband of presidential candidate Svetlana Tsikhanouskaya. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
81.	Victoria Valeryeuna SHABUNYA Victoria Valerevna SHABUNYA	Вікторыя Валер’еўна ШАБУНЯ Виктория Валерьевна ШАБУНЯ	Position(s): Judge of the Central district court in Minsk DOB: 27.2.1974 Gender: female	In her position as judge of the Central district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters, in particular the sentencing of Sergei Dylevsky – Coordination Council member and leader of a strike committee. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
82.	Alena Aliaksandravna ZHYVITSA Elena Alexandrovna ZHYVITSA	Алена Аляксандравна ЖЫВІЦА Елена Александровна ЖИВИЦА	Position(s): Judge of the Oktyabrsky district court in Minsk DOB: 9.4.1990 Gender: female	In her position as judge of the Oktyabrsky district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
83.	Natallia Anatolievna DZIADKOVA Natalia Anatolievna DEDKOVA	Наталля Анатольеўна ДЗЯДКОВА Наталья Анатольевна ДЕДКОВА	Position(s): Judge of the Partizanski district court in Minsk DOB: 2.12.1979 Gender: female	In her position as judge of the Partizanski district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters, in particular the sentencing of Coordination Council leader Mariya Kalesnikava. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
84.	Maryna Arkadzeuna FIODARAVA Marina Arkadievna FEDOROVA	Марына Аркадзьеўна ФЁДАРАВА Марина Аркадьевна ФЕДОРОВА	Position(s): Judge of the Sovetsky district court in Minsk DOB: 11.9.1965 Gender: female	In her position as judge of the Sovetsky district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
85.	Yulia Chaslavauna HUSTYR Yulia Cheslavovna HUSTYR	Юлія Чаславаўна ГУСТЫР Юлія Чеславовна ГУСТЫР	Position(s): Judge of the Central district court in Minsk DOB: 14.1.1984 Gender: female	In her position as judge of the Central district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters, in particular the sentencing of opposition presidential candidate Viktor Babarika. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
86.	Alena Tsimafeeuna NYAKRASAVA Elena Timofeyevna NEKRASOVA	Алена Цімафееўна НЯКРАСАВА Елена Тимофеевна НЕКРАСОВА	Position(s): Judge of the Zavodsky district court in Minsk DOB: 26.11.1974 Gender: female	In her position as judge of the Zavodsky district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
87.	Aliaksandr Vasilevich SHAKUTSIN Alexander (Alexandr) Vasilevich SHAKUTIN	Аляксандр Васільевіч ШАКУЦІН Александр Васильевич ШАКУТИН	Position(s): Businessman, owner of Amkodor Holding DOB: 12.1.1959 POB: Bolshoe Babino, Orsha Rayon, Vitebsk/ Viciebsk Region/Oblast, former USSR (now Belarus) Gender: male	He is one of the leading businessmen operating in Belarus, with business interests in construction, machine building, agriculture and other sectors. He is reported to be one of the persons who benefited most from the privatisation during Lukashenka's tenure as President. He is also a member of the presidium of the pro-Lukashenka public association "Belaya Rus" and a member of the Council for the Development of Entrepreneurship in the Republic of Belarus.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
				He is therefore benefitting from and supporting the Lukashenka regime. In July 2020 he made public comments condemning the opposition protests in Belarus, thereby contributing to the repression of civil society and democratic opposition.	
88.	Mikalai Mikalaevich VARABEI/VERABEI Nikolay Nikolaevich VOROBAY	Мікалай Мікалаевіч ВАРАБЕЙ/ ВЕРАБЕЙ Николай Николаевич ВОРОБЕЙ	Position(s): Businessman, co-owner of Bremino Group DOB: 4.5.1963 POB: former Ukrainian SSR (now Ukraine) Gender: male	He is one of the leading businessmen operating in Belarus, with business interests in petroleum, coal transit, banking and other sectors. He is the co-owner of Bremino Group – a company that has enjoyed tax breaks and other forms of support from the Belarusian administration. He is therefore benefitting from and supporting the Lukashenka regime.	17.12.2020

B. Legal persons, entities and bodies referred to in Article 2(1)

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
1.	Beltechexport	Белтехэкспорт	Address: Nezavisimosti ave. 86-B, Minsk, Belarus Website: https://bte.by/ E-mail address: mail@bte.by	Beltechexport is a private entity which exports weapons and military equipment produced by Belarusian state-owned companies to countries in Africa, South America, Asia and Middle East. Beltechexport is closely associated with the Ministry of Defense of Belarus. Beltechexport is therefore benefitting from its association with and supporting the Lukashenka regime, by bringing benefits to the Presidential Administration.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
2.	Dana Holdings / Dana Astra	Дана Холдингз / Дана Астра	Address: P. Mstislavtsa 9 (1st floor), Minsk, Belarus Registration number: Dana Astra - 191295361 Website: https://en.dana-holdings.com ; https:// dana-holdings.com/ E-mail address: PR@bir.by Tel.: +375 17 26-93-290; +375 17 39-39-465	Dana Holdings / Dana Astra is one of the main real estate developers and constructors in Belarus. The company received plots of land for the development of several large residential complexes and business centres. Owners of Dana Holdings / Dana Astra maintain close relations with President Lukashenka. Liliya Lukashenka, daughter-in-law of the President, had a high-ranking position in the company. Dana Holdings / Dana Astra is therefore benefitting from its association with and supporting the Lukashenka regime.	17.12.2020
3.	GHU – Main Economic Department of the Belarus President Property Management Directorate	Главное хозяйственное управление	Address: Miasnikova str. 37, Minsk, Belarus Website: http://ghu.by E-mail address: ghu@ghu.by	Main Economic Department (GHU) of the Belarus President Property Management Directorate is the largest operator on the non-residential real estate market in Belarus and a supervisor of numerous companies. Viktor Sheiman, who as the head of the Belarus President Property Management Directorate exercises direct control over GHU, was asked by President Lukashenka to supervise the safety of the 2020 presidential elections. GHU is therefore benefitting from its association with and supporting the Lukashenka regime.	17.12.2020
4.	LLC SYNESIS	ООО "Синезис"	Address: Platonova 20B, 220005 Minsk, Belarus; Mantulinskaya 24, Moscow 123100, Russia Registration number (УНН/ИИН): 190950894 (Belarus); 7704734000/770301001 (Russia) Website: https://synesis.partners ; https://synesis- group.com/ Tel.: +375 17 240-36-50 E-mail address: s@synesis.by	LLC Synesis provides the Belarusian authorities with a surveillance platform, which can search through and analyse video footage and employ facial recognition software, making the company responsible for the repression of civil society and democratic opposition by the state apparatus in Belarus. Synesis employees are forbidden from communicating in Belarusian, thereby supporting the Lukashenka regime's policy of discrimination on the basis of language. The Belarussian State Security Committee (KGB) and Ministry of Internal Affairs are listed as users of a system created by Synesis. The company is therefore benefitting from its association with and supporting the Lukashenka regime.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
				Synesis CEO Alexander Shatrov publicly criticised those protesting against the Lukashenka regime and relativized the lack of democracy in Belarus.	
5.	AGAT electromechanical Plant OJSC	Агат- электро- механический завод	Address: Nezavisimosti ave. 115, 220114 Minsk, Belarus Tel.: +375 17 272-01-32 +375 17 570-41-45 E-mail address: marketing@agat-emz.by Web: https://agat-emz.by/	AGAT electromechanical Plant OJSC is part of the Belarussian State Authority for Military Industry of the Republic of Belarus (a.k.a. SAMI or State Military Industrial Committee), which is responsible for implementing the military-technical policy of the State and a subordinate to the Council of Ministers and the President of Belarus. AGAT electromechanical Plant OJSC is therefore benefitting from its association with and supporting the Lukashenka regime. The company manufactures 'Rubezh', a barrier system designed for riot control. Rubezh was deployed against peaceful demonstrations that took place in the wake of the presidential elections that took place on 9 August 2020, thus making the company responsible for the repression of civil society and democratic opposition.	17.12.2020
6.	140 Repair Plant	140 ремонтный завод	Website: 140zavod.org	140 Repair Plant is part of the Belarussian State Authority for Military Industry of the Republic of Belarus (a.k.a. SAMI or State Military Industrial Committee), which is responsible for implementing the military-technical policy of the State and a subordinate to the Council of Ministers and the President of Belarus. 140 Repair Plant is therefore benefitting from its association with and supporting the Lukashenka regime. The company manufactures transport vehicles and armoured vehicles, which have been deployed against peaceful demonstrations that took place in the wake of the presidential elections that took place on 9 August 2020, thus making the company responsible for the repression of civil society and democratic opposition.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
7.	MZKT (a.k.a. VOLAT)	МЗКТ - Минский завод колёсных тягачей	Website: www.mzkt.by	MZKT (a.k.a. VOLAT) is part of the Belarussian State Authority for Military Industry of the Republic of Belarus (a.k.a. SAMI or State Military Industrial Committee), which is responsible for implementing the military-technical policy of the State and a subordinate to the Council of Ministers and the President of Belarus. MZKT (a.k.a. VOLAT) is therefore benefitting from its association with and supporting the Lukashenko regime. Employees of MZKT who protested during the visit of President Lukashenko to the factory and went on strike in the wake of the 2020 presidential elections in Belarus were fired, which makes the company responsible for human rights violations.	17.12.2020'

COMMISSION DELEGATED REGULATION (EU) 2021/340**of 17 December 2020****amending Delegated Regulations (EU) 2019/2013, (EU) 2019/2014, (EU) 2019/2015, (EU) 2019/2016, (EU) 2019/2017 and (EU) 2019/2018 with regard to energy labelling requirements for electronic displays, household washing machines and household washer-dryers, light sources, refrigerating appliances, household dishwashers, and refrigerating appliances with a direct sales function****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU ⁽¹⁾, and in particular Article 11(5) and Article 16 thereof,

Whereas:

- (1) Regulation (EU) 2017/1369 empowers the Commission to adopt delegated acts.
- (2) Provisions on the energy labelling of electronic displays, household washing machines and household washer-dryers, light sources, refrigerating appliances, household dishwashers and refrigerating appliances with a direct sales function were established by Commission Delegated Regulations (EU) 2019/2013 ⁽²⁾, (EU) 2019/2014 ⁽³⁾, (EU) 2019/2015 ⁽⁴⁾, (EU) 2019/2016 ⁽⁵⁾, (EU) 2019/2017 ⁽⁶⁾ and (EU) 2019/2018 ⁽⁷⁾ (hereafter the 'amended Regulations').
- (3) In order to avoid confusion for manufacturers and national market surveillance authorities about the values to be included in technical documentation, uploaded in the product database and in relation to verification tolerances, a definition of declared values should be added.

⁽¹⁾ OJ L 198, 28.7.2017, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2019/2013 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of electronic displays and repealing Commission Delegated Regulation (EU) No 1062/2010 (OJ L 315, 5.12.2019, p. 1).

⁽³⁾ Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission Directive 96/60/EC (OJ L 315, 5.12.2019, p. 29).

⁽⁴⁾ Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012 (OJ L 315, 5.12.2019, p. 68).

⁽⁵⁾ Commission Delegated Regulation (EU) 2019/2016 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of refrigerating appliances and repealing Commission Delegated Regulation (EU) No 1060/2010 (OJ L 315, 5.12.2019, p. 102).

⁽⁶⁾ Commission Delegated Regulation (EU) 2019/2017 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household dishwashers and repealing Commission Delegated Regulation (EU) No 1059/2010 (OJ L 315, 5.12.2019, p. 134).

⁽⁷⁾ Commission Delegated Regulation (EU) 2019/2018 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of refrigerating appliances with a direct sales function (OJ L 315, 5.12.2019, p. 155).

- (4) Technical documentation should be sufficient to allow market surveillance authorities to check the values published on the label and in the product information sheet. In accordance with Article 12 of Regulation (EU) 2017/1369, declared values of the model should be entered into the product database.
- (5) The relevant product parameters should be measured or calculated using reliable, accurate and reproducible methods. Those methods should take into account recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation bodies, as listed in Annex I to Regulation (EU) No 1025/2012 of the European Parliament and of the Council ⁽⁸⁾.
- (6) Products containing light sources from which these light sources cannot be removed for verification without damaging one or more of them, should be tested as light sources for compliance assessment and verification.
- (7) For electronic displays, harmonised standards have not yet been developed, and relevant existing standards do not cover all necessary regulated parameters, notably as regards High Dynamic Range and Automatic Brightness Control. Until the adoption of harmonised standards by the European standardisation bodies for those product groups, the transitional methods set out in this Regulation or other reliable, accurate and reproducible methods, which take into account the generally recognised state-of-the-art, should be used in order to ensure the comparability of measurements and calculations.
- (8) Vertical static-air cabinets with non-transparent doors are professional refrigerating appliances and are defined in Commission Delegated Regulation (EU) 2015/1094 ⁽⁹⁾, and therefore should be excluded from Delegated Regulation (EU) 2019/2018.
- (9) The terminology and testing methods of use in Regulation (EU) 2019/2018 are consistent with the terminology and testing methods adopted in EN 16901, EN 16902, EN 50597 and EN ISO 23953-2 and EN 16838.
- (10) The measures provided for in this Regulation were discussed by the Consultation Forum and with the Member States experts in accordance with Articles 14 and 17 of Regulation (EU) 2017/1369.
- (11) Delegated Regulations (EU) 2019/2013, (EU) 2019/2014, (EU) 2019/2015, (EU) 2019/2016, (EU) 2019/2017 and (EU) 2019/2018 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2019/2013

Delegated Regulation (EU) 2019/2013 is amended as follows:

- (1) in Article 1(2), point (g) is replaced by the following:

‘(g) electronic displays that are components or sub-assemblies as defined in point 2 of Article 2 of Directive 2009/125/EC;’;

⁽⁸⁾ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).

⁽⁹⁾ Commission Delegated Regulation (EU) 2015/1094 of 5 May 2015 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of professional refrigerated storage cabinets (OJ L 177, 8.7.2015, p. 2).

(2) Article 2 is amended as follows:

(a) point (10) is replaced by the following:

‘(10) “HiNA” means High Network Availability as defined in Article 2 of Commission Regulation (EC) No 1275/2008 (*);

(*) Commission Regulation (EC) No 1275/2008 of 17 December 2008 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment (OJ L 339, 18.12.2008, p. 45).’;

(b) point (17) is deleted;

(3) in Article 3(1), point (b) is replaced by the following:

‘(b) the values of the parameters included in the product information sheet, as set out in Annex V, are entered into the public part of the product database;’;

(4) Annexes I, II, III, IV, V, VI and IX are amended as set out in Annex I to this Regulation.

Article 2

Amendments to Delegated Regulation (EU) 2019/2014

Delegated Regulation (EU) 2019/2014 is amended as follows:

(1) in Article 3(1), point (b) is replaced by the following:

‘(b) the values of the parameters included in the product information sheet, as set out in Annex V, are entered into the public part of the product database;’;

(2) Annexes I, IV, V, VI, VIII, IX and X are amended as set out in Annex II to this Regulation.

Article 3

Amendments to Delegated Regulation (EU) 2019/2015

Delegated Regulation (EU) 2019/2015 is amended as follows:

(1) in Article 2, point (3) is replaced by the following:

‘(3) “containing product” means a product containing one or more light sources, or separate control gears, or both, including, but not limited to, luminaires that can be taken apart to allow separate verification of the contained light source(s), household appliances containing light source(s), furniture (shelves, mirrors, display cabinets) containing light source(s);’;

(2) Article 3 is amended as follows:

(a) in paragraph 1, point (b) is replaced by the following:

‘(b) the values of the parameters included in the product information sheet, as set out in Annex V, are entered into the public part of the product database;’;

(b) in paragraph 1, point (i) is replaced by the following:

‘(i) by way of derogation from Article 11(13)(b) of Regulation (EU) 2017/1369, upon request by dealers and in accordance with Article 4(e), printed labels to rescale products are provided as a sticker, of the same size as the one which already exists.’;

(c) the following paragraph 1a is inserted:

‘1a. By way of derogation from Article 11(13)(a) of Regulation (EU) 2017/1369, the supplier shall, when placing a light source on the market, provide it with the existing label until 31 August 2021 and with the rescaled label from 1 September 2021. The supplier may choose to already provide light sources placed on the market during the period from 1 July to 31 August 2021 with the rescaled label, if no light sources belonging to the same model or equivalent models were placed on the market before 1 July 2021. In that case, the dealer shall not offer those light sources for sale before 1 September 2021. The supplier shall notify the dealer concerned of that consequence as soon as possible, including when it includes such light sources in its offers to dealers.’;

(3) in Article 4, point (e) is replaced by the following:

‘(e) by way of derogation from Article 11(13) of Regulation (EU) 2017/1369, existing labels on light sources at points of sale are replaced by the rescaled labels in such a way as to cover the existing label, including when printed on or attached to the package, within eighteen months after the date of application of this Regulation, and rescaled labels are not displayed before that date.’;

(4) the last paragraph of Article 10 is amended as follows:

‘It shall apply from 1 September 2021. However, point 1(b) of Article 3 shall apply from 1 May 2021, and point 2(a) of Article 3 shall apply from 1 March 2022.’;

(5) Annexes I, III, IV, V, VI and IX are amended as set out in Annex III to this Regulation.

Article 4

Amendments to Delegated Regulation (EU) 2019/2016

Delegated Regulation (EU) 2019/2016 is amended as follows:

(1) in Article 2, point (31) is replaced by the following:

‘(31) “mobile refrigerating appliance” means a refrigerating appliance that can be used where there is no access to the mains electricity grid and that uses extra low-voltage electricity (< 120 V DC) or fuel or both as the energy source for the refrigeration functionality, including a refrigerating appliance that, in addition to extra low voltage electricity or fuel, or both, can be electric mains operated via an external AC/DC converter to be purchased separately. An appliance placed on the market with an AC/DC converter is not a mobile refrigerating appliance.’;

(2) in Article 3 point (b) of paragraph 1 is replaced by the following:

‘(b) the values of the parameters included in the product information sheet, as set out in Annex V, are entered into the public part of the product database’;

(3) in Article 11, the last paragraph is replaced by the following:

‘It shall apply from 1 March 2021. However, Article 10 shall apply from 25 December 2019, point 1(a), (b) and (c) of Article 3 shall apply from 1 November 2020, and the obligation to provide the energy efficiency class for the light source parameters referred to in Annex V, Table 6 shall apply from 1 March 2022.’;

(4) Annexes I, II, IV, V, VI and IX are amended as set out in Annex IV to this Regulation.

Article 5

Amendments to Delegated Regulation (EU) 2019/2017

Delegated Regulation (EU) 2019/2017 is amended as follows:

(1) in Article 3(1), point (b) is replaced by the following:

‘(b) the values of the parameters included in the product information sheet, as set out in Annex V, are entered into the public part of the product database’;

(2) Annexes I, II, IV, V, VI and IX are amended as set out in Annex V to this Regulation.

*Article 6***Amendments to Delegated Regulation (EU) 2019/2018**

Delegated Regulation (EU) 2019/2018 is amended as follows:

(1) In Article 1(2), point (j) is replaced by the following:

‘(j) corner/curved and carousel cabinets;’;

(2) Article 2 is amended as follows:

(a) point (15) is replaced by the following:

‘(15) “corner/curved cabinet” means a refrigerating appliance with a direct sales function used to achieve geometrical continuity between two linear cabinets that are at an angle to each other and/or that form a curve. A corner/curved cabinet do not have a recognisable longitudinal axis or length since it consists only of a filling shape (wedge or similar) and is not designed to function as a stand-alone refrigerated unit. The two ends of the corner/curved cabinet are inclined at an angle of between 30° and 90°;’;

(b) point (25) is added:

‘(25) “carousel cabinet” means a round/circular shape supermarket cabinet which can be installed as a standalone unit or as a unit connecting two linear supermarket cabinets. Carousel cabinets can also be equipped with a turning system which makes visible the display of foodstuff at 360°;’;

(c) point (26) is added:

‘(26) “supermarket cabinet” means a refrigerating appliance with a direct sales function intended for the sale and display of foodstuffs and other items in retail applications, such as in supermarkets. Beverage coolers, refrigerated vending machines, gelato-scooping cabinets and ice-cream freezers are not considered supermarket cabinets.’;

(3) in Article 3(1), point (b) is replaced by the following:

‘(b) the values of the parameters included in the product information sheet, as set out in Annex V, are entered into the public part of the product database;’;

(4) in Article 9, the last paragraph is replaced by the following:

‘It shall apply from 1 March 2021, with the exception of the obligation to provide the energy efficiency class for the light source parameters referred to in in Annex V, Table 10, part 5, which shall apply from 1 March 2022.’;

(5) Annexes I, III, IV, V, VI and IX are amended as set out in Annex VI to this Regulation.

*Article 7***Entry into force and application**

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

Article 1(4), Article 2(2), Article 4(4), Article 5(2) and Article 6(5) shall apply from 1 May 2021. Article 3(2)(a) shall apply from 1 May 2021. Article 3(2)(c) shall apply from 1 July 2021. Article 3(1), 3(2)(b), 3(3), and 3(5) shall apply from 1 September 2021.

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

Done at Brussels, 17 December 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annexes I, II, III, IV, V, VI and IX to Delegated Regulation (EU) 2019/2013 are amended as follows:

(1) in Annex I, the following points (29) and (30) are added:

‘(29) “*declared values*” means the values provided by the supplier for the stated, calculated or measured technical parameters, pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Article 3(1)(d) and Annex VI of this Regulation, for the verification of compliance by the Member State authorities;

(30) “*guarantee*” means any undertaking by the retailer or supplier to the consumer to:

(a) reimburse the price paid; or

(b) replace, repair or handle the electronic displays in any way if they do not meet the specifications set out in the guarantee statement or in the relevant advertising;’

(2) at the end of point B of Annex II the following paragraph is added:

‘The declared values of the on mode power ($P_{measured}$) and viewing surface area (A) as listed in Table 5 of Annex VI shall be used for the EEI calculation.’;

(3) in Annex III, the following paragraph is added at the end of point 10 of point (f) of Part 2:

‘If the electronic display does not support HDR, the HDR pictogram and the letters of energy efficiency classes are not displayed. The screen pictogram, indicating screen size and resolution, shall be vertically centred in the area below the indication of the energy consumption.’;

(4) Annex IV is amended as follows:

(a) a second paragraph is inserted as follows:

‘In the absence of existing relevant standards and until the publication of the references of the relevant harmonised standards in the Official Journal, the transitional testing methods set out in Annex IIIa to Commission Regulation (EU) 2019/2021 laying down ecodesign requirements for electronic displays, or other reliable, accurate and reproducible methods, which take into account the generally recognised state-of-the-art, shall be used.’;

(b) at the end of the Annex, the following text is added:

‘Measurements of Standard Dynamic Range, High Dynamic Range, screen luminance for Automatic Brightness Control, Peak White luminance ratio and other luminance measurements shall be made as detailed in Annex III, Table 3a of Commission Regulation (EU) 2019/2021’;

(5) in Annex V Table 4 is replaced as follows:

	Parameter	Parameter value and precision	Unit	Notes
1.	Supplier's name or trade mark ⁽²⁾ ⁽³⁾ .		TEXT	
	Supplier's address ⁽²⁾ ⁽³⁾ ⁽⁴⁾ .			Information as from the supplier registration in the product database.
2.	Model identifier ⁽²⁾		TEXT	
3.	Energy efficiency class for standard Dynamic Range (SDR)	[A/B/C/D/E/F/G]		
4.	On mode power demand in Standard Dynamic Range (SDR)	X,X	W	Rounded to the first decimal place for power values below 100 W and rounded to the first integer for power values equal or above 100 W.

5.	Energy efficiency class (HDR)	[A/B/C/D/E/F/G] or n.a.				If the product database automatically generates the definitive content of this cell, the supplier shall not enter this data. Value set to "n.a." (not applicable) if HDR not implemented.
6.	On mode power demand in High Dynamic Range (HDR), if implemented	X,X			W	Rounded to the first decimal place for power values below 100 W, and rounded to the integer for power values from 100 W (value set to 0 (zero) if "not applicable").
7.	Off mode, power demand, if applicable	X,X			W	
8.	Standby mode power demand, if applicable	X,X			W	
9.	Networked standby mode power demand, if applicable	X,X			W	
10.	Electronic display category	[television/monitor/signage/other]				Select one.
11.	Size ratio	X	:	Y	integer	E.g. 16:9, 21:9, etc.
12.	Screen resolution	X	×	Y	pixels	Horizontal and vertical pixels
13.	Screen diagonal	X,X			cm	Rounded to one decimal place.
14.	Screen diagonal	X			inches	Optional, in inches rounded to the nearest integer.
15.	Visible screen area	X,X			dm ²	Rounded to one decimal place
16.	Panel technology used	TEXT				E.g. LCD/LED LCD/QLED LCD/OLED/MicroLED/QDLED/SED/FED/EPD, etc.
17.	Automatic Brightness Control (ABC) available	[YES/NO]				Must be activated as default (if YES).
18.	Voice recognition sensor available	[YES/NO]				
19.	Room presence sensor available	[YES/NO]				Must be activated as default (if YES).
20.	Image refresh frequency rate (default)	X			Hz	

21.	Minimum guaranteed availability of software and firmware updates (from the date of end of the placement on the market ⁽²⁾ ⁽³⁾)		X	Years	As set out in Annex II E, point 1 of Commission Regulation (EU) 2019/2021 ⁽¹⁾
22.	Minimum guaranteed availability of spare parts (from the date of end of the placement on the market) ⁽²⁾ ⁽³⁾		X	Years	As set out in Annex II E, point 1 of Commission Regulation (EU) 2019/2021
23.	Minimum guaranteed product support ⁽²⁾ ⁽³⁾		X	Years	As set out in Annex II E, point 1 of Commission Regulation (EU) 2019/2021
	Minimum duration of the general guarantee offered by the supplier ⁽²⁾ ⁽³⁾		X	Years	
24.	Power supply type	Internal/External/Standardised external			Select one.
25.	External power supply (non-standardised and included in the product box)				
	i			TEXT	Description
	ii	Input voltage	X	V	
	iii	Output voltage	X,X	V	
26.	External standardised power supply (or suitable one if not included in the product box)				
	i	Supported standard name or list		TEXT	
	ii	Required output voltage	X,X	V	
	iii	Required delivered current (minimum)	X,X	A	
	iv	Required current frequency	XX	Hz	

⁽¹⁾ Commission Regulation (EU) 2019/2021 of 1 October 2019 laying down ecodesign requirements for electronic displays pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EC) No 642/2009 (See page 241 of this Official Journal).

⁽²⁾ This item shall not be considered relevant for the purposes of Article 2(6) of Regulation (EU) 2017/1369.

⁽³⁾ Changes to this item shall not be considered relevant for the purposes of paragraph 4 of Article 4 of Regulation (EU) 2017/1369.

⁽⁴⁾ The supplier shall not enter these data for each model if automatically provided by the database.

(6) Annex VI is amended as follows:

(a) points (1) to (5) are replaced by the following:

- ‘(1) a general description of the model allowing it to be unequivocally and easily identified;
- (2) references to the harmonised standards applied or other measurement standards used;
- (3) specific precautions to be taken when the model is assembled, installed, maintained or tested;
- (4) the values for the technical parameters set out in Table 5; these values are considered as the declared values for the purpose of the verification procedure in Annex IX;
- (5) the details and the results of calculations performed in accordance with Annex IV;
- (6) testing conditions if not described sufficiently in point (2);
- (7) equivalent models, if any, including model identifiers;

These elements shall also constitute the mandatory specific parts of the technical documentation that the supplier shall enter into the database, pursuant to point 5 of Article 12 of Regulation (EU) 2017/1369.’;

(b) Table 5 is replaced by the following:

‘Table 5

Technical parameters of the model and declared values

	Parameter	Parameter value and precision			Unit	Declared value
General						
1	Supplier's name or trade mark	TEXT				
2	Model identifier	TEXT				
3	Energy efficiency class for Standard Dynamic Range (SDR)	[A/B/C/D/E/F/G]			A – G	
4	On mode power demand in Standard Dynamic Range (SDR)	XXX,X			W	
5	Energy efficiency class for High Dynamic Range (HDR), if implemented	[A/B/C/D/E/F/G] or n.a.			A – G	
6	On mode power demand in High Dynamic Range (HDR)	XXX,X			W	
7	Off mode, power demand	X,X			W	
8	Standby mode power demand	X,X			W	
9	Networked standby mode power demand	X,X			W	
10	Electronic display category	[television/monitor/signage/other]			TEXT	
11	Size ratio	XX	:	XX		
12	Screen resolution (pixels)	X	×	X		
13	Screen diagonal	XXX,X			cm	
14	Screen diagonal	XX			inches	
15	Visible screen area	XXX,X			dm²	

16	Panel technology used	TEXT		
17	Automatic Brightness Control (ABC) available	[YES/NO]		
18	Voice recognition sensor available	[YES/NO]		
19	Room presence sensor available	[YES/NO]		
20	Image refresh frequency rate (normal configuration)	XXX	Hz	
21	Minimum guaranteed availability of software and firmware updates (from the date of end of the placement on the market (as set out in Annex II E, point 1 of Commission Regulation (EU) 2019/2021):	XX	Years	
22	Minimum guaranteed availability of spare parts (from the date of end of the placement on the market, as set out in Annex II E, point 1 of Commission Regulation (EU) 2019/2021):	XX	Years	
23	Minimum guaranteed product support (from the date of end of the placement on the market, as set out Annex II E, point 1 of Commission Regulation (EU) 2019/2021):	XX	Years	
	Minimum duration of the general guarantee offered by the supplier	XX	Years	

For On-mode

24	Peak white luminance of the brightest on mode configuration	XXXX	cd/m ²	
25	Peak white luminance of the normal configuration	XXXX	cd/m ²	
26	Peak white luminance ratio (calculated as value of "Peak white luminance of the normal configuration" divided by value of "Peak white luminance of the brightest on mode configuration" multiplied by 100)	XX,X	%	

For Auto Power Down (APD)

27	Length of time in on mode before the electronic display automatically switches to standby, off mode, or another condition which does not exceed the applicable power demand requirements for off mode or standby mode.	XX:XX	mm:ss	
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28	For televisions: the length of time, following the last user interaction, before the television automatically switches to standby, off-mode, or another condition which does not exceed the applicable power consumption requirements for off-mode or standby-mode;	XX:XX	mm:ss	
29	For televisions equipped with room presence sensor: the length of time, when no presence is detected, before the television automatically switches to standby, off-mode, or another condition which does not exceed the applicable power demand requirements for off mode or standby mode;	XX:XX	mm:ss	
30	For electronic displays other than televisions and broadcast displays: the length of time, when no input is detected, before the electronic display automatically switches to standby, off-mode, or another condition which does not exceed the applicable power consumption requirements for off mode or standby mode;	XX:XX	mm:ss	

For ABC

If available and activated by default

31	Percentage of power reduction due to ABC action between the 100 lux and 12 lux ambient light conditions.	XX,X	%	
32	On mode power at 100 lux ambient light at the ABC sensor	XXX,X	W	
33	On mode power at 12 lux ambient light at the ABC sensor	XXX,X	W	
34	Screen luminance at 100 lux ambient light at the ABC sensor (*)	XXX	cd/m ²	
35	Screen luminance at 60 lux ambient light at the ABC sensor (*)	XXX	cd/m ²	
36	Screen luminance at 35 lux ambient light at the ABC sensor (*)	XXX	cd/m ²	
37	Screen luminance at 12 lux ambient light at the ABC sensor (*)	XXX	cd/m ²	

For Power Supply

38	Power supply type	Internal/External		
39	Standard references (if relevant)		TEXT	
40	Input voltage	XXX,X	V	

41	Output voltage	XXX,X	V	
42	Input current (max)	XXX,X	A	
43	Output current (min)	XXX,X	A	

(*) the values of ABC luminance-related parameters are indicative, and the verification is against the applicable ABC-related requirements.'

- (c) point (6) is renumbered as point (9);
- (d) point (7) is renumbered as point (10);
- (e) point (8) is renumbered as point (11);
- (7) Annex IX is amended as follows:
 - (a) the first paragraph is replaced by the following:

'The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means. The values and classes published on the label or in the product information sheet shall not be more favourable for the supplier than the values declared in the technical documentation.';

- (b) in the third paragraph, the words 'When verifying' are replaced by 'As part of verifying';
- (c) point (7) is replaced by the following:

'(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision is taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.';

- (d) Table 6 is replaced by the following:

Table 6

Verification tolerances

Parameter	Verification tolerances
On mode power demand ($P_{measured}$ Watts)	The determined value (**) shall not exceed the declared value by more than 7 %.
Off mode, standby, and networked standby mode power demand in Watts, as applicable.	The determined value (**) shall not exceed the declared value by more than 0,10 Watt if the declared value is 1,00 Watt or less, or by more than 10 % if the declared value is more than 1,00 Watt.
Visible screen area	The determined value (*) shall not be lower than the declared value by more than 1 % or 0,1 dm ² , whichever is smaller.
Visible screen diagonal in centimetres	The determined value (*) shall not be different from the declared value by more than 1 cm.
The screen resolution in horizontal and vertical pixels	The determined value (*) shall not deviate from the declared value.
Peak white luminance	The determined value (**) shall not be lower than the declared value by more than 8 %.
Length of time in on mode before the electronic display automatically switches to standby, off mode, or another condition which does not exceed the applicable power demand requirements for off mode or standby mode	The determined value (*) shall not exceed the declared value by more than 5 seconds.

For televisions: the length of time, following the last user interaction, before the television automatically switches to standby, off-mode, or another condition which does not exceed the applicable power consumption requirements for off-mode or standby-mode	The determined value (*) shall not exceed the declared value by more than 5 seconds.
For televisions equipped with room presence sensor: the length of time, when no presence is detected, before the television automatically switches to standby, off-mode, or another condition which does not exceed the applicable power demand requirements for off mode or standby mode	The determined value (*) shall not exceed the declared value by more than 5 seconds.
For electronic displays other than televisions and broadcast displays: the length of time, when no input is detected, before the electronic display automatically switches to standby, off-mode, or another condition which does not exceed the applicable power consumption requirements for off mode or standby mode	The determined value (*) shall not exceed the declared value by more than 5 seconds.
(*) In the case that the determined value for a single unit does not comply, the model and all equivalent models shall be considered not to comply with this Regulation.	
(**) In the case of three additional units tested as prescribed in point 4, the determined value means the arithmetic mean of the values determined for these three additional units.'	

ANNEX II

Annexes I, IV, V, VI, VIII, IX and X to Delegated Regulation (EU) 2019/2014 are amended as follows:

(1) in Annex I, the following point (33) is added:

‘(33) “declared values” means the values provided by the supplier for the stated, calculated or measured technical parameters, pursuant to Article 3(3) of Regulation (EU) 2017/1369, and in accordance with Article 3(1)(d) and Annex VI of this Regulation, for the verification of compliance by the Member State authorities.’;

(2) Annex IV is amended as follows:

(a) the following is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Annex VI Table 7 for household washing machines or Annex VI Table 8 for household washer-dryers, its declared value shall be used by the supplier for the calculations in this Annex.’;

(b) point 1 is replaced by the following:

‘1. RATED CAPACITY OF HOUSEHOLD WASHER-DRYERS

The rated capacity of household washer-dryers is the rated capacity of the wash and dry cycle.

If the household washer-dryer provides a continuous cycle, the rated capacity of the wash and dry cycle shall be the rated capacity for this cycle.

If the household washer-dryer does not provide a continuous cycle, the rated capacity of the wash and dry cycle shall be the lower value of the rated washing capacity of the eco 40-60 programme and the rated drying capacity of the drying cycle achieving cupboard dry status.’;

(c) points 3 and 4 are replaced by the following:

‘3. WASHING EFFICIENCY INDEX

The washing efficiency index of household washing machines and of the washing cycle of household washer-dryers (I_w) and the washing efficiency index of the complete cycle of household washer-dryers (J_w) shall be calculated using harmonised standards the reference numbers of which have been published for this purpose in the *Official Journal of the European Union*, or other reliable, accurate and reproducible methods, which take into account the generally recognised state-of-the-art, and rounded to three decimal places.

For household washing machines with a rated capacity higher than 3 kg and for the washing cycle of household washer-dryers with a rated capacity higher than 3 kg, the I_w indicated on the Product Information Sheet shall be the lowest value between the washing efficiency index at rated washing capacity, half of the rated washing capacity, and quarter of the rated washing capacity.

For household washing machines with a rated capacity lower than or equal to 3 kg and for the washing cycle of household washer-dryers with a rated capacity lower than or equal to 3 kg, the I_w indicated on the Product Information Sheet shall be the washing efficiency index at rated washing capacity.

For household washer-dryers with a rated capacity higher than 3 kg, the J_w indicated on the Product Information Sheet shall be the lower value between the washing efficiency index at rated capacity and half of the rated capacity.

For household washer-dryers with a rated capacity lower than or equal to 3 kg, the J_w indicated on the Product Information Sheet shall be the washing efficiency index at rated capacity.

4. RINSING EFFECTIVENESS

The rinsing effectiveness of household washing machines and of the washing cycle of household washer-dryers (I_r) and the rinsing effectiveness of the complete cycle of household washer-dryers (J_r) shall be calculated using harmonised standards, the reference numbers of which have been published for this purpose in the *Official Journal of the European Union*, or other reliable, accurate and reproducible method based on the detection of the linear alkylbenzene sulfonate (LAS) marker, and rounded to one decimal place.

For household washing machines with a rated capacity higher than 3 kg and for the washing cycle of household washer-dryers with a rated capacity higher than 3 kg, the I_R indicated on the Product Information Sheet shall be the highest value between the rinsing effectiveness at rated washing capacity, half of the rated washing capacity, and quarter of the rated washing capacity.

For household washing machines with a rated capacity lower than, or equal to 3 kg and for the washing cycle of household washer-dryers with a rated capacity lower than, or equal to 3 kg, no value shall be indicated for I_R on the Product Information Sheet.

For household washer-dryers with a rated capacity higher than 3 kg, the J_R indicated on the Product Information Sheet shall be the higher value between the rinsing effectiveness at rated capacity and half of the rated capacity.

For household washer-dryers with a rated capacity lower than, or equal to 3 kg, no value shall be indicated for J_R on the Product Information Sheet.’;

- (d) in point 6, the first paragraph of point 2 is replaced by the following:

‘For household washer-dryers with a rated washing capacity lower than or equal to 3 kg, the weighted water consumption of the wash and dry cycle is the water consumption at rated capacity and rounded to the nearest integer.’;

- (e) point 7 is replaced by the following:

‘7. REMAINING MOISTURE CONTENT

The weighted remaining moisture content after washing (D) of a household washing machine and of the washing cycle of a household washer-dryer is calculated in percentage as follows and rounded to one decimal place:

$$D = \left[A \times D_{full} + B \times D_{\frac{1}{2}} + C \times D_{\frac{1}{4}} \right]$$

where:

D_{full} is the remaining moisture content for the eco 40-60 programme at rated washing capacity, in percentage and rounded to two decimal places;

$D_{1/2}$ is the remaining moisture content for the eco 40-60 programme at half of the rated washing capacity in percentage and rounded to two decimal places;

$D_{1/4}$ is the remaining moisture content for the eco 40-60 programme at a quarter of the rated washing capacity in percentage and rounded to two decimal places;

A, B and C are the weighting factors as described in point 2.1(c).’;

- (f) point 9 is replaced by the following:

‘9. LOW POWER MODES

Where applicable, the power consumption of the off mode (P_o), standby mode (P_{sm}) and delay start (P_{ds}) are measured, expressed in W, and rounded to two decimal places.

During measurements of the power consumption in low power modes, the following shall be checked and recorded:

- the display or not of information,
- the activation or not of a network connection.

If a household washing machine or a household washer-dryer provides for a wrinkle guard function, this operation shall be interrupted by opening the household washing machine or household washer-dryer door, or any other appropriate intervention 15 minutes before the measurement of the power consumption.’;

- (g) the following point 11 is added at the end:

‘11. SPIN SPEED

The spin speed of a household washing machine and of the washing cycle of a household washer-dryer shall be measured or calculated at the highest spin speed option for the eco 40-60 programme using harmonised standards the reference numbers of which have been published for this purpose in the *Official Journal of the European Union*, or other reliable, accurate and reproducible methods, which take into account the generally recognised state-of-the-art, and rounded to the nearest integer.’;

(3) Annex V is amended as follows:

(a) Table 5 is replaced by the following:

Table 5

Content, order and format of the product information sheet

Supplier's name or trade mark ^(a) ^(c):

Supplier's address ^(a) ^(c):

Model identifier ^(a):

General product parameters:

Parameter	Value		Parameter	Value	
Rated capacity ^(b) (kg)	x,x		Dimensions in cm ^(a) ^(c)	Height	x
				Width	x
				Depth	x
Energy efficiency index ^(b) (EEL _w)	x,x		Energy efficiency class ^(b)	[A/B/C/D/E/F/G] ^(d)	
Washing efficiency index ^(b)	x,xxx		Rinsing effectiveness (g/kg) ^(b)	x,x	
Energy consumption in kWh per cycle, based on the eco 40-60 programme at a combination of full and partial loads. Actual energy consumption will depend on how the appliance is used.	x,xxx		Water consumption in litre per cycle, based on the eco 40-60 programme at a combination of full and partial loads. Actual water consumption will depend on how the appliance is used and on the hardness of the water.	x	
Maximum temperature inside the treated textile ^(b) (°C)	Rated capacity	x	Weighted remaining moisture content ^(b) (%)	x,x	
	Half	x			
	Quarter	x			
Spin speed ^(b) (rpm)	Rated capacity	x	Spin-drying efficiency class ^(b)	[A/B/C/D/E/F/G] ^(d)	
	Half	x			
	Quarter	x			
Programme duration ^(b) (h:min)	Rated capacity	x:xx	Type	[built-in/free-standing]	
	Half	x:xx			
	Quarter	x:xx			
Airborne acoustical noise emissions in the spinning phase ^(b) (dB(A) re 1 pW)	x		Airborne acoustical noise emission class ^(b) (spinning phase)	[A/B/C/D] ^(d)	

Off-mode (W) (if applicable)	x,xx	Standby mode (W) (if applicable)	x,xx
Delay start (W) (if applicable)	x,xx	Networked standby (W) (if applicable)	x,xx

Minimum duration of the guarantee offered by the supplier ^(a) ^(c):

This product has been designed to release silver ions during the washing cycle	[YES/NO]
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Additional information ^(a) ^(c):

Weblink to the supplier's website, where the information in point 9 of Annex II to Commission Regulation (EU) 2019/2023 ⁽¹⁾ is found:

^(a) this item shall not be considered relevant for the purposes of Article 2(6) of Regulation (EU) 2017/1369.

^(b) for the eco 40-60 programme.

^(c) changes to this item shall not be considered relevant for the purposes of paragraph 4 of Article 4 of Regulation (EU) 2017/1369.

^(d) if the product database automatically generates the definitive content of this cell, the supplier shall not enter these data.

⁽¹⁾ Commission Regulation (EU) 2019/2023 of 1 October 2019 laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1015/2010 (see page 285 of this Official Journal).';

(b) Table 6 is replaced by the following:

Table 6

Content, order and format of the product information sheet

Supplier's name or trade mark ^(a) ^(d):

Supplier's address ^(a) ^(d):

Model identifier ^(a):

General product parameters:

Parameter	Value		Parameter	Value	
Rated capacity (kg)	Rated capacity ^(c)	x,x	Dimensions in cm ^(a) . ^(d)	Height	x
	Rated washing capacity ^(b)	x,x		Width	x
				Depth	x
Energy Efficiency Index	EEI _w ^(b)	x,x	Energy efficiency class	EEI _w ^(b)	[A/B/C/D/E/F/G] ^(c)
	EEI _{WD} ^(c)	x,x		EEI _{WD} ^(c)	[A/B/C/D/E/F/G] ^(c)

Washing efficiency index	I_w ^(b)	x,xxx	Rinsing effectiveness (g/kg dry textile)	I_R ^(b)	x,x
	J_w ^(c)	x,xxx		J_R ^(c)	x,x
Energy consumption in kWh per cycle, for the washing cycle of the household washer-dryer, using the eco 40-60 programme at a combination of full and partial loads. Actual energy consumption will depend on how the appliance is used	x,xxx		Energy consumption in kWh per cycle, for the wash and dry cycle of the household washer-dryer at a combination of full and half loads. Actual energy consumption will depend on how the appliance is used	x,xxx	
Water consumption in litre per cycle, for the eco 40-60 programme at a combination of full and partial loads. Actual water consumption will depend on how the appliance is used and on the hardness of the water	x		Water consumption in litre per cycle, for the wash and dry cycle of the household washer-dryer at a combination of full and half loads. Actual water consumption will depend on how the appliance is used and on the hardness of the water	x	
Maximum temperature inside the treated textile (°C) for the washing cycle of the household washer-dryer, using the eco 40-60 programme	Rated washing capacity	x	Maximum temperature inside the treated textile (°C) for the washing cycle of the household washer-dryer, using the wash and dry cycle	Rated capacity	x
	Half	x			
	Quarter	x		Half	x
Spin speed (rpm) ^(b)	Rated washing capacity	x	Weighted remaining moisture content (%) ^(b)	x,x	
	Half	x			
	Quarter	x			
Eco 40-60 programme duration (h:min)	Rated washing capacity	x:xx	Spin-drying efficiency class ^(b)	[A/B/C/D/E/F/G] ^(c)	
	Half	x:xx			
	Quarter	x:xx			
Airborne acoustical noise emissions during the spinning phase for the eco 40-60 washing cycle at rated washing capacity (dB(A) re 1 pW)	x		wash and dry cycle duration (h:min)	Rated capacity	x:xx
				Half	x:xx

Type	[built-in/free-standing]	Airborne acoustical noise emission class for the spinning phase for the eco 40-60 programme at rated washing capacity	[A/B/C/D] ^(c)
Off-mode (W) (if applicable)	x,xx	Standby mode (W) (if applicable)	x,xx
Delay start (W) (if applicable)	x,xx	Networked standby (W) (if applicable)	x,xx

Minimum duration of the guarantee offered by the supplier ^(a) ^(d):

This product has been designed to release silver ions during the washing cycle	[YES/NO]
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Additional information ^(a) ^(d):

Weblink to the supplier's website, where the information in point 9 of Annex II to Regulation (EU) 2019/2023 is found:

^(a) this item shall not be considered relevant for the purposes of Article 2(6) of Regulation (EU) 2017/1369.

^(b) for the eco 40-60 programme.

^(c) for the wash and dry cycle.

^(d) changes to this item shall not be considered relevant for the purposes of paragraph 4 of Article 4 of Regulation (EU) 2017/1369.

^(e) if the product database automatically generates the definitive content of this cell the supplier shall not enter these data.'

(4) Annex VI is amended as follows:

(a) point 1 is replaced by the following:

'1. For household washing machines, the technical documentation referred to in point 1(d) of Article 3 shall include the following elements:

- (a) a general description of the model allowing it to be unequivocally and easily identified;
- (b) references to the harmonised standards applied or other measurement standards used;
- (c) specific precautions to be taken when the model is assembled, installed, maintained or tested;
- (d) the values for the technical parameters set out in Table 7; these values are considered as the declared values for the purpose of the verification procedure in Annex IX;
- (e) the details and the results of calculations performed in accordance with Annex IV;
- (f) testing conditions if not described sufficiently in point (b);
- (g) equivalent models, if any, including model identifiers.

These elements shall also constitute the mandatory specific parts of the technical documentation that the supplier shall enter into the database, pursuant to point 5 of Article 12 of Regulation (EU) 2017/1369.

Table 7

Technical parameters of the model and their declared values for household washing machines

PARAMETER	DECLARED VALUE	UNIT
Rated capacity for the eco 40-60 programme, at 0,5 kg intervals (c)	X,X	kg
Energy consumption of the eco 40-60 programme at rated capacity ($E_{w,full}$)	X,XXX	kWh/cycle
Energy consumption of the eco 40-60 programme at half rated capacity ($E_{w,1/2}$)	X,XXX	kWh/cycle
Energy consumption of the eco 40-60 programme at quarter rated capacity ($E_{w,1/4}$)	X,XXX	kWh/cycle
Weighted energy consumption of the eco 40-60 programme (E_w)	X,XXX	kWh/cycle
Standard energy consumption of the eco 40-60 programme (SCE_w)	X,XXX	kWh/cycle
Energy Efficiency Index (EEL_w)	X,X	-
Water consumption of the eco 40-60 programme at rated capacity ($W_{w,full}$)	X,X	L/cycle
Water consumption of the eco 40-60 programme at half rated capacity ($W_{w,1/2}$)	X,X	L/cycle
Water consumption of the eco 40-60 programme at quarter rated capacity ($W_{w,1/4}$)	X,X	L/cycle
Weighted water consumption (W_w)	X	L/cycle
Washing efficiency index of the eco 40-60 programme at rated capacity (I_w)	X,XXX	-
Washing efficiency index of the eco 40-60 programme at half rated capacity (I_w)	X,XXX	-
Washing efficiency index of the eco 40-60 programme at quarter rated capacity (I_w)	X,XXX	-
Rinsing effectiveness of the eco 40-60 programme at rated capacity (I_R)	X,X	g/kg
Rinsing effectiveness of the eco 40-60 programme at half rated capacity (I_R)	X,X	g/kg
Rinsing effectiveness of the eco 40-60 programme at quarter rated capacity (I_R)	X,X	g/kg
Programme duration of the eco 40-60 programme at rated capacity (t_w)	X:XX	h:min
Programme duration of the eco 40-60 programme at half rated capacity (t_w)	X:XX	h:min
Programme duration of the eco 40-60 programme at quarter rated capacity (t_w)	X:XX	h:min
Temperature reached for minimum 5 min inside the load during eco 40-60 programme at rated capacity (T)	X	°C
Temperature reached for minimum 5 min inside the load during eco 40-60 programme at half rated capacity (T)	X	°C

Temperature reached for minimum 5 min inside the load during eco 40-60 programme at quarter rated capacity (T)	X	°C
Spin speed in the spinning phase of the eco 40-60 programme at rated capacity (S)	X	rpm
Spin speed in the spinning phase of the eco 40-60 programme at half rated capacity (S)	X	rpm
Spin speed in the spinning phase of the eco 40-60 programme at quarter rated capacity (S)	X	rpm
Weighted remaining moisture content (D)	X,X	%
Airborne acoustical noise emissions during eco 40-60 programme (spinning phase)	X	dB(A) re 1 pW
Power consumption in “off mode” (P _o) (if applicable)	X,XX	W
Power consumption in “standby mode” (P _{sm}) (if applicable)	X,XX	W
Does “standby mode” include the display of information?	Yes/No	-
Power consumption in “standby mode” (P _{sm}) in condition of networked standby (if applicable)	X,XX	W
Power consumption in “delay start” (P _{ds}) (if applicable)	X,XX	W

(b) point 2 is replaced by the following:

‘2. For household washer-dryers, the technical documentation referred to in point 1(d) of Article 3 shall include the following elements:

- (a) a general description of the model allowing it to be unequivocally and easily identified;
- (b) references to the harmonised standards applied or other measurement standards used;
- (c) specific precautions to be taken when the model is assembled, installed, maintained or tested;
- (d) the values for the technical parameters set out in Table 8; these values are considered as the declared values for the purpose of the verification procedure in Annex IX;
- (e) the details and the results of calculations performed in accordance with Annex IV;
- (f) testing conditions if not described sufficiently in point (b);
- (g) equivalent models, if any, including model identifiers;

These elements shall also constitute the mandatory specific parts of the technical documentation that the supplier shall enter into the database, pursuant to point 5 of Article 12.5 of Regulation (EU) 2017/1369.

Table 8

Technical parameters of the model and their declared values for household washer-dryers

PARAMETER	DECLARED VALUE	UNIT
Rated capacity for the washing cycle, at 0,5 kg intervals (c)	X,X	kg
Rated capacity for the wash and dry cycle, at 0,5 kg intervals (d)	X,X	kg
Energy consumption of the eco 40-60 programme at rated washing capacity (E _{w,full})	X,XXX	kWh/cycle
Energy consumption of the eco 40-60 programme at half of the rated washing capacity (E _{w,1/2})	X,XXX	kWh/cycle

Energy consumption of the eco 40-60 programme at a quarter of the rated washing capacity ($E_{w,1/4}$)	X,XXX	kWh/cycle
Weighted energy consumption of the eco 40-60 programme (E_w)	X,XXX	kWh/cycle
Standard energy consumption of the eco 40-60 programme (SCE_w)	X,XXX	kWh/cycle
Energy Efficiency Index of the washing cycle (EEl_w)	X,X	-
Energy consumption of the wash and dry cycle at rated capacity ($E_{WD,full}$)	X,XXX	kWh/cycle
Energy consumption of the wash and dry cycle at half rated capacity ($E_{WD,1/2}$)	X,XXX	kWh/cycle
Weighted energy consumption of the wash and dry cycle (E_{WD})	X,XXX	kWh/cycle
Standard energy consumption of the wash and dry cycle (SCE_{WD})	X,XXX	kWh/cycle
Energy Efficiency Index of the wash and dry cycle (EEl_{WD})	X,X	-
Water consumption of the eco 40-60 programme at rated washing capacity ($W_{w,full}$)	X,X	L/cycle
Water consumption of the eco 40-60 programme at half of the rated washing capacity ($W_{w,1/2}$)	X,X	L/cycle
Water consumption of the eco 40-60 programme at a quarter of the rated washing capacity ($W_{w,1/4}$)	X,X	L/cycle
Weighted water consumption of the washing cycle (W_w)	X	L/cycle
Water consumption of the wash and dry cycle at rated capacity ($W_{WD,full}$)	X,X	L/cycle
Water consumption of the wash and dry cycle at half rated capacity ($W_{WD,1/2}$)	X,X	L/cycle
Weighted water consumption of the wash and dry cycle (W_{WD})	X	L/cycle
Washing efficiency index of the eco 40-60 programme at rated washing capacity (I_w)	X,XXX	-
Washing efficiency index of the eco 40-60 programme at half rated washing capacity (I_w)	X,XXX	-
Washing efficiency index of the eco 40-60 programme at quarter rated washing capacity (I_w)	X,XXX	-
Washing efficiency index of the wash and dry cycle at rated capacity (J_w)	X,XXX	-
Washing efficiency index of the wash and dry cycle at half rated capacity (J_w)	X,XXX	-
Rinsing effectiveness of the eco 40-60 programme at rated washing capacity (I_R)	X,X	g/kg
Rinsing effectiveness of the eco 40-60 programme at half rated washing capacity (I_R)	X,X	g/kg
Rinsing effectiveness of the eco 40-60 programme at quarter rated washing capacity (I_R)	X,X	g/kg
Rinsing effectiveness of the wash and dry cycle at rated capacity (J_R)	X,X	g/kg

Rinsing effectiveness of the wash and dry cycle at half rated capacity (J_R)	X,X	g/kg
Programme duration of the eco 40-60 programme at rated washing capacity (t_w)	X:XX	h:min
Programme duration of the eco 40-60 programme at half rated washing capacity (t_w)	X:XX	h:min
Programme duration of the eco 40-60 programme at quarter rated washing capacity (t_w)	X:XX	h:min
Cycle duration of the wash and dry cycle at rated capacity (t_{WD})	X:XX	h:min
Cycle duration of the wash and dry cycle at half rated capacity (t_{WD})	X:XX	h:min
Temperature reached for minimum 5 min inside the load during eco 40-60 programme at rated washing capacity (T)	X	°C
Temperature reached for minimum 5 min inside the load during eco 40-60 programme at half rated washing capacity (T)	X	°C
Temperature reached for minimum 5 min inside the load during eco 40-60 programme at quarter rated washing capacity (T)	X	°C
Temperature reached for minimum 5 min inside the load in the washing cycle during wash and dry cycle at rated capacity (T)	X	°C
Temperature reached for minimum 5 min inside the load in the washing cycle during wash and dry cycle at half rated capacity (T)	X	°C
Spin speed in the spinning phase of the eco 40-60 programme at rated washing capacity (S)	X	rpm
Spin speed in the spinning phase of the eco 40-60 programme at half rated washing capacity (S)	X	rpm
Spin speed in the spinning phase of the eco 40-60 programme at quarter rated washing capacity (S)	X	rpm
Weighted remaining moisture content after washing (D)	X,X	%
Final moisture content after drying	X,X	%
Airborne acoustical noise emissions during eco 40-60 programme (spinning phase)	X	dB(A) re 1 pW
Power consumption in "off mode" (P_o) (if applicable)	X,XX	W
Power consumption in "standby mode" (P_{sm}) (if applicable)	X,XX	W
Does "standby mode" include the display of information?	Yes/No	-
Power consumption in "standby mode" (P_{sm}) in condition of networked standby (if applicable)	X,XX	W
Power consumption in "delay start" (P_{ds}) (if applicable)	X,XX	W'

(5) in Annex VIII, point 1 is replaced by the following:

'1. The appropriate label made available by suppliers in accordance with point 1(g) of Article 3 shall be shown on the display mechanism in proximity to the price of the product. The size shall be such that the label is clearly visible and legible and shall be proportionate to the size specified in Annex III. The label may be displayed using a nested display, in which case the image used for accessing the label shall comply with the specifications laid down in point 2 of this Annex. If a nested display is applied, the label shall appear on the first mouse click, mouse roll-over or tactile screen expansion on the image.';

(6) Annex IX is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means. The values and classes published on the label or in the product information sheet shall not be more favourable for the supplier than the values declared in the technical documentation.’;

(b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;

(c) point 7 is replaced by the following:

‘(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision is taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.’;

(d) Table 9 is replaced by the following:

‘Table 9

Verification tolerances

Parameter	Verification tolerances
$E_{W,full}$, $E_{W,1/2}$, $E_{W,1/4}$, $E_{WD,full}$, $E_{WD,1/2}$	The determined value (*) shall not exceed the declared value of $E_{W,full}$, $E_{W,1/2}$, $E_{W,1/4}$, $E_{WD,full}$ and $E_{WD,1/2}$, respectively, by more than 10 %.
Weighted energy consumption (E_W and E_{WD})	The determined value (*) shall not exceed the declared value of E_W and E_{WD} respectively, by more than 10 %.
$W_{W,full}$, $W_{W,1/2}$, $W_{W,1/4}$, $W_{WD,full}$, $W_{WD,1/2}$	The determined value (*) shall not exceed the declared value of $W_{W,full}$, $W_{W,1/2}$, $W_{W,1/4}$, $W_{WD,full}$ and $W_{WD,1/2}$, respectively, by more than 10 %.
Weighted water consumption (W_W and W_{WD})	The determined value (*) shall not exceed the declared value of W_W and W_{WD} respectively, by more than 10 %.
Washing efficiency index (I_W and J_W) at all relevant loads	The determined value (*) shall not be less than the declared value of I_W and J_W respectively, by more than 8 %.
Rinsing effectiveness (I_R and J_R) at all relevant loads	The determined value (*) shall not exceed the declared value of I_R and J_R respectively, by more than 1,0 g/kg.
Programme or cycle duration (t_W and t_{WD}) at all relevant loads	The determined value (*) of the programme or cycle duration shall not exceed the declared value of t_W and t_{WD} respectively by more than 5 % or by more than 10 minutes, whichever is smaller.
Maximum temperature inside the laundry (T) during the washing cycle at all relevant loads	The determined value (*) shall not be less than the declared value of T by more than 5K and it shall not exceed the declared value of T by more than 5K.
Weighted remaining moisture content after washing (D)	The determined value (*) shall not exceed the declared value of D by more than 10 %.
Final moisture content after drying at all relevant loads	The determined value (*) shall not exceed 3,0 %.
Spin speed (S) at all relevant loads	The determined value (*) shall not be less than the declared value of S by more than 10 %.

Power consumption in off mode (P_o)	The determined value (*) of power consumption P_o shall not exceed the declared value by more than 0,10 W.
Power consumption in standby mode (P_{sm})	The determined value (*) of power consumption P_{sm} shall not exceed the declared value by more than 10 % if the declared value is higher than 1,00 W, or by more than 0,10 W if the declared value is lower than or equal to 1,00 W.
Power consumption in delay start (P_{ds})	The determined value (*) of power consumption P_{ds} shall not exceed the declared value by more than 10 % if the declared value is higher than 1,00 W, or by more than 0,10 W if the declared value is lower than or equal to 1,00 W.
Airborne acoustical noise emissions	The determined value (*) shall not exceed the declared value by more than 2 dB(A) re 1 pW.

(*) In the case of three additional units tested as prescribed in point 4, the determined value means the arithmetical mean of the values determined for these three additional units.'

(7) in Annex X, point (f) is replaced by the following:

'(f) the remaining moisture content after washing is calculated as the weighted average, according to each drum's rated capacity';

ANNEX III

Annexes I, III, IV, V, VI and IX to Delegated Regulation (EU) 2019/2015 are amended as follows:

(1) in Annex I, point (42) is replaced by the following:

‘(42) “declared values” means the values provided by the supplier for the stated, calculated or measured technical parameters, pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Article 3(1)(d) and Annex VI of this Regulation, for the verification of compliance by the Member State authorities.’;

(2) Annex III is modified as follows:

(a) the third paragraph of point 1 is replaced by the following:

‘The label shall be:

- for the standard-sized label, at least 36 mm wide and 72 mm high,
- for the small-sized label (width less than 36 mm), at least 20 mm wide and 54 mm high.’;

(b) bullet 6 of point 2.3(e) is replaced by the following:

‘6. the rectangular border of the label and the internal dividers shall have a weight of 0,5 pt and the colour shall be 100 % black’;

(3) Annex IV is amended as follows:

(a) in point 1, point (a) is replaced by the following:

‘(a) in radiological and nuclear medicine installations that are subject to radiation safety standards as set out in Council Directive 2013/59/Euratom ⁽¹⁾;

⁽¹⁾ Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation (OJ L 13, 17.1.2014, p. 1).’;

(b) in point 3, the following point (l) is added:

‘(l) Incandescent light sources with blade contact-, metal lug-, cable-, litz wire-, metric thread-, pin base- or non-standard customised electrical interface, encasing made from quartz-glass tubes, specifically designed and exclusively marketed for industrial or professional electro-heating equipment (e.g. stretch blow-moulding process in PET-Industry, 3D-printing, photovoltaic and electronic manufacturing processes, drying or hardening of adhesives, inks, paints or coatings).’;

(c) the following point (4) is added:

‘(4) Light sources specifically designed and exclusively marketed for products in the scope of Commission Regulations (EU) 2019/2023, (EU) 2019/2022, (EU) No 932/2012 and (EU) 2019/2019, shall be exempt from the requirements of points 1(e)(7b), 1(e)(7c) and 1(e)(7d) of Annex VI to this Regulation.’;

(4) Annex V is amended as follows:

(a) Table 3 is replaced by the following:

‘Table 3

Product information sheet

Supplier’s name or trade mark ^(a) ^(c):

Supplier’s address ^(a) ^(c):

Model identifier ^(c):

Type of light source:

Lighting technology used:	[HL/LFL T5 HE/LFL T5 HO/CFLni/other FL/HPS/MH/other HID/LED/OLED/mixed/other]	Non-directional or directional:	[NDLS/DLS]
Light source cap-type (or other electric interface)	[free text]		
Mains or non-mains:	[MLS/NMLS]	Connected light source (CLS):	[yes/no]
Colour-tuneable light source:	[yes/no]	Envelope:	[no/second/non-clear]
High luminance light source:	[yes/no]		
Anti-glare shield:	[yes/no]	Dimmable:	[yes/only with specific dimmers/no]

Product parameters

Parameter	Value	Parameter	Value
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General product parameters:

Energy consumption in on-mode (kWh/1 000 h), rounded up to the nearest integer	x	Energy efficiency class	[A/B/C/D/E/F/G] ^(b)
Useful luminous flux (Φ_{use}), indicating if it refers to the flux in a sphere (360°), in a wide cone (120°) or in a narrow cone (90°)	x in [sphere/wide cone/narrow cone]	Correlated colour temperature, rounded to the nearest 100 K, or the range of correlated colour temperatures, rounded to the nearest 100 K, that can be set	[x/x...x/x or x (or x...)]
On-mode power (P_{on}), expressed in W	x,x	Standby power (P_{sb}), expressed in W and rounded to the second decimal	x,xx
Networked standby power (P_{net}) for CLS, expressed in W and rounded to the second decimal	x,xx	Colour rendering index, rounded to the nearest integer, or the range of CRI-values that can be set	[x/x...x]
Outer dimensions ^(a) ^(c) without separate control gear, lighting control parts and non-lighting control parts, if any (millimetre)	Height	Spectral power distribution in the range 250 nm to 800 nm, at full-load	[graphic]
	Width		
	Depth		

Claim of equivalent power ⁽ⁱ⁾	[yes/-]	If yes, equivalent power (W)	x
		Chromaticity coordinates (x and y)	0,xxx 0,xxx

Parameters for directional light sources:

Peak luminous intensity (cd)	x	Beam angle in degrees, or the range of beam angles that can be set	[x/x...x]
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Parameters for LED and OLED light sources:

R9 colour rendering index value	x	Survival factor	x,xx
the lumen maintenance factor	x,xx		

Parameters for LED and OLED mains light sources:

displacement factor (cos ϕ 1)	x,xx	Colour consistency in McAdam ellipses	x
Claims that an LED light source replaces a fluorescent light source without integrated ballast of a particular wattage.	[yes/-] ⁽ⁱ⁾	If yes then replacement claim (W)	x
Flicker metric (Pst LM)	x,x	Stroboscopic effect metric (SVM)	x,x

⁽ⁱ⁾ changes to these items shall not be considered relevant for the purposes of point 4 of Article 4 of Regulation (EU) 2017/1369.

^(j) if the product database automatically generates the definitive content of this cell the supplier shall not enter these data.

^(k) “-”: not applicable;

“yes”: an equivalence claim involving the power of a replaced light source type may be given only:

- for directional light sources, if the light source type is listed in Table 4 and if the luminous flux of the light source in a 90° cone (Φ 90°) is not lower than the corresponding reference luminous flux in Table 4. The reference luminous flux shall be multiplied by the correction factor in Table 5. For LED light sources, it shall be in addition multiplied by the correction factor in Table 6,
- for non-directional light sources, the claimed equivalent incandescent light source power (in watt, rounded to the integer) shall be that corresponding in Table 7 to the luminous flux of the light source.

The intermediate values of both the luminous flux and the claimed equivalent light source power (in watt, rounded to the integer) shall be calculated by linear interpolation between the two adjacent values.

⁽ⁱ⁾ “-”: not applicable;

“yes”: Claim that a LED light source replaces a fluorescent light source without integrated ballast of a particular wattage. This claim may be made only if:

- the luminous intensity in any direction around the tube axis does not deviate by more than 25 % from the average luminous intensity around the tube, and
- the luminous flux of the LED light source is not lower than the luminous flux of the fluorescent light source of the claimed wattage. The luminous flux of the fluorescent light source shall be obtained by multiplying the claimed wattage with the minimum luminous efficacy value corresponding to the fluorescent light source in Table 8, and
- the wattage of the LED light source is not higher than the wattage of the fluorescent light source it is claimed to replace.

The technical documentation file shall provide the data to support such claims.

^(k) this item shall not be considered relevant for the purpose of Article 2(6) of Regulation (EU) 2017/1369.’

(b) Table 7 is replaced by the following:

Table 7

Equivalence claims for non-directional light sources

Light source luminous flux Φ (lm)	Claimed equivalent incandescent light source power (W)
136	15
249	25
470	40
806	60
1 055	75
1 521	100
2 452	150
3 452	200'

(5) Annex VI is amended as follows:

(a) in point 1, point (e) is replaced by the following

'(e) the declared values for the following technical parameters; these values are considered as the declared values for the purpose of the verification procedure in Annex IX:

- (1) useful luminous flux (Φ_{use}) in lm;
- (2) colour rendering index (CRI);
- (3) on-mode power (P_{on}) in W;
- (4) beam angle in degrees for directional light sources (DLS);
- (4a) peak luminous intensity in cd for directional light sources (DLS);
- (5) correlated colour temperature (CCT) in K;
- (6) standby power (P_{sb}) in W, including when it is zero;
- (7) networked standby power (P_{net}) in W for connected light sources (CLS);
- (7a) R9 colour rendering index value for LED and OLED light sources;
- (7b) survival factor for LED and OLED light sources;
- (7c) lumen maintenance factor for LED and OLED light sources;
- (7d) indicative lifetime L70B50 for LED and OLED light sources;
- (8) displacement factor ($\cos \phi$) for LED and OLED mains light sources;
- (9) colour consistency in MacAdam ellipse steps for LED and OLED light sources;
- (10) luminance-HLLS in cd/mm^2 (only for HLLS)
- (11) flicker metric (PstLM) for LED and OLED light sources;
- (12) stroboscopic effect metric (SVM) for LED and OLED light sources;
- (13) excitation purity, only for CTLS, for the following colours and dominant wavelength within the given range:

Colour	Dominant wave-length range
Blue	440 nm – 490 nm
Green	520 nm – 570 nm
Red	610 nm – 670 nm';

(b) the following point 2 is added:

‘2. The elements listed under point 1 shall also constitute the mandatory specific parts of the technical documentation that the supplier shall enter into the database, pursuant to point 5 of Article 12 of Regulation (EU) 2017/1369.’;

(6) Annex IX is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means. The values and classes published on the label or in the product information sheet shall not be more favourable for the supplier than the values declared in the technical documentation.

Where a model has been designed to be able to detect it is being tested (e.g. by recognising the test conditions or test cycle), and to react specifically by automatically altering its performance during the test with the objective of reaching a more favourable level for any of the parameters specified in this Regulation or included in the technical documentation or included in any of the documentation provided, the model and all equivalent models shall be considered not compliant.’;

(b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;

(c) the second paragraph of point 1 is replaced by the following:

‘The Member State authorities shall verify 10 units of the light source model for point 2(c) of this Annex. The verification tolerances are laid down in Table 9 of this Annex.’;

(d) point 3 is replaced by the following:

‘3. If the results referred to in point 2(a), (b) or (c) are not achieved, the model and all equivalent models shall be considered not to comply with this Regulation.’;

(e) Table 9 is replaced by the following:

‘Table 9

Verification tolerances

Parameter	Sample size	Verification tolerances
Full-load on-mode power P_{on} [W]:		
$P_{on} \leq 2W$	10	The determined value shall not exceed the declared value by more than 0,20 W.
$2W < P_{on} \leq 5W$	10	The determined value shall not exceed the declared value by more than 10 %.
$5W < P_{on} \leq 25W$	10	The determined value shall not exceed the declared value by more than 5 %.
$25W < P_{on} \leq 100W$	10	The determined value shall not exceed the declared value by more than 5 %.
$100W < P_{on}$	10	The determined value shall not exceed the declared value by more than 2,5 %.
Displacement factor [0-1]	10	The determined value shall not be less than the declared value minus 0,1 units.
Useful luminous flux Φ_{use} [lm]	10	The determined value shall not be less than the declared value minus 10 %.
Standby power P_{sb} and networked standby power P_{net} [W]	10	The determined value shall not exceed the declared value by more than 0,10 W.

CRI and R9 [0-100]	10	The determined value shall not be less than the declared value by more than 2,0 units.
Flicker [Pst LM] and stroboscopic effect [SVM]	10	The determined value shall not exceed the declared value by more than 0,1 or by more than 10 % if the declared value is more than 1,0
Colour consistency [MacAdam ellips steps]	10	The determined number of steps shall not exceed the declared number of steps. The centre of the MacAdam ellipse shall be the centre declared by the supplier with a tolerance of 0,005 units.
Beam angle (degrees)	10	The determined value shall not deviate from the declared value by more than 25 %.
Total mains efficacy η_{TM} [lm/W]	10	The determined value (quotient) shall not be less than the declared value minus 5 %.
Lumen maintenance factor (for LED and OLED)	10	The determined X_{LMF} % of the sample shall not be less than $X_{LMF, MIN}$ % according to the text in Annex V of Commission Regulation (EU) 2019/2020 ⁽¹⁾ .
Survival factor (for LED and OLED)	10	At least 9 light sources of the test sample must be operational after completing the endurance test in Annex V of Regulation (EU) 2019/2020.
Excitation purity [%]	10	The determined value shall not be less than the declared value minus 5 %.
Correlated colour temperature [K]	10	The determined value shall not deviate from the declared value by more than 10 %.
Peak luminous intensity [cd]	10	The determined value shall not deviate from the declared value by more than 25 %.

⁽¹⁾ Commission Regulation (EU) 2019/2020 of 1 October 2019 laying down ecodesign requirements for light sources and separate control gears pursuant to Directive 2009/125/EC of the European Parliament and of the Council and repealing Commission Regulations (EC) No 244/2009, (EC) No 245/2009 and (EU) No 1194/2012 (see page 209 of this Official Journal).

For light sources with linear geometry which are scalable but of very long length, such as LED strips or strings, verification testing of market surveillance authorities shall consider a length of 50 cm, or, if the light source is not scalable there, the nearest value to 50 cm. The light source supplier shall indicate which control gear is suitable for this length.

When verifying if a product is a light source, market surveillance authorities shall compare the measured values for chromaticity coordinates (x and y), luminous flux, luminous flux density, and colour rendering index directly with the limit values set out in the definition for light source of Article 2 of this Regulation, without applying any tolerances. If any of the 10 units in the sample satisfies the conditions for being a light source, the product model shall be considered to be a light source.

Light sources that allow the end-user to control, manually or automatically, directly or remotely, the luminous intensity, colour, correlated colour temperature, spectrum, and/or beam angle of the emitted light shall be evaluated using the reference control setting.'

ANNEX IV

Annexes I, II, IV, V, VI and IX to Delegated Regulation (EU) 2019/2016 are amended as follows:

(1) in Annex I, the following point (42) is added:

‘(42) “declared values” means the values provided by the supplier for the stated, calculated or measured technical parameters, pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Article 3(1)(d) and Annex VI of this Regulation, for the verification of compliance by the Member State authorities.’;

(2) in Annex II, Table 1 is replaced by the following:

‘Table 1

Energy efficiency classes of refrigerating appliances

Energy efficiency class	Energy efficiency index (EEI)
A	$EEI \leq 41$
B	$41 < EEI \leq 51$
C	$51 < EEI \leq 64$
D	$64 < EEI \leq 80$
E	$80 < EEI \leq 100$
F	$100 < EEI \leq 125$
G	$EEI > 125$

(3) in Annex IV, point 1 is amended as follows:

(a) the following is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Table 7 of Annex VI, its declared value shall be used by the supplier for the calculations in this Annex.’;

(b) paragraph (h) and (i) are replaced by the following:

‘(h) the freezing capacity of a compartment is calculated as 24 times the light load weight of that compartment, divided by the freezing time to bring the temperature of the light load from +25 to – 18 °C at an ambient temperature of 25 °C expressed in kg/24h and rounded to one decimal place;

(i) for 4-star compartments, the freezing time to bring the temperature of the light load from +25 to – 18 °C at an ambient temperature of 25 °C shall be such that the resulting freezing capacity complies with the requirement in Annex I, point 4’;

(c) the following point (k) is added:

‘(k) the light load weight for each 4-star compartment shall be:

- 3,5 kg/100 l of the volume of the 4-star compartment evaluated, rounded up to the nearest 0,5 kg, and
- 2 kg for a 4-star compartment with a volume for which 3,5 kg/100 l leads to a value lower than 2 kg;

in the case that the refrigerating appliance includes a combination of 3- and 4-star compartments, the sum of the light load weights shall be increased so that the sum of the light load weights for all the 4-star compartments shall be:

- 3,5 kg/100 l of the total volume of all 4- and 3-star compartments, rounded up to the nearest 0,5 kg, and
- 2 kg for a total volume of all 4- and 3-star compartments for which 3,5 kg/100 l leads to a value lower than 2 kg’;

(4) in Annex V, Table 6 is replaced by the following:

Table 6

Product information sheet

Supplier's name or trade mark ^(b) ^(d) :					
Supplier's address ^(b) ^(d) :					
Model identifier ^(d) :					
Type of refrigerating appliance:					
Low-noise appliance:		[yes/no]	Design type:		[built-in/freestanding]
Wine storage appliance:		[yes/no]	Other refrigerating appliance:		[yes/no]
General product parameters:					
Parameter		Value		Parameter	
Overall dimensions (millimetre) ^(b) ^(d)	Height	x		Total volume (dm ³ or l)	x
	Width	x			
	Depth	x			
EEI		x		Energy efficiency class	
Airborne acoustical noise emissions (dB(A) re 1 pW)		x		Airborne acoustical noise emission class	
Annual energy consumption (kWh/a)		x		Climate class:	
Minimum ambient temperature (°C), for which the refrigerating appliance is suitable		x ^c		Maximum ambient temperature (°C), for which the refrigerating appliance is suitable	
Winter setting		[yes/no]			
Compartment Parameters:					
Compartment type		Compartment parameters and values			
		Compartment Volume (dm ³ or l)	Recommended temperature setting for optimised food storage (°C) These settings shall not contradict the storage conditions set out in Annex IV, Table 3	Freezing capacity (kg/24 h)	Defrosting type (auto-defrost = A, manual defrost = M)
Pantry	[yes/no]	x,x	x	-	[A/M]
Wine storage	[yes/no]	x,x	x	-	[A/M]

Cellar	[yes/no]	x,x	x	-	[A/M]
Fresh food	[yes/no]	x,x	x	-	[A/M]
Chill	[yes/no]	x,x	x	-	[A/M]
0-star or ice- making	[yes/no]	x,x	x	-	[A/M]
1-star	[yes/no]	x,x	x	-	[A/M]
2-star	[yes/no]	x,x	x	-	[A/M]
3-star	[yes/no]	x,x	x	-	[A/M]
4-star	[yes/no]	x,x	x	x,x	[A/M]
2-star section	[yes/no]	x,x	x	-	[A/M]
Variable temperature compartment	compartment types	x,x	x	x,x (for 4-star compartments) or -	[A/M]

For 4-star compartments

Fast freeze facility	[yes/no]
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For wine storage appliances

Number of standard wine bottles	x
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Light source parameters ^(a) ^(b):

Type of light source	[Lighting technology]
Energy efficiency class	[A/B/C/D/E/F/G]

Minimum duration of the guarantee offered by the manufacturer ^(b) ^(d):**Additional information** ^(b) ^(d):

Weblink to the supplier's website, where the information in point 4 of Annex II of Commission Regulation (EU) 2019/2019 ⁽¹⁾ is found:

^(a) as determined in accordance with Commission Delegated Regulation (EU) 2019/2015 ⁽²⁾.

^(b) changes to this item shall not be considered relevant for the purposes of point 4 of Article 4 of Regulation (EU) 2017/1369.

^(c) if the product database automatically generates the definitive content of this cell the supplier shall not enter these data.

^(d) this item shall not be considered relevant for the purpose of Article 2(6) of Regulation (EU) 2017/1369.

⁽¹⁾ Commission Regulation (EU) 2019/2019 of 1 October 2019 laying down ecodesign requirements for refrigerating appliances pursuant to Directive 2009/125/EC of the European Parliament and of the Council and repealing Commission Regulation (EC) No 643/2009 (see page 187 of this Official Journal).

⁽²⁾ Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012 (see page 68 of this Official Journal).;

(5) in Annex VI, point 1 is replaced by the following:

‘1. The technical documentation referred to in point 1(d) of Article 3 shall include the following elements:

- (a) a general description of the model allowing it to be unequivocally and easily identified;
- (b) references to the harmonised standards applied or other measurement standards used;

- (c) specific precautions to be taken when the model is assembled, installed, maintained or tested;
- (d) the values for the technical parameters set out in Table 7; these values are considered as the declared values for the purpose of the verification procedure in Annex IX;
- (e) the details and the results of calculations performed in accordance with Annex IV;
- (f) testing conditions if not described sufficiently in point (b);
- (g) equivalent models, if any, including model identifiers.

These elements shall also constitute the mandatory specific parts of the technical documentation that the supplier shall enter into the database, pursuant to point 5 of Article 12 of Regulation (EU) 2017/1369.

Table 7

Technical parameters of the model and their declared values for refrigerating appliances

A general description of the refrigerating appliance model, sufficient for it to be unequivocally and easily identified:

Product specifications:			
General product specifications:			
Parameter	Value	Parameter	Value
Annual energy consumption (kWh/a)	x,xx	EEI (%)	x,x
Standard annual energy consumption (kWh/a)	x,xx	Combi parameter	x,xx
Temperature rise time (h)	x,xx	Load factor	x,x
Door heat loss factor	x,xxx	Climate class	[extended temperate/ temperate/subtropical/ tropical]
Anti-condensation heater type	[manual on-off/ambient/ other/none]	Airborne acoustical noise emissions (dB(A) re 1 pW)	x

Additional product specifications for refrigerating appliances, except for low noise refrigerating appliances:

Parameter	Value	
Daily energy consumption at 32 °C (kWh/24h)	x,xxx	

Additional product specifications for low noise refrigerating appliances:

Parameter	Value	
Daily energy consumption at 25 °C (kWh/24h)	x,xxx	

Additional product specifications for wine storage appliances

Parameter	Value	Parameter	Value
Internal humidity (%)	[range]	Number of bottles	X

If the refrigerating appliance contains multiple compartments of the same type, the lines for these compartments shall be repeated. If a certain compartment type is not present, the compartment parameters' values shall be "-".

Compartment specifications:

Compartment type	Compartment parameters and values							
	Target temperature (°C)	Compartment volume (dm ³ or l)	Freezing capacity (kg/24 h)	Thermodynamic parameter (r _c)	N _c	M _c	Defrost factor (A _c)	Built-in factor (B _c)
Pantry	+17	x,x	-	0,35	75	0,12	1,00	x,xx
Wine storage	+12	x,x	-	0,60	75	0,12	1,00	x,xx
Cellar	+12	x,x	-	0,60	75	0,12	1,00	x,xx
Fresh food	+4	x,x	-	1,00	75	0,12	1,00	x,xx
Chill	+2	x,x	-	1,10	138	0,12	1,00	x,xx
0-star or ice making	0	x,x	-	1,20	138	0,15	x,xx	x,xx
1-star	-6	x,x	-	1,50	138	0,15	x,xx	x,xx
2-star	-12	x,x	-	1,80	138	0,15	x,xx	x,xx
3-star	-18	x,x	-	2,10	138	0,15	x,xx	x,xx
4-star	-18	x,x	x,x	2,10	138	0,15	x,xx	x,xx
2-star section	-12	x,x	-	2,10	138	0,15	x,xx	x,xx
Variable temperature compartment	X	x,x	x,x (for 4-star compartments) or -	x,xx	x	x,xx	x,xx	x,xx
The sum of the volumes of the chill compartment(s) and the unfrozen compartment(s) [l or dm ³]		x						
The sum of the volumes of the frozen compartment(s) [l or dm ³]		x'						

(6) Annex IX is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means. The values and classes published on the label or in the product information sheet shall not be more favourable for the supplier than the values declared in the technical documentation.’;

- (b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;
- (c) point (7) is replaced as follows:
- ‘(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision is taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.’;
- (d) Table 8 is replaced by the following:

‘Table 8

Verification tolerances for measured parameters

Parameters	Verification tolerances
Total volume and compartment volume	The determined value ^a shall not be more than 3 % or 1 litre lower – whichever is the greater value – than the declared value.
Freezing capacity	The determined value ^a shall not be more than 10 % lower than the declared value.
E_{32}	The determined value ^a shall not be more than 10 % higher than the declared value.
Annual energy consumption	The determined value ^a shall not be more than 10 % higher than the declared value.
Internal humidity of wine storage appliances (%)	The determined value ^a shall not differ from the declared range by more than 10 %.
Airborne acoustical noise emissions	The determined value ^a shall not be more than 2 dB(A) re 1 pW more than the declared value.
Temperature rise time	The determined value ^a shall not be more than 15 % lower than the declared value.

^a In the case of three additional units tested as prescribed in point 4, the determined value means the arithmetical mean of the values determined for these three additional units.’

ANNEX V

Annexes I, II, IV, V, VI and IX to Delegated Regulation (EU) 2019/2017 are amended as follows:

(1) in Annex I, the following point (24) is added:

‘(24) “declared values” means the values provided by the supplier for the stated, calculated or measured technical parameters, pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Article 3(1)(d) and Annex VI of this Regulation, for the verification of compliance by the Member State authorities.’;

(2) in Annex II, the title of Table 1 is replaced by the following: ‘Energy efficiency classes of household dishwashers’;

(3) Annex IV is amended as follows:

(a) the following is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Table 4 of Annex VI, its declared value shall be used by the supplier for the calculations in this Annex.’;

(b) points 2, 3 and 4 are replaced by the following:

‘2. CLEANING PERFORMANCE INDEX

For the calculation of the cleaning performance index (I_C) of a household dishwasher model, the cleaning performance of the eco programme is compared to the cleaning performance of a reference dishwasher.

The I_C is calculated as follows and rounded to three decimal places:

$$I_C = \exp (\ln I_C)$$

and

$$\ln I_C = (1/n) \times \sum_{i=1}^n \ln (C_{T,i}/C_{R,i})$$

where:

$C_{T,i}$ is the cleaning performance of the eco programme of the household dishwasher under test for one test run (i), rounded to three decimal places;

$C_{R,i}$ is the cleaning performance of the reference dishwasher for one test run (i), rounded to three decimal places;

n is the number of test runs.

3. DRYING PERFORMANCE INDEX

For the calculation of the drying performance index (I_D) of a household dishwasher model, the drying performance of the eco programme is compared to the drying performance of the reference dishwasher.

The I_D is calculated as follows and rounded to three decimal places:

$$I_D = \exp (\ln I_D)$$

and

$$\ln I_D = (1/n) \times \sum_{i=1}^n \ln(I_{D,i})$$

where:

$I_{D,i}$ is the drying performance index of the eco programme of the household dishwasher under test for one test run (i);

n is the number of combined cleaning and drying test runs.

The $I_{D,i}$ is calculated as follows and rounded to three decimal places:

$$\ln I_{D,i} = \ln (D_{T,i}/D_{R,t})$$

where:

$D_{T,i}$ is the average drying performance score of the eco programme of the household dishwasher under test for one test run (i), rounded to three decimal places;

$D_{R,t}$ is the target drying score of the reference dishwasher, rounded to three decimal places.

4. LOW POWER MODES

Where applicable, the power consumption of the off mode (P_o), standby mode (P_{sm}) and delay start (P_{ds}) are measured, expressed in W, and rounded to two decimal places.

During measurements of the power consumption in low power modes, the following shall be checked and recorded:

- the display or not of information,
- the activation or not of a network connection.;

(4) in Annex V, Table 3 is replaced by the following:

Table 3

Content, order and format of the product information sheet

Supplier's name or trade mark ^(a) ^(c) :				
Supplier's address ^(a) ^(c) :				
Model identifier ^(a) :				
General product parameters:				
Parameter	Value	Parameter	Value	
Rated capacity ^(b) (ps)	x	Dimensions in cm ^(a) ^(c)	Height	x
			Width	x
			Depth	x
EEI ^(b)	x,x	Energy efficiency class ^(b)	[A/B/C/D/E/F/G] ^(d)	
Cleaning performance index ^(b)	x,xxx	Drying performance index ^(b)	x,xxx	
Energy consumption in kWh [per cycle], based on the eco programme using cold water fill. Actual energy consumption will depend on how the appliance is used.	x,xxx	Water consumption in litres [per cycle], based on the eco programme. Actual water consumption will depend on how the appliance is used and on the hardness of the water.	x,x	
Programme duration ^(b) (h:min)	x:xx	Type	[built-in/free-standing]	
Airborne acoustical noise emissions ^(b) (dB(A) re 1 pW)	x	Airborne acoustical noise emission class ^(b)	[A/B/C/D] ^(d)	
Off-mode (W) (if applicable)	x,xx	Standby mode (W) (if applicable)	x,xx	
Delay start (W) (if applicable)	x,xx	Networked standby (W) (if applicable)	x,xx	
Minimum duration of the guarantee offered by the supplier ^(a) ^(c) :				

Additional information ^(a) ^(c):

Weblink to the supplier's website, where the information in point 6 of Annex II to Commission Regulation (EU) 2019/2022 ⁽¹⁾ is found:

^(a) this item shall not be considered relevant for the purposes of Article 2(6) of Regulation (EU) 2017/1369.

^(b) for the eco programme.

^(c) changes to this item shall not be considered relevant for the purposes of paragraph 4 of Article 4 of Regulation (EU) 2017/1369.

^(d) if the product database automatically generates the definitive content of this cell the supplier shall not enter these data.

⁽¹⁾ Commission Regulation (EU) 2019/2022 of 1 October 2019 laying down ecodesign requirements for household dishwashers pursuant to Directive 2009/125/EC of the European Parliament and of the Council amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1016/2010 (see page 267 of this Official Journal).;

(5) in Annex VI, point 1 is replaced by the following:

‘1. The technical documentation referred to in point 1(d) of Article 3 shall include the following elements:

- (a) a general description of the model allowing it to be unequivocally and easily identified;
- (b) references to the harmonised standards applied or other measurement standards used;
- (c) specific precautions to be taken when the model is assembled, installed, maintained or tested;
- (d) the values for the technical parameters set out in Table 4; these values are considered as the declared values for the purpose of the verification procedure in Annex IX;
- (e) the details and the results of calculations performed in accordance with Annex IV;
- (f) testing conditions if not described sufficiently in point (b);
- (g) equivalent models, if any, including model identifiers.

These elements shall also constitute the mandatory specific parts of the technical documentation that the supplier shall enter into the database, pursuant to point 5 of Article 12 of Regulation (EU) 2017/1369.

Table 4

Technical parameters of the model and their declared values for household dishwashers

PARAMETER	DECLARED VALUE	UNIT
Rated capacity in place settings	X	-
Eco programme energy consumption (EPEC) rounded to three decimal places	X,XXX	kWh/cycle
Standard programme energy consumption (SPEC) rounded to three decimal places	X,XXX	kWh/cycle
Energy Efficiency Index (EEI)	X,X	-
Eco programme water consumption (EPWC) rounded to one decimal place	X,X	l/cycle
Cleaning performance index (I _C)	X,XXX	-
Drying performance index (I _D)	X,XXX	-
Duration of the eco programme (T _E) rounded to the nearest minute	X:XX	h:min

Power consumption in off-mode (P_o) rounded to two decimal places (if applicable)	X,XX	W
Power consumption in standby mode (P_{sm}) rounded to two decimal places (if applicable)	X,XX	W
Does standby mode include the display of information?	Yes/No	-
Power consumption in standby mode (P_{sm}) in condition of networked standby (if applicable), rounded to two decimal places	X,XX	W
Power consumption in delay start (P_{ds}) (if applicable) rounded to two decimal places	X,XX	W
Airborne acoustical noise emissions	X	dB(A) re 1 pW

(6) Annex IX is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means. The values and classes published on the label or in the product information sheet shall not be more favourable for the supplier than the values declared in the technical documentation.’;

(b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;

(c) point (7) is replaced as follows:

‘(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision is taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.’.

ANNEX VI

Annexes I, III, IV, V, VI and IX to Delegated Regulation (EU) 2019/2018 are amended as follows:

(1) in Annex I, point (18) is replaced by the following:

‘(18) “declared values” means the values provided by the supplier for the stated, calculated or measured technical parameters, pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Article 3(1)(d) and Annex VI of this Regulation, for the verification of compliance by the Member State authorities.’;

(2) Annex IV is modified as follows:

(a) the following is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 3(3) of Regulation (EU) 2017/1369 and in accordance with Table 11 of Annex VI, its declared value shall be used by the supplier for the calculations in this Annex.’;

(b) in Table 4, part (a), the following lines are added:

Vertical and combined refrigerator supermarket cabinets	M0	$\leq + 4$	$\geq - 1$	n.a.	1,30
Horizontal refrigerator supermarket cabinets	M0	$\leq + 4$	$\geq - 1$	n.a.	1,13'

(c) the first note at the end of Table 4 is replaced as follows:

‘(*) For multi-temperature vending machines, T_V shall be the average of T_{V1} (the maximum measured product temperature in the warmest compartment) and T_{V2} (the maximum measured product temperature in the coldest compartment), rounded to one decimal.’;

(d) Table 10 of Annex V is replaced by the following:

Table 10

Product information sheet

Supplier's name or trademark ^(b) ^(c) :	
Supplier's address ^(b) ^(c) :	
Model identifier ^(c) :	
Use:	Display and sale
Type of refrigerating appliance with a direct sales function: [Beverage coolers/Ice-cream freezers/Gelato-scooping cabinet/supermarket cabinet/refrigerated vending machines]	
Cabinet family code, according to the harmonised standards or other reliable, accurate and reproducible methods in accordance with Annex IV.	For example: [HC1/.../HC8], [VC1/.../VC4]

Product specific parameters

(Beverage coolers: fill in point 1, ice-cream freezers: fill in point 2, Gelato-scooping cabinet: fill in point 3, supermarket cabinet: fill in point 4, refrigerated vending machines: fill in point 5. If the refrigerating appliance with a direct sales function contains compartments working at different temperatures, or a compartment that can be set to different temperatures, the lines shall be repeated for each compartment or temperature setting):

1. Beverage coolers:

Gross volume (dm ³ or L)	Ambient conditions for which the appliance is suitable (according to Table 6)	
	Warmest temperature (°C)	Relative humidity (%)
x	x	x

2. Ice-cream freezers with [transparent lid/non-transparent lid]:

Net volume (dm ³ or L)	Ambient conditions for which the appliance is suitable (according to Table 8)			
	Temperature range (°C)		Relative humidity range (%)	
	minimum	maximum	minimum	maximum
x	x	x	x	x

3. Gelato-scooping cabinet

Total display area (m ²)	Temperature class (according to Table 4(b))
x,xx	[G1/G2/G3/L1/L2/L3/S]

4. [Integral/Remote] [horizontal/vertical (other than semi-vertical)/semi-vertical/combined] supermarket cabinet, roll-in: [yes/no]:

Total display area (m ²)	Temperature class (according to Table 4(a))
x,xx	[refrigerator: [M2/H1/H2/M1]]/freezer: [L1/L2/L3]]

5. Refrigerated vending machines, [refrigerated closed fronted for cans and bottles where the products are held in stacks/refrigerated glass fronted for [can and bottle, confectionery & snack/entirely for perishable foodstuffs]/multi-temperature for [fill in the type of foodstuffs it is intended for]/combination machines consisting of different categories of machine in the same housing and powered by one chiller for [fill in the type of foodstuffs it is intended for]]:

Volume (dm ³ or L)	Temperature class (according to Table 4(c))
x	category [1/2/3/4/6]

General product parameters:

Parameter	Value	Parameter	Value
Annual energy consumption (kWh/a) ^(a)	x,xx	Recommended temperature(s) for optimised food storage (°C) (These settings shall not contradict the temperature conditions set out in Annex IV, Table 4, 5 or 6, as applicable)	x
EEI	x,x	Energy efficiency class	[A/B/C/D/E/F/G] ^(c)

Light source parameters ^(a), ^(b):

Type of light source	[Lighting technology]
Energy efficiency class	[A/B/C/D/E/F/G]

Minimum duration of the guarantee offered by the supplier ^(b), ^(c)

Additional information ^(b) ^(c):

The weblink to the supplier’s website, where the information in point 3 of Annex II of Commission Regulation (EU) 2019/2024 ⁽¹⁾ is found:

- ^(a) as determined in accordance with Commission Delegated Regulation (EU) 2019/2015 ⁽²⁾.
- ^(b) changes to this item shall not be considered relevant for the purposes of paragraph 4 of Article 4 of Regulation (EU) 2017/1369.
- ^(c) if the product database automatically generates the definitive content of this cell the supplier shall not enter these data.
- ^(d) if the refrigerating appliance with a direct sales function has different compartments working at different temperatures, the annual energy consumption of the integrated unit shall be provided. If separate refrigeration systems provide cooling for separate compartments of the same unit, the energy consumption associated with each sub-system shall also be provided where possible.
- ^(e) this item shall not be considered relevant for the purposes of Article 2(6) of Regulation (EU) 2017/1369.

⁽¹⁾ Commission Regulation (EU) 2019/2024 of 1 October 2019 laying down ecodesign requirements for refrigerating appliances with a direct sales function pursuant to Directive 2009/125/EC of the European Parliament and of the Council (see page 313 of this Official Journal).

⁽²⁾ Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012 (see page 68 of this Official Journal).’;

(3) in Annex VI, point 1 is replaced by the following

- ‘1. The technical documentation referred to in point 1(d) of Article 3 shall include the following elements:
- (a) a general description of the model allowing it to be unequivocally and easily identified;
 - (b) references to the harmonised standards applied or other measurement standards used;
 - (c) specific precautions to be taken when the model is assembled, installed, maintained or tested;
 - (d) the values for the technical parameters set out in Table 11; these values are considered as the declared values for the purpose of the verification procedure in Annex IX;
 - (e) the details and the results of calculations performed in accordance with Annex IV;
 - (f) testing conditions if not described sufficiently in point (b);
 - (g) equivalent models, if any, including model identifiers.

These elements shall also constitute the mandatory specific parts of the technical documentation that the supplier shall enter into the database, pursuant to Article 12(5) of Regulation (EU) 2017/1369.

Table 11

Technical parameters of the model and their declared values for refrigerating appliances with a direct sales function

A general description of the refrigerating appliance with direct sales function model, sufficient for it to be unequivocally and easily identified:

Product specifications

General product specifications:

Parameter	Value	Parameter	Value
Annual energy consumption (kWh/a)	x,xx	Standard annual energy consumption (kWh/a)	x,xx

Daily energy consumption (kWh/24h)	x,xxx	Ambient conditions	[Set 1/Set 2]
M	x,x	N	x,xxx
Temperature coefficient (C)	x,xx	Y	x,xx
P	x,xx	Target temperature (Tc) (°C)*	x,x
Climate class factor (CC)*	x,xx		

Additional information:

The references of the harmonised standards or other reliable accurate and reproducible methods applied:

Where appropriate, identification and signature of the person empowered to bind the supplier:

A list of equivalent models, including model identifiers:

* Only for beverage coolers and ice-cream freezers

Additional product specifications for beverage coolers:

Parameter		Value
Gross volume (dm ³ or L)		x
Ambient conditions for which the appliance is suitable (according to Table 6)	Warmest temperature (°C)	x
	Relative humidity (%)	x

Additional product specifications for ice-cream freezers with [transparent lid/non-transparent lid]:

Parameter			Value
Net volume (dm ³ or L)			x
Ambient conditions for which the appliance is suitable (according to Table 8)	Temperature range (°C)	Minimum	x
		Maximum	x
	Relative humidity range (%)	Minimum	x
		Maximum	x

Additional product specifications for gelato-scooping cabinet

Parameter		Value
Total display area (m ²)		x,xx
Temperature class		XY

Additional product specifications for supermarket cabinet

Parameter		Value
Total display area (m ²)		x,xx
Temperature class		XY

Additional product specifications for refrigerated vending machines:

Parameter	Value
Temperature class	XY
Volume (dm ³ or L)	x'

(4) Annex IX is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the supplier as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means. The values and classes published on the label or in the product information sheet shall not be more favourable for the supplier than the values declared in the technical documentation.’;

(b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;

(c) point (7) is replaced by the following:

‘(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.’.

COMMISSION REGULATION (EU) 2021/341**of 23 February 2021****amending Regulations (EU) 2019/424, (EU) 2019/1781, (EU) 2019/2019, (EU) 2019/2020, (EU) 2019/2021, (EU) 2019/2022, (EU) 2019/2023 and (EU) 2019/2024 with regard to ecodesign requirements for servers and data storage products, electric motors and variable speed drives, refrigerating appliances, light sources and separate control gears, electronic displays, household dishwashers, household washing machines and household washer-dryers and refrigerating appliances with a direct sales function****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products ⁽¹⁾, and in particular Article 15 thereof,

Whereas:

- (1) Directive 2009/125/EC empowers the Commission to set ecodesign requirements for energy-related products.
- (2) Provisions on the ecodesign of servers and data storage products, electric motors and variable speed drives, refrigerating appliances, light sources and separate control gears, electronic displays, household dishwashers, household washing machines and household washer-dryers, and refrigerating appliances with a direct sales function were established by Commission Regulations (EU) 2019/424 ⁽²⁾, (EU) 2019/1781 ⁽³⁾, (EU) 2019/2019 ⁽⁴⁾, (EU) 2019/2020 ⁽⁵⁾, (EU) 2019/2021 ⁽⁶⁾, (EU) 2019/2022 ⁽⁷⁾, (EU) 2019/2023 ⁽⁸⁾ and (EU) 2019/2024 ⁽⁹⁾ (hereafter the ‘amended Regulations’).

⁽¹⁾ OJ L 285, 31.10.2009, p. 10.

⁽²⁾ Commission Regulation (EU) 2019/424 of 15 March 2019 laying down ecodesign requirements for servers and data storage products pursuant to Directive 2009/125/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 617/2013 (OJ L 74, 18.3.2019, p. 46).

⁽³⁾ Commission Regulation (EU) 2019/1781 of 1 October 2019 laying down ecodesign requirements for electric motors and variable speed drives pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Regulation (EC) No 641/2009 with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products and repealing Commission Regulation (EC) No 640/2009 (OJ L 272, 25.10.2019, p. 74).

⁽⁴⁾ Commission Regulation (EU) 2019/2019 of 1 October 2019 laying down ecodesign requirements for refrigerating appliances pursuant to Directive 2009/125/EC of the European Parliament and of the Council and repealing Commission Regulation (EC) No 643/2009 (OJ L 315, 5.12.2019, p. 187).

⁽⁵⁾ Commission Regulation (EU) 2019/2020 of 1 October 2019 laying down ecodesign requirements for light sources and separate control gears pursuant to Directive 2009/125/EC of the European Parliament and of the Council and repealing Commission Regulations (EC) No 244/2009, (EC) No 245/2009 and (EU) No 1194/2012 (OJ L 315, 5.12.2019, p. 209).

⁽⁶⁾ Commission Regulation (EU) 2019/2021 of 1 October 2019 laying down ecodesign requirements for electronic displays pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EC) No 642/2009 (OJ L 315, 5.12.2019, p. 241).

⁽⁷⁾ Commission Regulation (EU) 2019/2022 of 1 October 2019 laying down ecodesign requirements for household dishwashers pursuant to Directive 2009/125/EC of the European Parliament and of the Council amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1016/2010 (OJ L 315, 5.12.2019, p. 267).

⁽⁸⁾ Commission Regulation (EU) 2019/2023 of 1 October 2019 laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1015/2010 (OJ L 315, 5.12.2019, p. 285).

⁽⁹⁾ Commission Regulation (EU) 2019/2024 of 1 October 2019 laying down ecodesign requirements for refrigerating appliances with a direct sales function pursuant to Directive 2009/125/EC of the European Parliament and of the Council (OJ L 315, 5.12.2019, p. 313).

- (3) In order to avoid confusion for manufacturers and national market surveillance authorities about the values to be included in technical documentation, and in relation to verification tolerances, a definition of declared values should be added in the amended Regulations.
- (4) To improve the effectiveness and credibility of the product-specific Regulations and to protect consumers, products able to detect being tested and to automatically alter their performance in test conditions with the objective of reaching a more favourable level for any of the parameters specified in these Regulations or included in the technical documentation or included in any of the documentation provided should not be allowed to be placed on the market.
- (5) The relevant product parameters should be measured or calculated using reliable, accurate and reproducible methods. Those methods should take into account recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation bodies, as listed in Annex I to Regulation (EU) No 1025/2012 of the European Parliament and of the Council ⁽¹⁰⁾.
- (6) Products containing light sources from which these light sources cannot be removed for verification without damaging one or more of them, should be tested as light sources for compliance assessment and verification.
- (7) For electronic displays and for servers and data storage products, harmonised standards have not yet been developed, and relevant existing standards do not cover all necessary regulated parameters, notably as regards High Dynamic Range and Auto Brightness Control for electronic displays and the operating condition class for servers and data storage products. Until the adoption of harmonised standards by the European standardisation bodies for this product group, the transitional methods set out in this Regulation or other reliable, accurate and reproducible methods, which take into account the generally recognised state-of-the-art, should be used in order to ensure the comparability of measurements and calculations.
- (8) Electronic displays for professional use such as video-editing, computer-aided design, graphics or for the broadcast sector, possess enhanced performance and very specific features that, although usually involving higher energy use, should not be subject to on-mode energy efficiency requirements set for more generic products. Industrial displays designed for use in harsh operating conditions for measuring, testing or process monitoring and control have specific and high requirements, such as those for minimum ingress protection (IP) level 65 as defined in EN 60529 and should not be subject to eco-design requirements set for products designed for use in commercial or domestic environments.
- (9) Vertical static-air cabinets with non-transparent doors are professional refrigerating appliances and are defined in Commission Regulation (EU) 2015/1095 ⁽¹¹⁾, and therefore should be excluded from Regulation (EU) 2019/2024.
- (10) Further amendments should be made to improve clarity and consistency amongst the Regulations.
- (11) The measures provided for in this Regulation were discussed by the Consultation Forum in accordance with Article 18 of Directive 2009/125/EC.
- (12) Regulations (EU) 2019/424, (EU) 2019/1781, (EU) 2019/2019, (EU) 2019/2020, (EU) 2019/2021, (EU) 2019/2022, (EU) 2019/2023 and (EU) 2019/2024 should therefore be amended accordingly.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19 of Directive 2009/125/EC,

⁽¹⁰⁾ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).

⁽¹¹⁾ Commission Regulation (EU) 2015/1095 of 5 May 2015 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for professional refrigerated storage cabinets, blast cabinets, condensing units and process chillers (OJ L 177, 8.7.2015, p. 19).

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2019/424

Regulation (EU) 2019/424 is amended as follows:

(1) paragraph 2 of Article 4 is replaced by the following:

‘2. For the purposes of the conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation shall contain a copy of the product information provided in accordance with point 3.4 of Annex II and the details and results of the calculations set out in Annex III and, where applicable, Annex II.2 to this Regulation.’;

(2) Article 6 is replaced by the following:

Article 6

Circumvention

The manufacturer, importer or authorised representative shall not place on the market products designed to be able to detect they are being tested (for example by recognising the test conditions or test cycle) and to react specifically by automatically altering their performance during the test with the aim of reaching a more favourable level for any of the parameters in the technical documentation or included in any documentation provided.’;

(3) Annexes I, III and IV are amended and Annex IIIa is added as set out in Annex I to this Regulation.

Article 2

Amendments to Regulation (EU) 2019/1781

Regulation (EU) 2019/1781 is amended as follows:

(1) Article 2 is amended as follows:

(a) in point (2), point (m) is replaced by the following:

‘(m) motors placed on the market before 1 July 2029 as substitutes for identical motors integrated in products placed on the market before 1 July 2021 for motors referred to in Annex I.1 (a), and before 1 July 2023 for motors referred to in Annex I.1 (b), and specifically marketed as such.’;

(b) in point (3), point (e) is inserted:

‘(e) VSDs consisting of a single cabinet, comprising VSDs which are all in conformity with this Regulation.’;

(2) Article 3 is amended as follows:

(a) point (2) is replaced by the following:

‘(2) “variable speed drive” (“VSD”) means an electronic power converter that continuously adapts the electrical power supplied to a single motor to control the motor’s mechanical power output according to the torque-speed characteristic of the load driven by the motor, by adjusting the power supply to a variable frequency and voltage supplied to the motor. It includes all protection devices and auxiliaries which are integrated in the VSD.’;

(b) point (23) is added:

‘(23) “declared values” means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 5, for the verification of compliance by the Member State authorities.’;

(3) Article 5 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘For the purposes of the conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation of motors shall contain a copy of the product information provided in accordance with point 2 of Annex I to this Regulation, and the details and results of calculations set out in Annex II to this Regulation, and where applicable Annex I.1’;

(b) paragraph 3 is replaced by the following:

‘For the purposes of the conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation of VSDs shall contain a copy of the product information provided in accordance with point 4 of Annex I to this Regulation, and the details and results of calculations set out in Annex II to this Regulation, and where applicable Annex I.3’;

(4) Annexes I, II and III are amended as set out in Annex II to this Regulation.

Article 3

Amendments to Regulation (EU) 2019/2019

Regulation (EU) 2019/2019 is amended as follows:

(1) in Article 2, point 28 is replaced by the following:

‘28. “mobile refrigerating appliance” means a refrigerating appliance that can be used where there is no access to the mains electricity grid and that uses extra low-voltage electricity (< 120V DC) or fuel or both as the energy source for the refrigeration functionality, including a refrigerating appliance that, in addition to extra low voltage electricity or fuel, or both, can be electric mains operated via an external AC/DC converter to be purchased separately. An appliance placed on the market with an AC/DC converter is not a mobile refrigerating appliance.’;

(2) Article 6 is replaced by the following:

Article 6

Circumvention and software updates

The manufacturer, importer or authorised representative shall not place on the market products designed to be able to detect they are being tested (for example by recognising the test conditions or test cycle) and to react specifically by automatically altering their performance during the test with the aim of reaching a more favourable level for any of the parameters in the technical documentation or included in any documentation provided.

The energy consumption of the product and any of the other declared parameters shall not deteriorate after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user prior to the update. No performance change shall occur as a result of rejecting the update.

A software update shall never have the effect of changing the product’s performance in a way that makes it non-compliant with the ecodesign requirements applicable for the declaration of conformity.’;

(3) the following Article 11 is added:

Article 11

Transitional compliance equivalence

If no unit belonging to the same model or equivalent models was placed on the market before 1 November 2020, the units of models placed on the market between 1 November 2020 and 28 February 2021 which comply with the provisions of this regulation shall be considered compliant with the requirements of Commission Regulation (EC) No 643/2009.’;

(4) Annexes I to IV are amended as set out in Annex III to this Regulation.

*Article 4***Amendments to Regulation (EU) 2019/2020**

Regulation (EU) 2019/2020 is amended as follows:

- (1) in Article 2, point 4 is replaced by the following:

‘(4) “containing product” means a product containing one or more light sources, or separate control gears, or both, including, but not limited to, luminaires that can be taken apart to allow separate verification of the contained light source(s), household appliances containing light source(s), furniture (shelves, mirrors, display cabinets) containing light source(s).’;

- (2) in Article 4(1), the second subparagraph is replaced by the following:

‘Manufacturers, importers or authorised representatives of containing products shall ensure that light sources and separate control gears can be removed without being permanently damaged for verification purposes by market surveillance authorities. The technical documentation shall provide instructions on how to do this.’;

- (3) Article 7 is replaced by the following:

‘Article 7

Circumvention and software updates

The manufacturer, importer or authorised representative shall not place on the market products designed to be able to detect they are being tested (for example, by recognising the test conditions or test cycle) and to react specifically by automatically altering their performance during the test with the aim of reaching a more favourable level for any of the parameters in the technical documentation or included in any documentation provided.

The energy consumption of the product and any of the other declared parameters shall not deteriorate after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user prior to the update. No performance change shall occur as a result of rejecting the update.

A software update shall never have the effect of changing the product’s performance in a way that makes it non-compliant with the codesign requirements applicable for the declaration of conformity.’;

- (4) the following Article 12 is added:

‘Article 12

Transitional compliance equivalence

If no unit belonging to the same model or equivalent models was placed on the market before 1 July 2021, the units of models placed on the market between 1 July 2021 and 31 August 2021 which comply with the provisions of this regulation shall be considered compliant with the requirements of Commission Regulations (EC) No 244/2009, (EC) No 245/2009 and (EU) No 1194/2012.’;

- (5) Annexes I to IV are amended as set out in Annex IV to this Regulation.

*Article 5***Amendments to Regulation (EU) 2019/2021**

Regulation (EU) 2019/2021 is amended as follows:

- (1) Article 1(2) is amended as follows:

- (a) point (g) is replaced by the following:

‘(g) electronic displays that are components or sub-assemblies as defined in point 2 of Article 2 of Directive 2009/125/EC’;

- (b) the following point (h) is added:

‘(h) industrial displays.’;

(2) Article 2 is amended as follows:

(a) point (15) is replaced by the following:

‘(15) “professional display” means an electronic display designed and marketed for professional use for editing video and graphic images. Its specification shall include all of the following features:

- contrast ratio of at least 1000:1 measured at a perpendicular to the vertical plane of the screen and at least 60:1 measured at a horizontal viewing angle of at least 85° relative to that perpendicular and at least 83° from the perpendicular on a curved screen, with or without a screen cover glass;
- native resolution of at least 2,3 mega pixels;
- colour Gamut support greater or equal to 38,4 % of CIE LUV;
- colour and luminance uniformity as specified for grade 1, 2 or 3 monitors in EBU Tech. 3320, as applicable to the professional application of the display.’;

(b) the following point (21) is added:

‘(21) “industrial display” means an electronic display exclusively designed, tested and marketed for use in industrial environments for measuring, testing, monitoring or control. Its design must provide at least all the following:

- (a) operating temperatures between 0 °C and +50 °C;
- (b) operating humidity conditions between 20 % and 90 % non-condensing;
- (c) minimum level of ingress protection (IP 65) ensuring no ingress of dust and complete protection against contact (dust-tight) with no effect for water projected by a nozzle (6,3 mm) against the enclosure;
- (d) EMC immunity suitable for industrial environments.’;

(3) in Article 4, paragraph 2 is replaced by the following:

‘2. For the purposes of conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation shall contain the reason why certain, if any, plastic parts are not marked as per the exemption set out in point D(2) of Annex II, and the details and results of the calculations set out in Annexes II and III to this Regulation.’;

(4) in Article 6, the second and third paragraphs are replaced by the following:

‘The energy consumption of the product and any of the other declared parameters shall not deteriorate after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user prior to the update. No performance change shall occur as a result of rejecting the update.

A software update shall never have the effect of changing the product's performance in a way that makes it non-compliant with the ecodesign requirements applicable for the declaration of conformity.’;

(5) the following Article 12 is added:

‘Article 12

Transitional compliance equivalence

If no unit belonging to the same model or equivalent models was placed on the market before 1 November 2020, the units of models placed on the market between 1 November 2020 and 28 February 2021 which comply with the provisions of this regulation shall be considered compliant with the requirements of Regulation (EC) No 642/2009.’;

(6) Annexes I to IV are amended and Annex IIIa is added as set out in Annex V to this Regulation.

*Article 6***Amendments to Regulation (EU) 2019/2022**

Regulation (EU) 2019/2022 is amended as follows:

- (1) Article 6 is replaced by the following:

'Article 6

Circumvention and software updates

The manufacturer, importer or authorised representative shall not place on the market products designed to be able to detect they are being tested (for example by recognising the test conditions or test cycle) and to react specifically by automatically altering their performance during the test with the aim of reaching a more favourable level for any of the parameters in the technical documentation or included in any documentation provided.

The energy consumption of the product and any of the other declared parameters shall not deteriorate after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user prior to the update. No performance change shall occur as a result of rejecting the update.

A software update shall never have the effect of changing the product's performance in a way that makes it non-compliant with the ecodesign requirements applicable for the declaration of conformity.;

- (2) the following Article 13 is added:

'Article 13

Transitional compliance equivalence

If no unit belonging to the same model or equivalent models was placed on the market before 1 November 2020, the units of models placed on the market between 1 November 2020 and 28 February 2021 which comply with the provisions of this regulation shall be considered compliant with the requirements of Regulation (EU) No 1016/2010;

- (3) Annexes I, III and IV are amended as set out in Annex VI to this Regulation.

*Article 7***Amendments to Regulation (EU) 2019/2023**

Regulation (EU) 2019/2023 is amended as follows:

- (1) in Article 2, point 12 is replaced by the following:

'(12) "eco 40-60" means the name of the programme declared by the manufacturer, importer or authorised representative as able to clean normally soiled cotton laundry declared to be washable at 40 °C or 60 °C, together in the same washing cycle, and to which the ecodesign requirements on energy efficiency, washing efficiency, rinsing effectiveness, programme duration, maximum temperature inside the laundry and water consumption relate.;

- (2) Article 6 is replaced by the following:

'Article 6

Circumvention and software updates

The manufacturer, importer or authorised representative shall not place on the market products designed to be able to detect they are being tested (for example by recognising the test conditions or test cycle) and to react specifically by automatically altering their performance during the test with the aim of reaching a more favourable level for any of the parameters in the technical documentation or included in any documentation provided.

The energy consumption of the product and any of the other declared parameters shall not deteriorate after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user prior to the update. No performance change shall occur as a result of rejecting the update.

A software update shall never have the effect of changing the product's performance in a way that makes it non-compliant with the ecodesign requirements applicable for the declaration of conformity.;

- (3) the following Article 13 is added:

'Article 13

Transitional compliance equivalence

If no unit belonging to the same model or equivalent models was placed on the market before 1 November 2020, the units of models placed on the market between 1 November 2020 and 28 February 2021 which comply with the provisions of this regulation shall be considered compliant with the requirements of Regulation (EU) No 1015/2010.;

- (4) Annexes I, III, IV and VI are amended as set out in Annex VII to this Regulation.

Article 8

Amendments to Regulation (EU) 2019/2024

Regulation (EU) 2019/2024 is amended as follows:

- (1) in Article 1(3), point (e) is replaced by the following:

'(e) corner/curved and carousel cabinets;'

- (2) Article 2, is amended as follows:

- (a) point 21 is replaced by the following:

'21. "corner/curved cabinet" means a refrigerating appliance with a direct sales function used to achieve geometrical continuity between two linear cabinets that are at an angle to each other and/or that form a curve. A corner/curved cabinet does not have a recognisable longitudinal axis or length since it consists only of a filling shape (wedge or similar) and is not designed to function as a stand-alone refrigerated unit. The two ends of the corner/curved cabinet are inclined at an angle between 30 ° and 90 °;'

- (b) point 29 is added:

'29. "carousel cabinet" means a round/circular shape supermarket cabinet which can be installed as a standalone unit or as a unit connecting two linear supermarket cabinets. Carousel cabinets can also be equipped with a turning system which makes visible the display of foodstuff at 360 °;'

- (c) point 30 is added:

'30. "supermarket cabinet" means a refrigerating appliance with a direct sales function intended for the sale and display of foodstuffs and other items in retail applications, such as in supermarkets. Beverage coolers, refrigerated vending machines, gelato-scooping cabinets and ice-cream freezers are not considered supermarket cabinets;'

- (3) Annexes I, III and IV are amended as set out in Annex VIII to this Regulation.

Article 9

Entry into force and application

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

Article 1(3), Article 3(4), Article 5(6), Article 6(3), Article 7(4) and Article 8(3) shall apply from 1 May 2021. Article 2 and Article 4(4) shall apply from 1 July 2021. Article 4(1), (2) and (5) shall apply from 1 September 2021.

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

Done at Brussels, 23 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annexes I, III and IV to Regulation (EU) 2019/424 are amended and Annex IIIa is added as follows:

(1) Annex I is amended as follows:

(a) point (3) is replaced by the following:

‘(3) “motherboard” means the main circuit board of a server or a data storage product. For purposes of this regulation, the motherboard includes connectors for attaching additional boards and typically includes the following components: processor, memory, BIOS, and expansion slots;’;

(b) point (4) is replaced by the following:

‘(4) “processor” means the logic circuitry that responds to and processes the basic instructions that drive a server or a data storage product. For purposes of this regulation, the processor is the CPU of the server. A typical CPU is a physical package to be installed on the server motherboard via a socket or direct solder attachment. The CPU package may include one or more processor cores;’;

(c) point (5) is replaced by the following:

‘(5) “memory” means a part of a server or a data storage product external to the processor in which information is stored for immediate use by the processor, expressed in gigabyte (GB);’;

(d) the following point (36) is added:

‘(36) “declared values” means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 4, for the verification of compliance by the Member State authorities.’;

(2) in Annex III, the following second paragraph is inserted:

‘In the absence of existing relevant standards and until the publication of the references of the relevant harmonised standards in the Official Journal, the transitional testing methods set out in Annex IIIa or other reliable, accurate and reproducible methods, which take into account the generally recognised state-of-the-art, shall be used.’;

(3) the following Annex IIIa is added:

‘ANNEX IIIa

Transitional Methods

Table 1

References and qualifying notes for servers

Parameter	Source	Reference Test Method / Title	Notes
Server efficiency and server performance in active state	ETSI	ETSI EN 303470:2019	General notes on the testing with EN 303470: 2019: a. Testing shall be conducted at an appropriate EU voltage and frequency (e.g. 230v, 50Hz). b. Similar to the provision on expansion APA cards under point 2 of Annex III, the unit under test shall be tested with other types of add-in cards (for which no allowance is provided and not exercised in SERT testing) removed, when measuring the idle state power, the active state efficiency and server performance in active state (!).
Idle state power (Pidle)	ETSI	ETSI EN 303470:2019	
Maximum power	ETSI	ETSI EN 303470:2019	

Parameter	Source	Reference Test Method / Title	Notes	
				c. In the case of servers which i. are not declared as being part of a server product family ii. are as-shipped in a configuration without all memory channels populated with the same dual in-line memory modules (DIMMs) a configuration with all memory channels populated with the same DIMMs shall be tested (?).
Idle state power at the higher boundary temperature of the declared operating condition class	The Green Grid	Simplified high temperature idle power reporting for (EU) 2019/424 sert collection	The test shall be conducted at a temperature corresponding to the highest allowable temperature for the specific operating condition class (A1, A2, A3 or A4).	
Power Supply Efficiency	EPRI and Ecova	Generalized Test Protocol for Calculating the Energy Efficiency of Internal AC-DC and DC-DC Power Supplies Revision 6.7	Testing shall be conducted at an appropriate EU voltage and frequency (e.g. 230v, 50Hz).	
Power Supply Power Factor	EPRI and Ecova	Generalized Test Protocol for Calculating the Energy Efficiency of Internal AC-DC and DC-AC Power Supplies Revision 6.7		
Operating condition class		The manufacturer has to declare the product operating condition class: A1, A2, A3 or A4. The unit under test is placed at a temperature corresponding to the highest allowable temperature for the specific operating condition class (A1, A2, A3 or A4), which the model is declared to be compliant with. The unit shall be tested with SERT (Server Efficiency Rating Tool) and run test cycle(s) for a duration of 16 hours. The unit shall be considered to comply with the declared operating condition, if SERT reports valid results (i.e. if the unit under test is in its operational state for the whole duration of the 16 hours test).	The unit under test shall be placed in a temperature chamber which is then elevated in temperature to the highest allowable temperature for the specific operating condition class (A1, A2, A3 or A4) at a maximum rate of change of 0.5 °C per minute. The unit under test shall be left in an idle state for 1 hour to attain a state of temperature stability prior to the start of testing.	
Firmware availability		Not available		

Parameter	Source	Reference Test Method / Title	Notes
Secure data deletion	NIST	Guidelines for Media Sanitization, NIST Special Publication 800-88 - Revision 1	
Ability of the server to be disassembled		Not available	
Critical raw material (CRM) content		EN 45558:2019	

(¹) This is necessary because of the wide variation of APA cards in the market and the fact that the SERT tool does not include any worklets which exercise APAs. Therefore, SERT efficiency results for servers with the expansion APA cards or other add-in cards would not be representative of the performance/power capability of the server.

(²) In the case of servers which are declared as being part of a server product family, point 1 of Annex IV to Regulation (EU) 2019/424 foresees that the Member State authorities can test the low-end performance configuration or the high-end performance configuration and, as per definitions 21 and 22 of Annex I, these configurations shall have all memory channels populated with the same DIMM raw card design and capacity.

Table 2

References and qualifying notes for data storage products

Parameter	Source	Reference Test Method / Title	Notes
Power Supply Efficiency	EPRI and Ecova	Generalized Test Protocol for Calculating the Energy Efficiency of Internal AC-DC and DC -DC Power Supplies Revision 6.7	Testing shall be conducted at an appropriate EU voltage and frequency (e.g. 230v, 50Hz).
Power Supply Power Factor	EPRI and Ecova	Generalized Test Protocol for Calculating the Energy Efficiency of Internal AC-DC and DC -DC Power Supplies Revision 6.7	
Operating condition class	The Green Grid	"Operating condition class of data storage products"	The manufacturer, importer or authorised representative has to declare the product operating condition class: A1, A2, A3 or A4. The unit under test is placed at a temperature corresponding to the highest allowable temperature for the specific operating condition class (A1, A2, A3 or A4), which the model is declared to be compliant with.
Firmware availability		Not available	
Secure data deletion	NIST	Guidelines for Media Sanitization, NIST Special Publication 800-88 - Revision 1	
Ability of the data storage product to be disassembled		Not available	
Critical raw material (CRM) content		EN 45558:2019'	

(4) Annex IV is amended as follows:

(a) the first paragraph is replaced by:

'The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the manufacturer, importer or authorised representative as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.';

- (b) in the third paragraph, the words 'When verifying' are replaced by 'As part of verifying';
 - (c) the following point 2(d) is added:

'(d) when the Member State authorities check the unit of the model, it complies with the resource efficiency requirements in point 3.3 of Annex II and the information requirements in point 3.1 or 3.2 of Annex II;'
 - (d) point 3 is replaced by the following:

'If the results referred to in points 2(a), 2(b) or 2(d) are not achieved, the model and all model configurations that are covered by the same product information (according to Annex II point 3.1(p)) shall be considered not to comply with this Regulation;'
 - (e) point 4(b) is replaced by the following:

'for models that are produced in quantities of five or more per year, the Member State authorities shall select three additional units of the same model or alternatively, in case the manufacturer, importer or authorised representative declared the server to be represented by a server product family, a unit of both the low-end performance configuration and the high-end performance configuration for testing;'
 - (f) point (5) is replaced by the following:

'(5) The model or model configuration shall be considered to comply with the applicable requirements if, for the units referred to in point 4(b), the arithmetical mean of the determined values complies with the respective verification tolerances given in Table 7;'
 - (g) point (6) is replaced by the following:

'(6) If the result referred to in point 5 is not achieved, the model and all model configurations that are covered by the same product information (according to Annex II point 3.1(p)) shall be considered not to comply with this Regulation;'
 - (h) point (7) is replaced by the following:

'(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3, 4(a), 6 or the second paragraph of this Annex.'
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ANNEX II

Annexes I, II and III to Regulation (EU) 2019/1781 are amended as follows:

(1) Annex I is amended as follows:

(a) part 1 is amended as follows:

(1) in point (a), points (i) and (ii) are replaced by the following:

‘(i) the energy efficiency of three-phase motors with a rated output equal to or above 0,75 kW and equal to or below 1 000 kW, with 2, 4, 6 or 8 poles, which are not Ex eb increased safety motors, shall correspond to at least the IE3 efficiency level set out in Table 2 or in Table 3b as appropriate;

(ii) the energy efficiency of three-phase motors with a rated output equal to or above 0,12 kW and below 0,75 kW, with 2, 4, 6 or 8 poles, which are not Ex eb increased safety motors, shall correspond to at least the IE2 efficiency level set out in Table 1 or in Table 3a as appropriate;’;

(2) in point (b), points (i) and (ii) are replaced by the following:

‘(i) the energy efficiency of Ex eb increased safety motors with a rated output equal to or above 0,12 kW and equal to or below 1 000 kW, with 2, 4, 6 or 8 poles, and single-phase motors with a rated output equal to or above 0,12 kW shall correspond to at least the IE2 efficiency level set out in Table 1 or in Table 3a as appropriate;

(ii) the energy efficiency of three-phase motors which are not brake motors, Ex eb increased safety motors, or other explosion-protected motors, with a rated output equal to or above 75 kW and equal to or below 200 kW, with 2, 4, or 6 poles, shall correspond to at least the IE4 efficiency level set out in Table 3 or in Table 3c as appropriate.’;

(3) the second paragraph is replaced by the following:

‘Energy efficiency of motors, expressed in International Energy efficiency classes (IE), is set out in Tables 1 to 3c for different values of the motor rated output power P_N , at 50 Hz or 60 Hz. IE classes are determined at rated output power (P_N), rated voltage (U_N), and based on 25 °C ambient reference temperature.

For 50/60 Hz motors, the requirements above shall be met at both 50 Hz and 60 Hz at the rated output power specified for 50 Hz.

For 50Hz or 60Hz motors the requirements above shall be met at respectively 50Hz or 60Hz at the rated output power specified respectively for 50 Hz or 60 Hz.’;

(4) the following tables 3a, 3b and 3c are inserted:

Table 3a

Minimum efficiencies η_n for IE2 efficiency level at 60 Hz (%)

Rated output power P_N [kW]	Number of poles			
	2	4	6	8
0,12	59,5	64,0	50,5	40,0
0,18	64,0	68,0	55,0	46,0
0,25	68,0	70,0	59,5	52,0
0,37	72,0	72,0	64,0	58,0
0,55	74,0	75,5	68,0	62,0
0,75	75,5	78,0	73,0	66,0
1,1	82,5	84,0	85,5	75,5
1,5	84,0	84,0	86,5	82,5
2,2	85,5	87,5	87,5	84,0

Rated output power P_N [kW]	Number of poles			
	2	4	6	8
3,7	87,5	87,5	87,5	85,5
5,5	88,5	89,5	89,5	85,5
7,5	89,5	89,5	89,5	88,5
11	90,2	91,0	90,2	88,5
15	90,2	91,0	90,2	89,5
18,5	91,0	92,4	91,7	89,5
22	91,0	92,4	91,7	91,0
30	91,7	93,0	93,0	91,0
37	92,4	93,0	93,0	91,7
45	93,0	93,6	93,6	91,7
55	93,0	94,1	93,6	93,0
75	93,6	94,5	94,1	93,0
90	94,5	94,5	94,1	93,6
110	94,5	95,0	95,0	93,6
150	95,0	95,0	95,0	93,6
185	95,4	95,0	95,0	93,6
220	95,4	95,4	95,0	93,6
250	95,4	95,4	95,0	93,6
300	95,4	95,4	95,0	93,6
335	95,4	95,4	95,0	93,6
375 up to 1000	95,4	95,8	95,0	94,1

Table 3b

Minimum efficiencies η_n for IE3 efficiency level at 60 Hz (%)

Rated output power P_N [kW]	Number of poles			
	2	4	6	8
0,12	62,0	66,0	64,0	59,5
0,18	65,6	69,5	67,5	64,0
0,25	69,5	73,4	71,4	68,0
0,37	73,4	78,2	75,3	72,0
0,55	76,8	81,1	81,7	74,0
0,75	77,0	83,5	82,5	75,5
1,1	84,0	86,5	87,5	78,5
1,5	85,5	86,5	88,5	84,0
2,2	86,5	89,5	89,5	85,5
3,7	88,5	89,5	89,5	86,5

Rated output power P_N [kW]	Number of poles			
	2	4	6	8
5,5	89,5	91,7	91,0	86,5
7,5	90,2	91,7	91,0	89,5
11	91,0	92,4	91,7	89,5
15	91,0	93,0	91,7	90,2
18,5	91,7	93,6	93,0	90,2
22	91,7	93,6	93,0	91,7
30	92,4	94,1	94,1	91,7
37	93,0	94,5	94,1	92,4
45	93,6	95,0	94,5	92,4
55	93,6	95,4	94,5	93,6
75	94,1	95,4	95,0	93,6
90	95,0	95,4	95,0	94,1
110	95,0	95,8	95,8	94,1
150	95,4	96,2	95,8	94,5
185	95,8	96,2	95,8	95,0
220	95,8	96,2	95,8	95,0
250	95,8	96,2	95,8	95,0
300	95,8	96,2	95,8	95,0
335	95,8	96,2	95,8	95,0
375 up to 1000	95,8	96,2	95,8	95,0

Table 3c

Minimum efficiencies η_n for IE4 efficiency level at 60 Hz (%)

Rated output power P_N [kW]	Number of poles			
	2	4	6	8
0,12	66,0	70,0	68,0	64,0
0,18	70,0	74,0	72,0	68,0
0,25	74,0	77,0	75,5	72,0
0,37	77,0	81,5	78,5	75,5
0,55	80,0	84,0	82,5	77,0
0,75	82,5	85,5	84,0	78,5
1,1	85,5	87,5	88,5	81,5
1,5	86,5	88,5	89,5	85,5
2,2	88,5	91,0	90,2	87,5
3,7	89,5	91,0	90,2	88,5
5,5	90,2	92,4	91,7	88,5

Rated output power P_N [kW]	Number of poles			
	2	4	6	8
7,5	91,7	92,4	92,4	91,0
11	92,4	93,6	93,0	91,0
15	92,4	94,1	93,0	91,7
18,5	93,0	94,5	94,1	91,7
22	93,0	94,5	94,1	93,0
30	93,6	95,0	95,0	93,0
37	94,1	95,4	95,0	93,6
45	94,5	95,4	95,4	93,6
55	94,5	95,8	95,4	94,5
75	95,0	96,2	95,8	94,5
90	95,4	96,2	95,8	95,0
110	95,4	96,2	96,2	95,0
150	95,8	96,5	96,2	95,4
185	96,2	96,5	96,2	95,4
220	96,2	96,8	96,5	95,4
250	96,2	96,8	96,5	95,8
300	96,2	96,8	96,5	95,8
335	96,2	96,8	96,5	95,8
375 up to 1000	96,2	96,8	96,5	95,8'

- (5) the following is added before the last sentence:

‘To determine the minimum efficiency of 60 Hz motors at a rated power not provided in Tables 3a, 3b and 3c, the following rule shall be used:

The efficiency of a rated power at or above the midpoint between 2 consecutive values from the tables shall be the highest of the two efficiencies.

The efficiency of a rated power below the midpoint between 2 consecutive values from the tables shall be the lowest of the two efficiencies.’;

- (b) Part 2 is amended as follows:

- (1) in the first paragraph, point (a) is replaced by the following:

‘(a) the technical data sheet or user manual supplied with the motor, unless an internet link to that information is supplied with the product. A QR code may in addition be supplied with a link to the information.’;

- (2) in the third paragraph, the introductory wording and point (1) are replaced by the following:

‘From 1 July 2021 for motors referred to in Annex I.1 (a), and from 1 July 2023 for motors referred to in Annex I.1 (b) (i):

(1) rated efficiency (η_N) at the full, 75 % and 50 % rated load, and rated voltage(s) (U_N), determined based on 25 °C ambient reference temperature, rounded to one decimal place;’;

- (3) the eighth and ninth paragraphs are replaced by the following:

‘For motors exempt from the efficiency requirements in accordance with point 2(m) of Article 2 of this Regulation, the motor or its packaging and the documentation must clearly indicate “Motor to be used exclusively as spare part for” and the unique model identification of the product(s) for which it is intended.

For 50 Hz and 60 Hz motors, the data set out above is provided at the applicable frequency, while for 50/60 Hz motors it is sufficient to provide the data at 50 Hz, except for the rated efficiency at full load, which shall be specified at both 50Hz and 60Hz.’;

- (c) Part 4 is amended as follows:

- (1) in the first paragraph, point (a) is replaced by the following:

‘(a) the technical data sheet or user manual supplied with the VSD, unless an internet link to that information is supplied with the product. A QR code may in addition be supplied with a link to the information.’;

- (2) the fourth paragraph is replaced by the following:

‘The information referred to in points (1) and (2) as well as the year of manufacture shall be durably marked on or near the rating plate of the VSD. Where the size of the rating plate makes it impossible to mark all the information referred to in point (1) only the power losses in % of the rated apparent output power at (90;100), rounded to one decimal place, shall be marked.’;

- (2) in Annex II, part 1, the second paragraph is replaced by the following:

‘However, for the seven operating points according to Annex I.2 point (13), the losses shall be determined by either direct input-output measurement or by calculation.’;

- (3) Annex III is amended as follows:

- (a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the manufacturer, importer or authorised representative as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.’;

- (b) the third paragraph is replaced by the following:

‘As part of verifying that a product model complies with the requirements laid down in this Regulation pursuant to Article 3(2) of Directive 2009/125/EC the authorities of the Member States shall apply the following procedure for the requirements referred to in Annex I.’;

- (c) point (7) is replaced by the following:

‘(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.’.

ANNEX III

Annexes I to IV to Regulation (EU) 2019/2019 are amended as follows

(1) in Annex I, the following point (38) is added:

‘(38) “declared values” means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 4, for the verification of compliance by the Member State authorities.’;

(2) in Annex II, part 2, point (f) is replaced by the following:

‘(f) For 4-star compartments, the freezing time to bring the temperature of the light load from +25 to - 18 °C at an ambient temperature of 25 °C shall be such that the resulting freezing capacity complies with the requirement in Article 2, point 22.’;

(3) Annex III is amended as follows:

(a) the following paragraph is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 4, its declared value shall be used by the manufacturer, importer or authorised representative for the calculations in this Annex.’;

(b) in part 1, point (h) is replaced by the following:

‘(h) the freezing capacity of a compartment is calculated as 24 times the light load weight, divided by the freezing time to bring the temperature of the light load from +25 to - 18 °C at an ambient temperature of 25 °C expressed in kg/24h and rounded to one decimal place’;

(c) in part 1, the following point (j) is added:

‘(j) the light load weight for each 4-star compartment shall be:

- 3,5 kg/100 l of the volume of the 4-star compartment evaluated, rounded up to the nearest 0,5 kg; and,
- 2 kg for a 4-star compartment with a volume for which 3,5 kg/100 l leads to a value lower than 2 kg;

in the case that the refrigerating appliance includes a combination of 3- and 4-star compartments, the sum of the light load weight(s) shall be increased so that the sum of the light load weights for all the 4-star compartments shall be:

- 3,5 kg/100 l of the total volume of all 4- and 3-star compartments, rounded up to the nearest 0,5 kg; and,
- 2 kg for a total volume of all 4- and 3-start compartments for which 3,5 kg/100 l leads to a value lower than 2 kg’;

(4) in Annex IV is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the manufacturer, importer or authorised representative as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.’;

(b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;

(c) point (2) (d) is replaced by the following:

‘(d) when the Member State authorities check the unit of the model, it complies with the requirement in the third paragraph of Article 6, the functional requirements in point 2 of Annex II, the requirements on resource efficiency in point 3 of Annex II and the information requirements in point 4 of Annex II; and’;

(d) point (7) is replaced by the following:

‘(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.’;

(e) Table 6 is replaced by the following:

Table 6

Verification tolerances

Parameters	Verification tolerances
Total volume and compartment volume	The determined value ^(a) shall not be more than 3 % or 1 litre lower — whichever is the greater value — than the declared value.
Freezing capacity	The determined value ^(a) shall not be more than 10 % lower than the declared value.
E_{32}	The determined value ^(a) shall not be more than 10 % higher than the declared value.
Annual energy consumption	The determined value ^(a) shall not be more than 10 % higher than the declared value.
Internal humidity of wine storage appliances (%)	The determined value ^(a) shall not differ from the declared range by more than 10 %.
Airborne acoustical noise emission	The determined value ^(a) shall not be more than 2 dB(A) re 1 pW more than the declared value.
Temperature rise time	The determined value ^(a) shall not be more than 15 % lower than the declared value.

^(a) in the case of three additional units tested as prescribed in point 4, the determined value means the arithmetical mean of the values determined for these three additional units.’

ANNEX IV

Annexes I to IV to Regulation (EU) 2019/2020 are amended as follows:

(1) in Annex I point (52) is replaced by the following:

‘(52) “declared values” means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 5, for the verification of compliance by the Member State authorities.’;

(2) Annex II is amended as follows:

(a) in point 2, table 4, the cells:

Stroboscopic effect for LED and OLED MLS	$SVM \leq 0,4$ at full-load (except for HID with $\Phi_{use} > 4$ klm and for light sources intended for use in outdoor applications, industrial applications or other applications where lighting standards allow a $CRI < 80$)
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are replaced by the following:

‘Stroboscopic effect for LED and OLED MLS	$SVM \leq 0,9$ at full-load (except for light sources intended for use in outdoor applications, industrial applications or other applications where lighting standards allow a $CRI < 80$)
	From 1 September 2024: $SVM \leq 0,4$ at full-load (except for light sources intended for use in outdoor applications, industrial applications or other applications where lighting standards allow a $CRI < 80$)’

(b) in point 3(d), point (1) is replaced by the following:

‘(1) The information specified in point 3(c)(1) of this Annex shall also be contained in the technical documentation file drawn up for the purposes of conformity assessment pursuant to Article 8 of Directive 2009/125/EC.’;

(3) Annex III is amended as follows:

(a) in point 1, point (c) is replaced by the following:

‘(c) in radiological and nuclear medicine installations that are subject to radiation safety standards as set out in Council Directive 2013/59/EURATOM (*);

(*) Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation (OJ L 13, 17.1.2014, p. 1).’;

(b) point 3 is amended as follows:

(1) point (s) is replaced by the following:

‘(s) incandescent light sources with blade contact-, metal lug-, cable-, litz wire-, metric thread-, pin base- or non-standard customised electrical interface, encasing made from quartz-glass tubes, specifically designed and exclusively marketed for industrial or professional electro-heating equipment (such as stretch blow-moulding process in PET-Industry, 3D-printing, photovoltaic and electronic manufacturing processes, drying or hardening of adhesives, inks, paints or coatings)’;

(2) point (w) is replaced by the following:

‘(w) light sources that

(1) are specifically designed and exclusively marketed for scene-lighting use in film-studios, TV-studios and locations, and photographic-studios and locations, or for stage-lighting use in theatres, during concerts or other entertainment events;

and that

(2) meet at least one of the following specifications:

- (a) LED with power ≥ 100 W and CRI > 90 ;
- (b) GES/E40, K39d socket with changeable Colour Temperature down to 1 800 K (undimmed), used with low voltage power supply;
- (c) LED with power ≥ 180 W and arranged to direct output to an area smaller than the light emitting surface;
- (d) Incandescent light source that is DWE type and has 650 W power, 120 V voltage and pressure screw terminal;
- (e) LED with power ≥ 100 W that allows the user to set different correlated colour temperatures for the emitted light;
- (f) LFL T5 with G5 cap with CRI ≥ 85 and CCT 2 900, 3 000, 3 200, 5 600 or 6 500 K;

(3) the following point (x) is added:

‘(x) incandescent DLS fulfilling all of the following conditions: E27 cap, clear envelope, power ≥ 100 W and ≤ 400 W, CCT $\leq 2\,500$ K, specifically designed and exclusively marketed for infrared heating’;

(c) the following point 5 is added:

‘5. Light sources specifically designed and exclusively marketed for use in products in the scope of Commission Regulations 2019/2023, 2019/2022, 932/2012 and 2019/2019, shall be exempt from the requirements regarding lumen maintenance factor and survival factor set out in point 2 Table 4 of Annex II, and from the lifetime information requirement set out in point 3(b)(1)(e) of Annex II.’;

(4) Annex IV is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the manufacturer, importer or authorised representative as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.’;

(b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;

(c) point 1 is replaced by the following:

‘1. The Member State authorities shall verify one single unit of the model for points 2(a), 2(b), 2(d) and 2(e) of this Annex.

The Member State authorities shall verify 10 units of the light source model or 3 units of the separate control gear model. The verification tolerances are laid down in Table 6 of this Annex.’;

(d) point 2(c) is replaced by:

‘(c) when the authorities of the Member State test the units of the model, the determined values comply with the respective verification tolerances as given in Table 6 of this Annex, where “determined value” means the arithmetic mean over the tested units of the measured values for a given parameter or the arithmetic mean of parameter values calculated from measured values; and’;

(e) points 2(d) and (e) are added:

‘(d) when the Member State authorities check the unit of the model, they find that the manufacturer, importer or authorised representative has put in place a system that complies with the requirements in the second paragraph of Article 7; and

(e) when the Member State authorities check the unit of the model, it complies with the requirement in the third paragraph of Article 7 and the information requirements in point 3 of Annex II.’;

(f) point 3 is replaced by the following:

‘3. If the results referred to in point 2(a), (b), (c), (d) or (e) are not achieved, the model and all equivalent models shall be considered not to comply with this Regulation.’

(g) point 4 is replaced by the following:

‘(4) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3 or the second paragraph of this Annex.’;

(h) in Table 6, the verification tolerance for ‘Flicker [Pst LM] and stroboscopic effect [SVM]’ is replaced by the following:

‘The determined value shall not exceed the declared value by more than 0,1.’.

ANNEX V

Annexes I to IV to Regulation (EU) 2019/2021 are amended and Annex IIIa is added as follows:

(1) Annex I is amended as follows:

(a) point 5 is replaced by the following:

‘(5) “*microLED display*” means an electronic display where individual pixels are lit using microscopic LED technology;’;

(b) the following points (38), (39) and (40) are added:

‘(38) “*declared values*” means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 4, for the verification of compliance by the Member State authorities.

(39) “*HD resolution*” means 1920 x 1080 pixels or 2 073 600 pixels;

(40) “*UHD resolution*” means 3840 x 2160 pixels or 8 294 400 pixels.’;

(2) Annex II, point A.1 is amended as follows:

(a) After the last sentence before table 1, the following paragraph is added:

‘The declared values of the on mode power ($P_{measured}$) and screen area (A) as listed in Table 5 of Annex VI of delegated Regulation 2019/2013 shall be used for the calculation of EEI.’;

(b) Table 1 is replaced by the following:

‘Table 1

EEI limits for on-mode

	EEI_{max} for electronic displays with resolution up to HD	EEI_{max} for electronic displays with resolution above HD and up to UHD	EEI_{max} for electronic displays with resolution above UHD and for MicroLED displays
1 March 2021	0,90	1,10	n.a.
1 March 2023	0,75	0,90	0,90’

(c) Section C is amended as follows:

The last paragraph of point 2 is replaced by the following:

‘Networked electronic displays shall comply with the requirements for networked standby mode with the reactivation trigger device connected to the network and ready to activate a trigger instruction when required to.

With networked standby mode disabled, networked electronic displays shall comply with the requirements of standby mode.’;

(d) Section D is amended as follows:

(1) point 1 is replaced by the following:

‘1. Design for dismantling, recycling and recovery

(a) Manufacturers, importers or their authorised representatives shall ensure that joining, fastening or sealing techniques do not prevent the removal, using commonly available tools, of the components indicated in point 1 of Annex VII of Directive 2012/19/EU on WEEE or in Article 11 of Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, when present.

(b) The derogations indicated in Article 11 of Directive 2006/66/EC about permanent connection between the electronic display and the battery or accumulator apply.

- (c) Manufacturers, importers or their authorised representatives shall, without prejudice to point 1 of Article 15 of Directive 2012/19/EU, make available, on a free-access website, the dismantling information needed to access any of the products components referred to in point 1 of Annex VII of Directive 2012/19/EU.
- (d) This dismantling information shall include the sequence of dismantling steps, tools or technologies needed to access the targeted components.
- (e) This end of life information shall be available until at least 15 years after the placing on the market of the last unit of a product model.;

(2) in point 5, point (a)(1) is replaced by the following:

‘(1) manufacturers, importers or authorised representatives of electronic displays shall make available to professional repairers at least the following spare parts: internal power supply, connectors to connect external equipment (cable, antenna, USB, DVD and Blu-Ray), capacitors above 400 microfarads, batteries and accumulators, DVD/Blu-Ray module if applicable and HD/SSD module if applicable for a minimum period of seven years after placing the last unit of the model on the market.;

(3) Annex III is modified as follows:

(a) the following paragraph is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 4, its declared value shall be used by the manufacturer, importer or authorised representative for the calculations in this Annex.

In the absence of existing relevant standards and until the publication of the references of the relevant harmonised standards in the Official Journal, the transitional testing methods set out in Annex IIIa or other reliable, accurate and reproducible methods, which take into account the generally recognised state-of-the-art, shall be used.;

(b) at the end of the Annex, the following is inserted:

‘Measurements of Standard Dynamic Range, High Dynamic Range, screen luminance for Automatic Brightness Control, Peak White luminance ratio and other luminance measurements shall be made as detailed in Table 3a.

Table 3a

References and qualifying notes

	Notes
P_{measured} Standard dynamic range (SDR) on-mode, “normal”	Power measurement notes (See Annex IIIa for informative notes regarding the testing of Displays with a standardised DC input or a non-removable battery providing the primary power. For the purposes of these Transitional Measurement Methods a standardised DC input is solely one compatible with the various forms of USB power delivery. Video Signals Notes The 10-minute Dynamic Broadcast video sequence described in existing relevant standards shall be replaced with an updated 10-minute Dynamic Broadcast video sequence. This is available for download at: https://circabc.europa.eu/ui/group/1582d77c-d930-4c0d-b163-4f67e1d42f5b/library/23ab249b-6ebc-4f45-9b0e-df07bc61a596?p=1&n=10&sort=modified_DESC. Two files are available, in SD and HD. They are respectively titled “SD Dynamic Video Power.mp4”, and “HD Dynamic Video Power.mp4”. SD resolution is made available for the limited types of display that cannot accept or display higher resolution standards. The HD resolution file is used for all other display resolutions since this closely matches the average picture level (APL) of the current IEC HD dynamic broadcast dynamic test sequence described in existing relevant standards. Upscaling from HD to higher native resolution shall be performed by the Unit Under Test (UUT) and not by an external device. Where upscaling has to be performed by an external device the full details of the device and the signal interface with the UUT shall be recorded.

	Notes
	The data signal from the downloaded file storage system to the UUT digital signal interface shall be confirmed to provide peak white and full black video levels. If the file playback system has special picture optimisation features (e.g. deep blacks or enhanced colour processing) these shall be disabled. For repeatability of measurement purposes, the details of the file storage and playback system shall be recorded as well as the type of digital interface with the UUT (e.g. HDMI, DVI etc.) The power measurement $P_{measured}$ is an average value from the full 10-minute length of the dynamic test sequence, taken with ABC disabled.
$P_{measured}$ High dynamic range (HDR) on-mode “normal” (auto mode switching to HDR)	No existing relevant standard is published so far. Following the $P_{measured}$ (SDR) dynamic test sequence measurement two HDR dynamic test sequences shall be played. These 5-minute sequences are rendered in HD resolution only, in the common HDR standards of HLG and HDR10. Upscaling from HD to a higher native display resolution shall be performed by the UUT and not an external device. Where upscaling has to be performed by an external device the full details of the device and the signal interface with the UUT shall be recorded. These files are available for download at: https://circabc.europa.eu/ui/group/1582d77c-d930-4c0d-b163-4f67e1d42f5b/library/38df374d-f367-4b72-93d6-3f48143ad661? p=1&n=10&sort=modified_DESC and have identical programme content. The files are respectively titled “HDR-HLG Power.mp4” and “HDR_HDR10 Power.mp4” It is essential that the UUT switch to the HDR display mode is confirmed in the picture settings menu before power data is logged. The integrated power measurement for each sequence (P_{av}) shall be summed and halved for the calculation of the label HDR energy efficiency class and label HDR power declaration. If the UUT cannot be tested in one of these HDR formats, this shall be noted and the power declared shall be the P_{av} measured for the HDR format that is supported. An ABC allowance does not apply in HDR display mode. $P_{measured\ HDR} = 0.5 * (P_{av\ HLG} + P_{av\ HDR10})$ If one of these HDR display modes is not supported, the measured numerical value of ($P_{av\ HLG}$) or ($P_{av\ HDR10}$) as appropriate, shall be used for Label VII and Label VIII declarations.
Screen Luminance Measurement for automatic brightness control (ABC) control characteristics evaluation and any other peak white luminance measurement requirement.	No existing relevant standards can be used. A new variant of the “box and outline” dynamic test pattern providing a dynamic format with colour shall be used for all peak white display luminance measurements and not the 3-bar black and white pattern. A set of these variant dynamic test patterns, which combine the box and outline format and VESA L10 to L80 white measurement box format shall be used as described in Section 1.2.4. of Annex IIIa and are available for download at: https://circabc.europa.eu/ui/group/1582d77c-d930-4c0d-b163-4f67e1d42f5b/library/4f4b47a4-c078-49c4-a859-84421fc3cf5e? p=1&n=10&sort=modified_DESC. They are contained in the subfolders labelled SD, HD and UHD. Each subfolder contains eight peak white dynamic test patterns from L10 to L80. A resolution may be chosen according to the native resolution and signal compatibility of the UUT. The selection of a pattern with the appropriate resolution shall be based upon a) the minimum required white box dimensions for correct operation of the contact luminance measuring instrument and b) the fact that no power limiting effect exhibited by the UUT (large areas of white may result in a reduction of peak white levels). Any upscaling shall be performed by the UUT and not an external device. The data signal from the downloaded file storage system to the UUT digital signal interface shall be confirmed to provide peak white and full black video levels and have no other video enhancement processing (e.g. deep blacks / colour enhancement) Both the storage system and signal interface type shall be noted. For displays tested using a USB, or USB compatible data interface with the feature of power delivery, both the UUT and USB connected signal source shall operate from their own power source with the data path only connected..

	Notes
Measurements related to ABC for “Allowances and adjustments for the purposes of the EEI calculation and functional requirements”	The methodology for ABC ambient light source set-up and luminance control as specified in existing standards shall not be used for the purposes of ABC related measurements for this regulation. The methodology to be used is detailed in <i>Section 1.2.5. of Annex IIIa</i> .
Peak white luminance ratio	No existing relevant standards can be used. The “box and outline” dynamic test pattern selected for the ABC peak white luminance measurements (<i>Annex III.a Section 1.2.4</i>) shall be used to measure the peak white luminance of the “normal configuration” with ABC on. If this is less than 150 cd/m ² for monitors or 220 cd/m ² for other display products, then a further measurement shall be made of the peak white luminance of the brightest pre-set configuration in the user menu (not the shop configuration). ABC need not be on for the luminance ratio measurements but the status of the ABC (on or off) shall apply to both measurements. Where ABC is on, the illuminance shall be 100lux for both measurements. Care shall be taken to ensure that the dynamic test pattern selected for peak white luminance measurement in the “normal configuration” does not cause luminance instability in the brightest pre-set configuration. A smaller peak white box pattern shall be selected for both measurements if instability occurs.
General notes	The following test standards provide important supporting information for the specification of test equipment and the required testing conditions relevant to measurement and testing guidance given in this Annex. EN 50564:2011 EN 50643:2018 EN 62087-1:2016 EN 62087- 2:2016 EN 62087-3:2016 EN IEC 62680 series of standards 2013 to 2020 IEC TR 63274 ED1:2020 (Advisory technical report on HDR testing requirements)’

(4) the following Annex IIIa is inserted:

‘ANNEX IIIa

Transitional methods

1. ADDITIONAL ELEMENTS FOR MEASUREMENTS AND CALCULATIONS

Table 3b

Test equipment requirements and UUT (*) configuration

Description of Equipment	Capabilities	Additional Capabilities and Characteristics
Power Measuring	Defined in relevant standard	Data logging function
Luminance Measuring Device (LMD)	Defined in relevant standard	Contact probe type with data logging function
Illuminance Measuring Device (IMD)	Defined in relevant standard	Data logging function

Description of Equipment	Capabilities	Additional Capabilities and Characteristics
Signal Generation Equipment	Defined in relevant standard	See Relevant Notes in <i>Annex III Table 3a</i> . References and qualifying notes
Light Source (Projector)	Shall provide an illuminance at the ABC sensor of less than 12 lux and up to 150 lux for TVs and monitors and up to 20,000 lux for Digital Signage Display from a minimum distance of approximately 1.5 m from ABC sensor	Solid state lamp engine (LED, Laser or LED /Laser combination). Colour gamut of projector shall be equal to or better than REC 709. Tilting Mounting platform allowing precise alignment of projector beam. This may be combined with or replaced by a built in Optical alignment feature.
Light Source (dimmable LED Lamp)	As specified in Section 1.2.1	
Computer for simultaneous data logging on common timescale	At least 3 appropriate ports allowing interface with power, luminance and illuminance measuring devices.	USB and Thunderbolt ports are considered to be appropriate ports
Computer with slide show and or picture editing application interfaced with projector	Application allowing projection of full-frame white image slides with simultaneous control over colour temperature and luminance (grey) level	

(*) Unit Under Test

1.1. Summary of order of testing

1. Setup UUT on a stand identifying location of Auto Brightness Control (ABC) sensor where applicable and position display luminance and ambient light measuring instruments.
2. Run through initial setup confirming correct implementation of forced menu warnings and default settings of "normal configuration".
3. Mute Audio where applicable.
4. Continue warm-up of sample while setting up test equipment and identifying peak white dynamic test pattern providing stable display luminance and power measurement.
5. If the ABC allowance is claimed, determine the illumination range and the ABC latency required for the sample. Profile the ABC of display luminance between 100 lux and 12 lux ambient light levels and measure on-mode power reduction between those limits. To provide detailed profiling of the ABC influence on power and display luminance, the ambient illumination range may be divided into several steps from just above the 100 lux illumination datum point (e.g. 120 lux) through 60 lux, 35 lux and 12 lux to the darkest level allowed by the test environment. For Digital Signage Displays (DSD) additional profiling may be recorded up to daylight illuminance levels of 20 000 lux for data gathering for future reviews of the Regulation.
6. Measure peak luminance in the normal configuration. If this is less than 150 cd/m² for a monitor or 220 cd/m² for other display types, also measure the peak luminance of the brightest pre-set configuration in the user menu (not the shop configuration).

7. Measure the on-mode power using the SDR dynamic broadcast video sequence with ABC disabled. Measure the on-mode power using the HDR dynamic broadcast video sequences confirming that HDR mode has been triggered (confirmed by display notification at start of HDR playback and / or change in normal configuration picture settings).

8. Measure the power requirement of low power and off modes and the time required by the automatic power down functions to take effect.

1.2. Details of testing

1.2.1. UUT (display) and measuring instrument set up

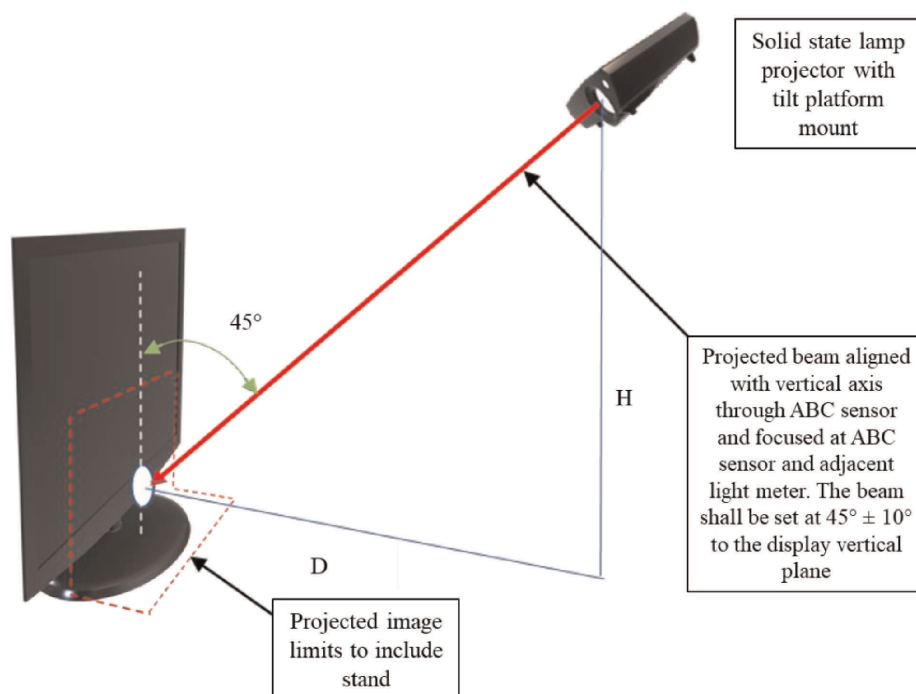


Figure 1: Physical set up of Display and ambient light source

If ABC function is available and the UUT is supplied with a stand this shall be attached to the display part and the UUT placed on a horizontal table or platform of at least 0,75 metres height covered in a black low reflectivity material (typical materials are felt, fleece or canvas theatrical backdrop). All parts of the stand shall remain exposed. Displays intended primarily for wall mounting shall be frame mounted for ease of access with the lower edge of the display at least 0,75 metres from the floor. The floor surface under the display and up to 0,5 metres in front of the display must not be highly reflective and ideally covered in black, low reflectivity material.

The physical location of the UUT ABC sensor shall be determined and measured coordinates of that location, relative to a fixed point outside the UUT, noted. The distances H and D as well as the projector beam angle (see Figure 1) shall be noted to aid repeatability of measurements. Depending on, the light source illuminance level requirements the distances H & D shall normally be equal ± 5 mm and measure between 1,5 m to 3 m. For the projector beam angle adjustment, a black slide with a small white centre box can be used to focus at the ABC sensor and provide a narrow beam of light for angular measurement. If an ABC sensor is designed to work optimally with an illuminance beam angle outside the 45° recommended, this preferred angle may be employed and the details recorded. Where a non-contact (distant location) luminance meter is used with a low beam angle for the light source, care shall be taken to ensure that the source is not reflected in the area of the display used for luminance measurement.

An illuminance meter shall be mounted as close as possible to the ABC sensor, taking precautions to avoid reflections of ambient light from the meter casing entering the sensor. This may be achieved by various methods in combination, including shrouding the illuminance meter in black felt and facilitating an adjustable mechanical mounting which does not allow the meter casing to protrude beyond the front of the ABC sensor.

The following proven procedure is recommended for an accurate and repeatable logging of ABC sensor illuminance levels with a minimum of mechanical mounting challenges. This procedure allows correction for any illuminance error introduced by the practical impossibility of mounting the illuminance meter at exactly the same physical position as the ABC sensor for simultaneous illumination. The procedure thus allows simultaneous illumination of the ABC sensor and illuminance meter without physical disturbance of the UUT and meter after set-up. With appropriate logging software, the required step changes in illuminance can be synchronised to on-mode power measurement and display luminance measurement to automatically log and profile the ABC.

The illuminance meter shall be located a few centimetres away from the ABC sensor to ensure that direct reflections of the projector beam, from the meter casing, cannot enter the ABC sensor. The illuminance meter detector horizontal axis shall be on the same horizontal axis as the ABC sensor with the meter vertical axis strictly parallel to the display vertical plane. The physical coordinates of the meter mounting point relative to the fixed external point used to record the physical location of the ABC sensor shall be measured and noted.

The projector shall be mounted in a position with the axis of its projected beam in line with a vertical plane perpendicular to the display surface and running through the vertical axis of the ABC sensor (see Figure 1). The projector platform height, tilt and distance from the UUT shall be adjusted to allow a full frame peak white projected image to focus on an area covering the ABC sensor and illuminance meter whilst delivering the maximum ambient illumination level (lux) required at the sensor for testing. In this context it shall be noted that some Digital Signage Displays have ABC operative in ambient light conditions from up to 20 000 lux to below 100 lux.

The contact luminance meter for display luminance measurement shall be rigged to align with the centre of the UUT screen.

The projected illuminance image overlapping the horizontal surface below the UUT display shall not extend beyond the vertical plane of the display unless a reflective stand encroaches into a larger forward area than this, in which case the edge of the image shall be aligned with the extremities of the stand (see Figure 1). The top horizontal edge of the projected image shall not be less than 1 cm below the lower edge of the contact luminance meter shroud. This may be achieved by optical adjustment or the physical positioning of the projector, within the constraints of the required 45° beam angle and the required maximum illuminance at the ABC sensor.

With the UUT and illuminance meter position coordinates noted and the projector producing a stable illuminance within the range to be measured (normally stability is achieved a few minutes from switch-on with solid state lamp engines) the UUT shall be moved sufficiently to allow the illuminance meter front face and detector centre to be aligned with the physical position coordinates noted for the UUT ABC sensor. The illuminance measured at this point shall be noted and the meter returned to its original set-up position along with the UUT. The illuminance shall be measured again at the set-up position. The percentage difference between the illuminance measured at the two test positions (if any) may be applied in final reporting as a correction factor to all further illuminance measurements (this correction factor does not change with illuminance level). This provides an accurate data set for the illuminance at the ABC sensor even though the lux measuring instrument is not situated at that point and allows the simultaneous plotting of display luminance, power and illuminance to accurately profile the ABC.

No further physical changes shall be made to the test set up.

Unlike televisions, digital signage displays may have more than one ambient light sensor. For testing purposes, the technician shall determine a single sensor to be utilised in the test, eliminating the other light sensors by obscuring them with opaque tape. Unwanted sensors may also be disabled if control is provided to do so. In most instances the most suitable sensor to use would be a front-facing one. Measurement methods for digital signage displays with multiple light sensors may be explored further as a test method refinement to be qualified in a harmonised standard.

For test laboratories preferring to use a dimmable lamp source instead of a projector light source in the described test set up, the following lamp specification shall apply and the measured lamp characteristics recorded.

The light source used for illuminating the ABC sensor to specific illuminance levels shall use a dimmable LED reflector lamp and shall have a diameter of $90 \text{ mm} \pm 5 \text{ mm}$. The rated beam angle of the lamp shall be $40^\circ \pm 5^\circ$. The rated correlated colour temperature (CCT) shall be $2700 \text{ K} \pm 300 \text{ K}$ throughout the illuminance range 12 lux to the peak illuminance required for testing. The rated colour rendering index (CRI) shall be 80 ± 3 . The front surface of the lamp shall be clear (i.e., not coloured or coated with a spectrum modifying material) and may have a smooth or granular front surface; when shined against a uniform white surface, the diffusion pattern shall appear smooth to the naked eye. The lamp assembly shall not modify the spectrum of the LED source, including the IR and UV bands. The characteristics of the light shall not vary across the full range of dimming required for the ABC testing.

1.2.2. *Check of correct implementation of “normal configuration” and energy impact warnings.*

A power meter shall be connected to the UUT for observation purposes and at least one video signal source provided. During this test the persistence of ABC in all other pre-set configurations, except “shop configuration” shall be confirmed.

1.2.3. *Audio Setting*

An input signal shall be provided containing audio and video (the 1 kHz tone on the SDR video power test material is ideal) The sound volume setting shall be reduced to a zero-display indication, or a mute control activated. It must be confirmed that activation of the mute control has no effect on “normal configuration” picture parameters.

1.2.4. *Identifying the peak white luminance pattern for peak white luminance measurements*

When a UUT displays a peak white pattern, the display may quickly dim within the first few seconds and gradually dim until stable. This makes it impossible to measure, in a consistent and repeatable way, power and luminance values, immediately after the image is displayed. In order to have repeatable measurements, some level of stability must be achieved. Testing on displays using current technology indicates that 30 seconds shall be sufficient time to allow for luminance stability of a peak white image. As a practical observation, this time window also allows for any on-screen status display to disappear.

Current display products often have built-in electronics and display drive software to protect the display power supply from being over-driven and the screen from suffering persistence (burn-in) by limiting total power to the screen. This can result in a limited luminance and limited power consumption when displaying, for example a large area of white dynamic test pattern.

In this test methodology, the measurement of peak luminance is made while displaying a 100% white dynamic test pattern, but the area of white is empirically limited to avoid the triggering of protection mechanisms. The appropriate dynamic test pattern is determined by displaying the range of eight “box and outline” dynamic test patterns based on VESA “L” dynamic test patterns from smallest (L 10) to largest (L 80), while recording power and screen luminance. A graph of power and screen luminance vs L pattern shall assist in determining if and when display drive limiting is occurring. For example, if power consumption is increasing from L 10 to L 60, while luminance is either increasing or constant (not decreasing) then those patterns are not appearing to cause limiting. If dynamic test pattern L 70 indicates no increase in power consumption or luminance (where there was an increase in previous L patterns), this would indicate that limiting is occurring at L 70 or between L 60 and L 70. It may also be that limiting has occurred between L 50 and L 60 and the graphed points at L 60 were in fact sloping downward. Therefore, the largest pattern where we are sure no limiting occurs is L 50 and this is the correct pattern to use for the peak luminance measurement. Where a luminance ratio has to be declared, the selection of the luminance pattern shall be made in the brightest pre-set setting. If the UUT is known to have display luminance drive characteristics which do not allow the selection of an optimum, peak-white-luminance dynamic test pattern by the above selection procedure the following simplified selection process may be employed. For displays equal to or greater than 15,24 cm (6 inches) and less than 30,48 cm (12 inches) diagonally, the L 40 PeakLumMotion signal shall be used. For displays greater than or equal to 30,48 cm (12 inches) diagonally, the L 20 PeakLumMotion signal shall be used. The dynamic peak white luminance dynamic test pattern selected by either procedure shall be declared and used for all luminance testing.

1.2.5. *Determination of ABC ambient light control range and latency of ABC action.*

For the purposes of Regulation (EU) 2019/2021, an ABC power allowance is provided in the EEI declaration if the ABC control characteristic meets specific requirements of display luminance control between ambient light levels of 100 lux and 12 lux with datum points of 60 lux and 35 lux. The change in display luminance between 100 lux and 12 lux ambient light change must provide at least 20 % decrease in display power requirement for conformance with the regulation ABC power allowance. The dynamic luminance “L” dynamic test pattern used to assess ABC luminance control conformance may also be simultaneously used to assess the power reduction conformance.

For digital signage displays, a much wider range of ABC control with illuminance change may apply and the test methodology described here may be extended to gather data for future revisions of the Regulation.

1.2.5.1 ABC Latency Profiling

The latency of the ABC control function is the time delay between the ambient light change sensed at the ABC detector and the resulting change in UUT display luminance. Testing data has shown that this delay can be as long as 60 seconds and this must be taken into account when profiling ABC control. For latency estimation, the 100 lux slide (see 1.2.5.2), at a stable display luminance condition, is switched to the 60 lux slide and the time interval required to achieve a stable lower display luminance level recorded. At the lower stable luminance level, the 60 lux slide is switched to the 100 lux slide and the time interval to achieve a stable higher luminance level noted. The higher value of time interval is the one used for latency with a discretionary 10 seconds added. This is saved as the slide show projection period for each slide.

1.2.5.2 Light Source Illumination Control

For ABC profiling, a peak white dynamic test pattern as identified in 1.2.4 is displayed on the UUT, as the brightness of the light source is altered from white through a range of grey slides to simulate ambient illumination changes. For illumination level control the first slide grey transparency is altered to achieve the starting point of the profiling (e.g. 120 lux) by measuring the lux level at the illuminance meter. The slide is saved and copied. A new grey transparency level is set for the copy to the required datum point of 100 lux and the slide saved and copied. The process is repeated for the datum points of 60 lux, 35 lux and 12 lux. A black (0 % transparency) illuminance slide can be added here for data plotting symmetry and the datum point slides copied and introduced in ascending illumination order back to 120 lux.

1.2.5.3 Light Source Colour Temperature Control

A further requirement is to set a colour temperature for the white point of the projected light to ensure repeatability of test data if a different projector light source is used for verification purposes. For this test methodology a white point colour temperature of $2700\text{K} \pm 300\text{K}$ is specified for consistency with ABC methodology in earlier test standards.

This white point is readily set in any major computer application for slide creation by the use of a suitable colour solid fill (e.g. Red/Orange) and transparency adjustment. With these tools the normally colder projector white point may be adjusted to the 2700K suggested, by altering the transparency of the selected colour whilst measuring colour temperature via a function of the illuminance meter. Once the required temperature is achieved it is applied to all slides.

1.2.5.4 Data Recording

The power consumption, screen luminance and illuminance at the ABC sensor are measured and logged during the slide show. This data must correlate with time. Data points for three parameters must be logged in order to relate power consumption, to screen luminance and illuminance of the ABC sensor. Any number of slides can be created between datum points for high granularity of data within the constraints of available test time duration.

For DSD designed to operate in a wide range of ambient lighting conditions the operating range of the ABC control over display luminance can be manually established with the black transparency control operating on a single projected slide of peak white pre-set to the required colour temperature. The recommended pre-set configuration of the DSD for a wide range of ambient light operating conditions shall be selected from the user menu. At a stable display luminance point the projected slide shall be switched from 0 % to 100 % black transparency to establish the latency period. This shall then be applied to slide grey transparency steps from black to a point where no change occurs in display luminance to establish the operating range of the ABC. A slide show can then be created in the granularity required to profile that range.

1.2.6. *Display luminance measurements*

With ABC enabled and 100 lux ambient light level measured at the illuminance meter, the UUT shall display the selected peak white luminance pattern (*see* 1.2.4) at a stable luminance. For Regulation conformance, luminance measurement shall confirm that the display luminance level is 220 cd/m² or more for all display categories other than monitors. For monitors, a conformance level of 150 cd/m² or more is required. For displays without ABC or devices that do not claim the ABC allowance, measurements may be made without the ambient light part of the test rig.

For those displays which by design intention have a declared display peak white luminance level, in the normal configuration, of less than the conformance requirement of 220 cd/m² or 150 cd/m², as applicable, a further peak white measurement shall be made in the pre-set viewing configuration providing the highest measured peak white luminance. For Regulation conformance the calculated ratio of the normal viewing configuration peak white luminance measurement and the highest peak white luminance measurement shall be 65 % or greater. This is declared as the "luminance ratio".

For those UUT with ABC that can be switched off a further Conformance test shall be conducted in the normal configuration. The stabilised peak white luminance pattern shall be displayed in the measured 100 lux ambient illumination condition. It shall be confirmed that the UUT power requirement, measured with ABC on, is the same as or less than the power requirement measured at a stabilised luminance with ABC off. If the measured power is not the same, the mode which yields the highest measured power shall be used for on mode power.

1.2.7. *Measurement of on-mode power*

For each of the UUT powering systems covered below, SDR power shall be measured in the normal configuration, using the HD version of the 10 minute "SDR dynamic video power test" file, unless input signal compatibility is restricted to SD. The file source and UUT input interface shall be confirmed to be capable of delivering full black and full white video data levels. Any upscaling of HD video resolution to the native resolution of the UUT display must be processed by the UUT and not an external device where the UUT allows this. If an external device must be used to achieve upscaling to the native resolution of the UUT then details of that device and its interface with the UUT shall be recorded. The power declaration is the average power determined during the playback of the full 10-minute file.

HDR power, where the function applies, is measured using the two 5-minute HDR files "HDR-HLG power" and "HDR-HDR10 power". If one of these HDR modes is not supported, HDR power shall be declared on the supported mode.

Test instrumentation characteristics and test conditions as detailed in relevant standards apply to all power testing.

Product warm up with current UUT display technology need not be protracted and is most conveniently conducted with the dynamic peak white luminance dynamic test pattern identified in section 1.2.4 above. When power readings are stable with the UUT displaying this pattern power measurements with the SDR and HDR dynamic video power test files may commence.

Where a product has ABC, this shall be switched off. If it cannot be switched off the product shall be tested in the 100 lux measured ambient light conditions described in section 1.2.5 above.

For UUT intended for use on AC mains including those using a standardised DC input but with an external power supply (EPS) provided packaged with the UUT, on-mode power shall be measured at the AC supply point.

- (a) For UUT with a standardised DC input (only USB-compatible power delivery standards apply) power measurement shall be made at the DC input. This is facilitated by a USB break out unit (BOU) which maintains the data path of the supply connector and UUT DC input but interrupts the power delivery path to allow current measurement and Voltage measurement inputs to the power meter. The USB BOU power meter combination must be fully tested to ensure that their design and maintenance condition do not interfere with the cable impedance sensing function of some USB power delivery standards. The power recorded via the USB BOU shall be the power $P_{measured}$ declared for the on-mode power measurement declaration (Ecodesign and Labelling in SDR mode and HDR mode).
- (b) For unusual UUT covered by the definitions of the Regulation but designed to operate from an internal battery which cannot be bypassed or removed for the required power testing the following methodology is proposed. The caveats for EPS and standardised DC input detailed above apply in the choice of AC or DC input power declaration.

For the purposes of the methodology the following qualifications apply:

Fully charged battery: Point during charging when according to the manufacturer's instructions, by indicator or time period the product does not need to be charged anymore. Visual profiling of this point shall be made for subsequent reference with a graphical representation of the power meter charging log made with power measurements of 1 second granularity in a 30-minute period before and after the fully charged point.

Fully discharged battery: A point in on-mode, with the UUT disconnected from an external power source, where the display switches off automatically (not through auto standby functions) or ceases to function while displaying an image.

If there is no indicator or no stated charge time period the battery shall be fully discharged. The battery shall then be recharged with all display user-controlled functions off. The power input against time with a data granularity no less than one reading per second shall be automatically logged. Where the log shows the start of a low power flat line battery maintenance mode or the start of a very low power period with spaced bursts of power, the time logged to that point from the start of the charge cycle of the battery, shall be regarded as the basic charge time.

Preparation of battery: Any unused Li-ion batteries shall be fully charged and fully discharged once, prior to conducting the first test on a UUT. All other unused battery chemistry/technology types shall be fully charged and fully discharged three times, prior to conducting the first test on the UUT.

Method

Set up UUT for all the relevant testing as described in this testing methodology document. For the choice of AC or DC power measurement declaration, apply the caveats on powering above.

All dynamic test sequences involving power measurement for regulation conformance and declaration shall be performed with the product battery fully charged and the external power source disconnected. The fully charged condition shall be confirmed by the power meter log charging profile graph. The product shall be switched to the measurement mode required and the dynamic test sequence started immediately. After the dynamic test sequence is completed the product shall be switched off and a logged charging sequence commenced. When the charging log profile indicates a fully charged condition, the average power recorded from the logged start of charging to the logged start of the fully charged condition is used to calculate the power to be recorded for the Regulation requirement.

Standby, networked standby and off modes (if applicable) will require long periods of battery loading to provide good data repeatability from the recharge average power (e.g. 48 hours for off or standby and 24 hours for networked standby)

For luminance measurement and ABC luminance profiling the external power source can remain connected.

For the ABC power reduction test, the appropriate dynamic peak luminance sequence shall be continuously played for 30 minutes in a 12 lux ambient light condition. The battery shall be immediately recharged and the average power noted. The same shall be repeated for the 100 lux ambient condition and the difference between the average recharge powers confirmed to be 20 % or more.

For the SDR power declaration the appropriate 10-minute SDR dynamic power measurement sequence shall be played 3 times sequentially and the average battery recharge power requirement logged ($P_{measured}$ (SDR) = recharge energy /total playback time). For the HDR power declaration each of the two five-minute HDR dynamic power measurement files shall be played three times in quick succession and the average battery recharge power requirement logged ($P_{measured}$ (HDR) = recharge energy /total playback time).

1.2.8. Measure power requirement of low power and off modes

Test instrumentation and test conditions as detailed in relevant standards apply to all low power and off mode power testing. The AC or DC power measuring caveats of 1.2.7 above apply and the special test procedure for battery powered displays covered in 1.2.7 shall be used where applicable.;

(5) Annex IV is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the manufacturer, importer or authorised representative as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.’;

(b) the third paragraph is replaced by the following:

‘As part of verifying that a product model complies with the requirements laid down in this Regulation pursuant to Article 3(2) of Directive 2009/125/EC the authorities of the Member States shall apply the following procedure for the requirements referred to in Annex I.’;

(c) in point 1.8, the following paragraph is added:

‘The requirements of Annex II, D.4. shall be deemed to be complied with if:

- The determined value for HFRs identified in Directive 2011/65/EU does not exceed the relevant maximum concentration values defined in Annex II of Directive 2011/65/EU; and
- For other HFRs, the determined value for any homogenous material does not exceed 0,1 % by weight of halogen content. Where the determined value for any homogenous material exceeds 0,1 % by weight of halogen content, the model may still be considered compliant where documentary checks or any other appropriate, reproducible methods show that the halogen content is not attributable to flame retardant.’;

(d) in point 2, the third paragraph is replaced by the following:

‘The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model.’;

(e) the fifth row of Table 3 is replaced by the following:

‘Visible screen diagonal in centimetres	The determined value (*) shall not be lower than the declared value by more than 1 cm’
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ANNEX VI

Annexes I, III and IV to Regulation (EU) 2019/2022 are amended as follows:

(1) in Annex I, the following point (19) is added:

‘(19) “declared values” means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 4, for the verification of compliance by the Member State authorities.’;

(2) Annex III is amended as follows:

(a) the following paragraph is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 4, its declared value shall be used by the manufacturer, importer or authorised representative for the calculations in this Annex.’;

(b) points 2, 3 and 4 are replaced by the following:

‘2. CLEANING PERFORMANCE INDEX

For the calculation of the cleaning performance index (I_C) of a household dishwasher model, the cleaning performance of the eco programme is compared to the cleaning performance of a reference dishwasher.

The I_C is calculated as follows and rounded to three decimal places:

$$I_C = \exp (\ln I_C)$$

and

$$\ln I_C = (1/n) \times \sum_{i=1}^n \ln (C_{T,i}/C_{R,i})$$

where:

$C_{T,i}$ is the cleaning performance of the eco programme of the household dishwasher under test for one test run (i), rounded to three decimal places;

$C_{R,i}$ is the cleaning performance of the reference dishwasher for one test run (i), rounded to three decimal places;

n is the number of test runs.

3. DRYING PERFORMANCE INDEX

For the calculation of the drying performance index (I_D) of a household dishwasher model, the drying performance of the eco programme is compared to the drying performance of the reference dishwasher.

The I_D is calculated as follows and rounded to three decimal places:

$$I_D = \exp (\ln I_D)$$

and

$$\ln I_D = (1/n) \times \sum_{i=1}^n \ln(I_{D,i})$$

where:

$I_{D,i}$ is the drying performance index of the eco programme of the household dishwasher under test for one test run (i);

n is the number of combined cleaning and drying test runs.

The $I_{D,i}$ is calculated as follows and rounded to three decimal places:

$$\ln I_{D,i} = \ln (D_{T,i} / D_{R,t})$$

where:

$D_{T,i}$ is the average drying performance score of the eco programme of the household dishwasher under test for one test run (i), rounded to three decimal places;

$D_{R,t}$ is the target drying score of the reference dishwasher, rounded to three decimal places.

4. LOW POWER MODES

Where applicable, the power consumption of the off mode (P_o), standby mode (P_{sm}) and delay start (P_{ds}) are measured, expressed in W, and rounded to two decimal places.

During measurements of the power consumption in low power modes, the following shall be checked and recorded:

the display or not of information;

the activation or not of a network connection.';

(3) Annex IV is amended as follows:

(a) the first paragraph is replaced by the following:

'The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the manufacturer, importer or authorised representative as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.';

(b) in the third paragraph, the words 'When verifying' are replaced by 'As part of verifying';

(c) Point 2(d) is replaced by the following:

'(d) when the Member States authorities check the unit of the model, it complies with the requirements in the third paragraph of Article 6, the programme requirements in point 1, resource efficiency requirements in point 5 and information requirements in point 6 of Annex II; and';

(d) Point 7 is replaced by the following:

'(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.'.

ANNEX VII

Annexes I, III, IV and VI to Regulation (EU) 2019/2023 are amended as follows:

(1) in Annex I, the following point (29) is added:

‘(29) “declared values” means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 4, for the verification of compliance by the Member State authorities.’;

(2) Annex III is amended as follows:

(a) the following paragraph is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 4, its declared value shall be used by the manufacturer, importer or authorised representative for the calculations in this Annex.’;

(b) point 2 is replaced by the following:

‘2. WASHING EFFICIENCY INDEX

The washing efficiency index of household washing machines and of the washing cycle of household washer-dryers (I_w) and the washing efficiency index of the complete cycle of household washer-dryers (J_w) shall be calculated using harmonised standards the reference numbers of which have been published for this purpose in the Official Journal of the European Union, or other reliable, accurate and reproducible methods, which take into account the generally recognised state-of-the-art, and rounded to three decimal places.’;

(c) in point 5, the first paragraph of point (2) is replaced by the following:

‘For household washer-dryers with a rated washing capacity lower than or equal to 3 kg, the weighted water consumption of the wash and dry cycle is the water consumption at rated capacity and rounded to the nearest integer.’;

(d) point 6 is replaced by the following:

‘6. REMAINING MOISTURE CONTENT

The weighted remaining moisture content after washing (D) of a household washing machine and of the washing cycle of a household washer-dryer is calculated in percentage as follows, and is rounded to one decimal place:

$$D = \left[A \times D_{full} + B \times D_{\frac{1}{2}} + C \times D_{\frac{1}{4}} \right]$$

where:

D_{full} is the remaining moisture content for the eco 40-60 programme at rated washing capacity, in percentage and rounded to two decimal places;

$D_{1/2}$ is the remaining moisture content of the eco 40-60 programme at half of the rated washing capacity in percentage and rounded to two decimal places;

$D_{1/4}$ is the remaining moisture content of the eco 40-60 programme at a quarter of the rated washing capacity in percentage and rounded to two decimal places;

A, B and C are the weighting factors as described in point 1.1(c).’;

(e) point 8 is replaced by the following:

‘8. LOW POWER MODES

Where applicable, the power consumption of the off mode (P_o), standby mode (P_{sm}) and delay start (P_{ds}) are measured, expressed in W, and rounded to two decimal places.

During measurements of the power consumption in low power modes, the following shall be checked and recorded:

- the display or not of information;
- the activation or not of a network connection.

If a household washing machine or a household washer-dryer provides for a wrinkle guard function, this operation shall be interrupted by opening the household washing machine or household washer-dryer door, or any other appropriate intervention 15 minutes before the measurement of power consumption.;

(3) Annex IV is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the manufacturer, importer or authorised representative as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.’;

(b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;

(c) point 2(d) is replaced by the following:

‘(d) when the Member State authorities check the unit of the model, it complies with the requirements in the third paragraph of Article 6, the programme requirements in points 1 and 2, resource efficiency requirements in point 8 and information requirements in point 9 of Annex II; and’;

(d) point (7) is replaced by the following:

‘(7) the Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.’;

(e) Table 1 is replaced by the following:

‘Table 1

Verification tolerances

Parameter	Verification tolerances
$E_{W,full}$, $E_{W,1/2}$, $E_{W,1/4}$, $E_{WD,full}$, $E_{WD,1/2}$	The determined value (*) shall not exceed the declared value of $E_{W,full}$, $E_{W,1/2}$, $E_{W,1/4}$, $E_{WD,full}$ and $E_{WD,1/2}$, respectively, by more than 10 %.
Weighted energy consumption (E_W and E_{WD})	The determined value (*) shall not exceed the declared value of E_W and E_{WD} , respectively, by more than 10 %.
$W_{W,full}$, $W_{W,1/2}$, $W_{W,1/4}$, $W_{WD,full}$, $W_{WD,1/2}$	The determined value (*) shall not exceed the declared value of $W_{W,full}$, $W_{W,1/2}$, $W_{W,1/4}$, $W_{WD,full}$ and $W_{WD,1/2}$, respectively, by more than 10 %.
Weighted water consumption (W_W and W_{WD})	The determined value (*) shall not exceed the declared value of W_W and W_{WD} , respectively, by more than 10 %.
Washing efficiency index (I_W and J_W) at all relevant loads	The determined value (*) shall not be less than the declared value of I_W , and J_W , respectively by more than 8 %.
Rinsing effectiveness (I_R and J_R) at all relevant loads	The determined value (*) shall not exceed the declared value of I_R and J_R , respectively by more than 1,0 g/kg.
Duration of the eco 40-60 programme (t_W) at all relevant loads	The determined value (*) of the programme duration shall not exceed the declared value of t_W by more than 5 % or by more than 10 minutes, whichever is the smaller.

Duration of the wash and dry cycle (t_{WD}) at all relevant loads	The determined value (*) of the cycle duration shall not exceed the declared value of t_{WD} by more than 5 % or by more than 10 minutes, whichever is the smaller.
Maximum temperature inside the laundry (T) during the washing cycle at all relevant loads	The determined value (*) shall not be less than the declared value of T by more than 5 K and it shall not exceed the declared value of T by more than 5 K.
Weighted remaining moisture content after washing (D)	The determined value (*) shall not exceed the declared value of D by more than 10 %.
Final moisture content after drying at all relevant loads	The determined value (*) shall not exceed 3,0 %.
Spin speed (S) at all relevant loads	The determined value (*) shall not be less than the declared value of S by more than 10 %.
Power consumption in off mode (P_o)	The determined value (*) of power consumption P_o shall not exceed the declared value by more than 0,10 W.
Power consumption in standby mode (P_{sm})	The determined value (*) of power consumption P_{sm} shall not exceed the declared value by more than 10 % if the declared value is higher than 1,00 W, or by more than 0,10 W if the declared value is lower than or equal to 1,00 W.
Power consumption in delay start (P_{ds})	The determined value (*) of power consumption P_{ds} shall not exceed the declared value by more than 10 % if the declared value is higher than 1,00 W, or by more than 0,10 W if the declared value is lower than or equal to 1,00 W.
(*) In the case of three additional units tested as prescribed in point 4, the determined value means the arithmetical mean of the values determined for these three additional units.;	

(4) in Annex VI point (h) is replaced by the following:

‘(h) the remaining moisture content after washing is calculated as the weighted average, according to each drum’s rated capacity;’.

ANNEX VIII

Annexes I, III and IV to Regulation (EU) 2019/2024 are amended as follows:

(1) in Annex I, point (22) is replaced by the following:

‘(22) “declared values” means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 4, for the verification of compliance by the Member State authorities.’;

(2) Annex III is amended as follows:

(a) the following text is added after the first paragraph:

‘Where a parameter is declared pursuant to Article 4, its declared value shall be used by the manufacturer, importer or authorised representative for the calculations in this Annex.’;

(b) in Table 5, part (a), the following lines are added:

Vertical and combined supermarket refrigerator cabinets	M0	$\leq + 4$	$\geq - 1$	n.a.	1,30
Horizontal supermarket refrigerator cabinets	M0	$\leq + 4$	$\geq - 1$	n.a.	1,13’

(c) the first note at the end of table 5 is replaced as follows:

‘(*) For multi-temperature vending machines, T_V shall be the average of T_{V1} (the maximum measured product temperature in the warmest compartment) and T_{V2} (the maximum measured product temperature in the coldest compartment), rounded to one decimal.’;

(3) Annex IV is amended as follows:

(a) the first paragraph is replaced by the following:

‘The verification tolerances defined in this Annex relate only to the verification by Member State authorities of the declared values and shall not be used by the manufacturer, importer or authorised representative as an allowed tolerance to establish the values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.’;

(b) in the third paragraph, the words ‘When verifying’ are replaced by ‘As part of verifying’;

(c) point 2(d) is replaced by the following :

‘(d) when the Member States authorities check the unit of the model, it complies with the requirements in the third paragraph of Article 6, the resource efficiency in point 2 of Annex II and the information requirements in point 3 of Annex II; and’;

(d) point (7) is replaced by the following:

‘(7) The Member State authorities shall provide all relevant information to the authorities of the other Member States and to the Commission without delay after a decision being taken on the non-compliance of the model according to points 3, 6 or the second paragraph of this Annex.’.

COMMISSION IMPLEMENTING REGULATION (EU) 2021/342**of 25 February 2021****reimposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in the Kingdom of Thailand, in so far as it concerns River Kwai International Food Industry Co., Ltd, following the reopening of the interim review pursuant to Article 11(3) of Regulation (EU) 2016/1036 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), and in particular Article 9(4), 11(2), 11(3) and 14(1) thereof,

Whereas:

1. PROCEDURE**1.1. Previous investigations and measures in force**

- (1) By Implementing Regulation (EU) No 875/2013 ⁽²⁾, the Council reimposed the definitive anti-dumping measures on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand following an expiry review.
- (2) Following a request lodged by River Kwai International Food Industry Co., Ltd ('RK'), an exporting producer from Thailand, on 14 February 2013, the Commission announced the initiation of a partial interim review, pursuant to Article 11(3) of the basic Regulation, limited in scope to an examination of dumping as far as the applicant was concerned.
- (3) In the course of the investigation, the Commission found that the circumstances, based on which the measures in force were imposed, had changed and that these changes were of a lasting nature.
- (4) In particular, the Commission found that the changed circumstances related to changes in the RK's product range. Those changes have a direct impact on the production costs. In light of the results of the investigation, the Commission considered it appropriate to amend the anti-dumping duty applicable to RK's imports of the product under review ⁽³⁾.
- (5) On 24 March 2014, the Council adopted Implementing Regulation (EU) No 307/2014 ⁽⁴⁾ ('the 2014 Regulation') amending Implementing Regulation (EU) No 875/2013 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand following an interim review pursuant to Article 11(3) of Council Regulation (EC) No 1225/2009 ⁽⁵⁾.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Council Implementing Regulation (EU) No 875/2013 of 2 September 2013 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 (OJ L 244, 13.9.2013, p. 1).

⁽³⁾ The 'product under review' is the same as in the investigation which led to the 2014 Regulation, namely sweetcorn (*Zea mays* var. *saccharata*) in kernels, prepared or preserved by vinegar or acetic acid, not frozen, currently falling under CN code ex 2001 90 30 (TARIC code 2001 90 30 10), and sweetcorn (*Zea mays* var. *saccharata*) in kernels prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006, currently falling under CN code ex 2005 80 00 (TARIC code 2005 80 00 10), originating in Thailand.

⁽⁴⁾ Council Implementing Regulation (EU) No 307/2014 of 24 March 2014 amending Implementing Regulation (EU) No 875/2013 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand following an interim review pursuant of Article 11(3) of Regulation (EC) No 1225/2009 (OJ L 91, 27.3.2014, p. 1).

⁽⁵⁾ Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community (OJ L 343, 22.12.2009, p. 51).

- (6) The 2014 Regulation reduced the anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand, applicable to RK, from 12,8 % to 3,6 %.
- (7) After the reopening of this investigation, the duration of the measures was extended by Commission Implementing Regulation (EU) 2019/1996 ⁽⁶⁾ ('the 2019 expiry review Regulation'), imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in the Kingdom of Thailand following an expiry review pursuant to Article 11(2) of the basic Regulation. That is the currently applicable Regulation with respect to RK and other exporting producers.

1.2. The Judgments of the General Court and the Court of Justice of the European Union

- (8) On 18 June 2014, the Association européenne des transformateurs de maïs doux ('AETMD') lodged an application before the General Court of the European Union ('the General Court') seeking the annulment of the 2014 Regulation.
- (9) In its judgment of 14 December 2017 ('the judgment of the General Court') ⁽⁷⁾, the General Court annulled the 2014 Regulation.
- (10) On 23 February 2018, RK lodged an appeal seeking to have the judgment of the General Court set aside.
- (11) In its judgment of 28 March 2019, the Court of Justice of the European Union ('the ECJ') dismissed the appeal lodged by RK as unfounded and confirmed the judgment of the General Court ('the ECJ judgment') ⁽⁸⁾.
- (12) The ECJ upheld the finding of the General Court that the procedural rights of AETMD had been breached in relation to its request for disclosure of information relating to the possibility of incorrect allocation of costs between RK and its related entity AgriFresh Co., Ltd. ('AgriFresh'); the allocation of costs being one of the possible causes of the lowering of the production costs alleged by RK in support of its request for an interim review. The General Court held that in that respect, during the administrative procedure, AETMD had not received disclosure that enabled it effectively, to make known its point of view.

2. IMPLEMENTATION OF THE COURT JUDGMENTS

- (13) In accordance with Article 266 of the Treaty on the Functioning of the European Union ('TFEU'), the Union's institutions are obliged to comply with the Court of Justice judgments. In case of an annulment of an act adopted by the Union institutions in the context of an administrative procedure, such as the anti-dumping investigation in this case, compliance with the judgment consists in the replacement of the annulled act by a new act, in which the illegality identified by the Court is eliminated ⁽⁹⁾.

⁽⁶⁾ Commission Implementing Regulation (EU) 2019/1996 of 28 November 2019 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in the Kingdom of Thailand following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 (OJ L 310, 2.12.2019, p. 6).

⁽⁷⁾ Judgment of the General Court of 14 December 2017, *Association européenne des transformateurs de maïs doux 'AETMD' v Council*, T-460/14, not published, ECLI: EU:T:2017:916.

⁽⁸⁾ Judgment of the Court of Justice of 28 March 2019, *River Kwai International Food Industry Co. Ltd v Council of the European Union*, C-144/18 P, ECLI:EU:C:2019:266.

⁽⁹⁾ Judgment of the Court of 26 April 1988, *Asteris AE and others and Greek Republic v Commission* joined cases 97, 193, 99 and 215/86, ECLI:EU:C:1988:199, paragraphs 27 and 28.

- (14) According to the case-law of the Court of Justice, the procedure for replacing an annulled act may be resumed at the very point at which the illegality occurred ⁽¹⁰⁾. That implies, in particular, that in a situation where an act concluding an administrative procedure is annulled, that annulment does not necessarily affect the preparatory acts, such as the initiation of the anti-dumping procedure. Accordingly, in complying with the judgment, the Commission has the possibility to remedy the aspects of the proceeding, which led to the annulment, while leaving unchanged those parts, which are not affected by the judgment ⁽¹¹⁾.
- (15) The annulment of the 2014 Regulation was due to the non-adherence to the rights of defence during one step of the administrative proceeding at issue, namely the lack of disclosure of certain information to AETMD regarding RK's restructuring and the impact of that restructuring on the assessment of both the lasting nature of the changes of circumstances relied on and the calculation of the dumping margin ⁽¹²⁾.
- (16) Therefore, pursuant to the Court judgments, the possibility of incorrect allocation of costs between RK and AgriFresh, raised by AETMD during the administrative procedure, and which constituted – beside rationalisation of RK's activity – one of the possible causes of the lowering of the production costs, should be examined by reopening the investigation in full respect of AETMD's rights of defence as observed by the EU courts. By contrast, findings which were not contested by the Applicants or which were rejected or not examined by the General Court ('undisputed or confirmed findings'), remain valid. Those findings are described and assessed in the 2014 Regulation. In relation to those undisputed or confirmed findings, the Commission makes reference to the text of the 2014 Regulation ⁽¹³⁾, as published in the *Official Journal of the European Union* ⁽¹⁴⁾.
- (17) In order to implement the Court judgments, the Commission published a notice ⁽¹⁵⁾ reopening the anti-dumping investigation concerning imports of certain prepared or preserved sweetcorn in kernels originating in Thailand, that led to the adoption of the 2014 Regulation, in so far as it concerned RK.
- (18) Interested parties were informed of the reopening of the anti-dumping investigation through the publication of a Notice in the *Official Journal of the European Union*.
- (19) The Commission officially advised RK, the representatives of the exporting country and AETMD of the partial reopening of the investigation.
- (20) Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice.

2.1. Procedural steps for the implementation of the Court judgments

- (21) Following the reopening, the Commission sent a questionnaire to RK and its related companies, concerning the production costs for the product under review, including inter-company aspects of such costs.
- (22) Questionnaire replies were received from RK, Agripure Holdings Public Co. Ltd., AgriFresh and Sweet Corn Products Co. Ltd.

⁽¹⁰⁾ Judgment of the Court of 12 November 1998, *Kingdom of Spain v Commission*, C-415/96, ECLI:EU:C:1998:533, paragraph 31; Judgment of the Court of 3 October 2000, *Industrie des Poudres Sphériques v Council*, C-458/98 P, ECLI:EU:C:2000:531, paragraphs 80 to 85; Judgment of the Court of First Instance of 9 July 2008, *Alitalia v Commission*, T-301/01, ECLI:EU:T:2008:262, paragraphs 99 and 142; Judgment of the General Court of 12 May 2011, *Region Nord-Pas-de-Calais and Communauté d'agglomération du Douaisis v Commission*, joined cases T-267/08 and T-279/08, ECLI:EU:T:2011:209, paragraph 83.

⁽¹¹⁾ Judgment of the Court of Justice of 14 June 2016, *Commission v McBride*, C-361/14 P, ECLI:EU:C:2016:434, at paragraph 56; see also, in the area of dumping, judgment of the Court of Justice of 3 October 2000, *Industrie des poudres sphériques v Council*, C-458/98 P ECLI:EU:C:2000:531, at paragraph 84.

⁽¹²⁾ ECJ Judgment, para. 37, General Court Judgment, para. 72.

⁽¹³⁾ See, *mutatis mutandis*, Judgment of the General Court of 20 September 2019, *Jinan Meide Casting Co. Ltd v Commission*, T-650/17, ECLI:EU:T:2019:644, at paragraphs 333–342.

⁽¹⁴⁾ See footnote 4.

⁽¹⁵⁾ OJ C 291, 29.8.2019, p. 3.

- (23) The Commission conducted a verification visit pursuant to Article 16 of the basic Regulation at the premises of the four companies in Thailand to verify the information provided in the questionnaires.

- River Kwai International Food Industry Co., Ltd, Kanchanaburi, Thailand;
- AgriFresh Co. Ltd., Kanchanaburi, Thailand ('AgriFresh');
- Agripure Holdings Public Co. Ltd., Bangkok, Thailand ('Agripure');
- Sweet Corn Products Co. Ltd., Kanchanaburi, Thailand ('SCP').

2.2. Investigation period

- (24) This investigation covers the period from 1 July 2011 to 31 December 2012 ('the review investigation period' or 'RIP').

2.3. Examination of the allocation of costs between River Kwai International Food Industry Co., Ltd and its related companies

- (25) The Court judgments required the Commission to re-examine the allocation of costs between RK and its subsidiary, AgriFresh. The Commission firstly reviewed the group structure to ensure that all relevant costs, which may have been or should have been charged, allocated or apportioned between group companies and which may have had an impact on the production costs of River Kwai International Food Industry Co., Ltd and/or AgriFresh, were considered.
- (26) In this regard, the Commission identified two additional group companies, Agripure Holdings Public Co. Ltd (RK's parent company – 'Agripure') and Sweet Corn Products Co. Ltd. (a subsidiary of RK – 'SCP', also located in Kanchanaburi) whose costs warranted more detailed examination.
- (27) In addition to the elements described in recitals (28) to (50), the Commission also considered in its assessment the following claims made by AETMD in the context of this reopening proceeding:
- (i) price manipulation on purchases of raw materials by RK and AgriFresh from common suppliers, whereby RK would pay lower than the market price in order to artificially lower its production cost and normal value, while AgriFresh would pay higher than the market price, to the same supplier; and
 - (ii) RK's purchases of baby corn from AgriFresh might not be at market prices, because there might be a compensatory arrangement between the companies.
- (28) The Commission found that RK's most common raw materials are cans, lids and green corn. Since cans and lids are not used for the fresh products sold by AgriFresh, the Commission reviewed the accounts of RK's green corn suppliers. The Commission found that there were many different suppliers to RK with comparable average prices and that in the RIP there were no sales of green corn from AgriFresh to RK.
- (29) In addition, the Commission found that purchases of baby corn by RK from AgriFresh were not charged to the production cost of RK for the product under review ⁽¹⁶⁾ as baby corn is not a raw material for the product under review.

⁽¹⁶⁾ The 'product under review' is the same as in the original investigation and the investigation which led to the 2014 Regulation, namely sweetcorn (*Zea mays* var. *saccharata*) in kernels, prepared or preserved by vinegar or acetic acid, not frozen, currently falling under CN code ex 2001 90 30 (TARIC code 2001 90 30 10), and sweetcorn (*Zea mays* var. *saccharata*) in kernels prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006, currently falling under CN code ex 2005 80 00 (TARIC code 2005 80 00 10), originating in Thailand.

2.3.1. Agripure Holdings Public Co. Ltd ('Agripure')

Management fee

- (30) A substantial management fee was charged by Agripure to RK, during the RIP. That fee was not charged to other companies in the group. The level of the fee was revised periodically, in order to cover all of the costs of Agripure and for it to make a profit. The services provided by Agripure contractually included management advice, strategy, organisation, internal control and finance. The Commission was informed that the fee also covered marketing, which was carried out by Agripure employees almost exclusively for RK's benefit.
- (31) However, certain departments in Agripure provided types of services, which would also have benefited other group companies, namely AgriFresh and SCP. As such, the Commission found that RK had not understated in its accounts the management fee paid by RK to Agripure during the RIP.

Intra-group loan from Agripure to RK

- (32) There was a short-term loan from Agripure to RK at an interest rate of between 4 % and 6 % per annum, which was repaid by RK within approximately 40 days. The rate was considered to be at arms' length as it was comparable to the interest rate on other short-term loans from unrelated financial institutions (with an interest rate also ranging between 4 % and 6 % per year). Given the very short term of the loan, the actual interest expense incurred by RK during the review investigation period was not material.

2.3.2. Sweet Corn Products Co. Ltd., Kanchanaburi, Thailand

- (33) SCP's operational activities are located on the same site as RK, although its headquarters are a few kilometres away.
- (34) It was established that SCP sold sweet corn seeds to RK at market prices and the purchase cost was not allocated by RK to the product under review, as sweet corn seeds are not a raw material used by RK for the production of the product under review.
- (35) SCP rented a small plot of land on RK's site during the review investigation period. As the value of land is not depreciated, no costs for that plot of land were included in RK's expenses, while RK's rental income was not allocated to the product under review. As such, the rental income had no impact on RK's costs.

2.3.3. Costs shared between RK and AgriFresh

- (36) The Commission reviewed costs which were paid by either RK or AgriFresh and recharged, reapportioned or reallocated to the other company.

Electricity costs

- (37) Certain electricity costs were initially paid by RK and then recharged to AgriFresh. The Commission noted that the amounts recharged were comparable, but slightly higher than if the costs had been allocated based on the respective turnovers. However, this was consistent with the explanation received that the fresh produce business of AgriFresh requires higher cooling and refrigeration costs. RK's electricity costs were allocated to the product under review, whereas the income received from AgriFresh was not allocated to the product under review. As such, the Commission concluded that RK's electricity costs allocated to the product under review were not understated.

Quality control and spare parts

- (38) RK charges AgriFresh for Quality control, as AgriFresh does not have its own quality control department and for spare parts for maintenance on an occasional basis. The costs incurred by RK were apportioned to the product under review. The income received from AgriFresh was not allocated to the product under review. As such, there was no under reporting of such costs for RK for the product under review.

2.3.4. Transactions between RK and AgriFresh

Land, buildings and machinery leased by AgriFresh from RK

- (39) For the first 6 months of the review investigation period, AgriFresh rented a small plot of land, as well as some machinery and equipment on an adjacent plot of land, situated on the RK site, from RK. At that time, AgriFresh rented the adjacent piece of land from an unrelated third party.
- (40) The depreciation costs for RK were apportioned to the product under review, while the rental income from AgriFresh was recorded in other income and not allocated to the product under review. As such, there was no understatement of RK's costs for the product under review in this regard.
- (41) From the beginning of 2012, AgriFresh purchased the machinery for the production of fresh produce from RK at net book value and leased land and a small part of a building on the same site as RK, from a party, which could be considered to be related. This did not have any impact on the RK costs allocated to the product under review.
- (42) In addition, AgriFresh rented a piece of farmland from RK during the review investigation period. The rent paid by AgriFresh was at a lower cost per square metre than AgriFresh paid to an unrelated third party. However, there was no impact on the costs for RK, as the income received by RK was not allocated to the product under review.

Loan from AgriFresh to RK

- (43) There was a loan from AgriFresh to RK for a very short duration (6 days) during the review investigation period at an interest rate in the range of 4 % to 6 %. Due to the very short duration of the loan, the interest paid was immaterial in absolute terms while the interest rate was considered to be at arm's length as it was in line with the interest rates paid by RK to unrelated financial institutions.

Administrative staff

- (44) As regards administrative staff, the costs recharged to AgriFresh were examined and found to be in line with the companies' respective turnovers. In addition, the income RK received from AgriFresh was not allocated to the product under review. As such, there was no understatement of costs by RK in this regard.

Other costs

- (45) The cost accounts in the trial balances of both companies were examined for the review investigation period to determine whether there were any other cost items, which appeared unusually low for RK or high for AgriFresh, which may have indicated the possibility of an over or under allocation of costs between the companies. The examination of other costs did not raise such concerns.
- (46) The Commission also reviewed the inter-company accounts between group companies but did not identify any unreasonable cost allocations.

2.4. Conclusion on the allocation of costs between RK and AgriFresh and other group companies

- (47) In accordance with the Court judgments, the Commission carried out a detailed review of the allocation of costs between RK and its subsidiary, AgriFresh. It also extended its investigation to cover the allocation of costs between RK and its parent company, Agripure and its subsidiary, SCP.
- (48) With regard to the management fee charged by Agripure to RK, the Commission found that there was no understatement of costs by RK in this respect during the review investigation period.
- (49) With regard to electricity costs, quality control and spare parts, the amounts charged to RK and to the product under review were not understated and the income received from AgriFresh did not reduce the costs of the product under review.

- (50) With regard to land, buildings and machinery leased to AgriFresh and SCP by RK, the relevant depreciation costs for RK were apportioned to the product under review and not offset by the income received from respectively AgriFresh and SCP. As such, there was no understatement of costs for the product under review.
- (51) The loans from Agripure and AgriFresh to RK which were applicable during the review investigation period were both at an interest rate which could be considered at arm's length and anyway of a very short duration, meaning the interest payments were not material in RK's total costs.
- (52) In addition, the Commission found that the recharge of administrative costs from RK to AgriFresh was reasonable, while a review of cost accounts and inter-company accounts did not raise other concerns with regard to inappropriate cost allocations.
- (53) Furthermore, the Commission found no evidence of price manipulation on purchases of raw materials by RK and AgriFresh from common suppliers and that purchases of baby corn by RK from AgriFresh and purchases of sweet corn seeds by RK from SCP were not charged to the product under review and had no impact on the cost of production of the product under review.
- (54) The Commission, therefore, did not identify any over allocation or over apportionment of costs from RK to AgriFresh or the other group companies considered during the review investigation period.
- (55) As a result, the Commission concluded that the findings concerning production costs used to establish normal value and the dumping margin calculated in the interim review investigation, as described in the 2014 Regulation, remain valid, as explained in recital (16). Furthermore, the investigation leading to the 2014 Regulation confirmed that, due to a corporate restructuring, RK no longer produced and sold certain other products as compared to the original investigation period. The Commission confirmed in this reopening investigation that this change has had an impact on RK's cost of production for the product under review, resulting in a lower dumping margin. Thus, the findings contained in the 2014 Regulation concerning lasting nature of the change of circumstances also remain valid, as explained in recital (16).
- (56) It is noted that pursuant to Article 11(9) of the basic Regulation, the methodology applied in the 2019 expiry review was the same as in the 2014 Regulation as concerns RK. Since the reopening confirmed the findings of the 2014 Regulation, this has no impact on the findings of the 2019 expiry review, in particular the dumping margin mentioned in recital (63) of the 2019 expiry review Regulation.

2.5. Conclusion

- (57) Based on the above findings, the weighted average dumping margin expressed as a percentage of the CIF Union frontier price, duty unpaid, of 3,6 % established for RK in the 2014 Regulation, should be reimposed.

3. DISCLOSURE

- (58) On 1 December 2020, the Commission informed all interested parties of the above findings, based on which it intended to propose the imposition of the anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand applicable to RK at a rate of 3,6 %. It also provided the interested parties with the essential facts and considerations based on which it intended to amend Implementing Regulations (EU) No 875/2013 and (EU) 2019/1996. They were also granted a period of 10 days within which they could submit comments subsequent to this disclosure. No comments were received.

4. ANTI-DUMPING MEASURES

- (59) Based on this assessment, the Commission considered it appropriate to amend the anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand applicable to RK. The revised level of anti-dumping duties applies without any temporal interruption since the entry into force of the 2014 Regulation

(namely, as of 28 March 2014 onwards). Customs authorities are instructed to collect the appropriate amount on imports concerning RK and refund any excess amount collected so far in accordance with the applicable customs legislation.

5. DURATION OF MEASURES

- (60) This procedure does not affect the date on which the measures imposed by Implementing Regulation (EU) 2019/1996 will expire, pursuant to Article 11(2) of the basic Regulation.
- (61) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of sweetcorn (*Zea mays* var. *saccharata*) in kernels, prepared or preserved by vinegar or acetic acid, not frozen, currently falling under CN code ex 2001 90 30 (TARIC code 2001 90 30 10), and sweetcorn (*Zea mays* var. *saccharata*) in kernels prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006, currently falling under CN code ex 2005 80 00 (TARIC code 2005 80 00 10), originating in Thailand and produced by River Kwai International Food Industry Co., Ltd, Kanchanaburi, Thailand, as of 28 March 2014.

2. The rate of the definitive anti-dumping duty applicable to the net, free-at Union-frontier price before duty, of the product described in paragraph 1 and produced by River Kwai International Food Industry Co., Ltd, shall be 3,6 % (TARIC additional code A791). Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

Any definitive anti-dumping duty paid by River Kwai International Food Industry Co., Ltd pursuant to Implementing Regulation (EU) No 875/2013 imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in Thailand following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 or pursuant to Implementing Regulation (EU) 2019/1996, imposing a definitive anti-dumping duty on imports of certain prepared or preserved sweetcorn in kernels originating in the Kingdom of Thailand following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 in excess of the definitive anti-dumping duty established in Article 1, shall be repaid or remitted.

The repayment or remission shall be requested from national customs authorities in accordance with the applicable customs legislation.

Article 3

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

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

Done at Brussels, 25 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2021/343**of 25 February 2021****concerning the authorisation of a preparation of *Lactobacillus buchneri* DSM 29026 as a feed additive for all animal species****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of a preparation of *Lactobacillus buchneri* DSM 29026. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of a preparation of *Lactobacillus buchneri* DSM 29026 as a feed additive for all animal species, to be classified in the additive category 'technological additives'.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 25 May 2020 ⁽²⁾ that, under the proposed conditions of use, the preparation of *Lactobacillus buchneri* DSM 29026 does not have an adverse effect on animal health, consumer safety or the environment. It also concluded that the additive should be considered a respiratory sensitiser, and in the absence of data, no conclusion could be drawn on the skin and eye irritancy or skin sensitisation of the additive. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards the users of the additive. The Authority also concluded that the preparation concerned has the potential to improve the aerobic stability of silage from easy and moderately difficult to ensile forage materials. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the methods of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of the preparation of *Lactobacillus buchneri* DSM 29026 shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'technological additives' and to the functional group 'silage additives', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ EFSA Journal 2020;18(6):6159.

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, 25 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Identification number of the additive	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					CFU of additive/kg of fresh material			
Category of technological additives. Functional group: silage additives								
1k20759	<i>Lactobacillus buchneri</i> DSM 29026	<i>Additive composition</i> Preparation of <i>Lactobacillus buchneri</i> DSM 29026 containing a minimum of 2×10^{10} CFU/g additive.	All animal species	-	-	-	1. In the directions for use of the additive and premixtures, the storage conditions shall be indicated. 2. Minimum content of the additive when used without combination with other micro-organisms as silage additives: 5×10^7 CFU/kg of easy and moderately difficult to ensile fresh material ⁽²⁾. 3. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from its use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including breathing protection.	18.3.2031
		<i>Characterisation of the active substance</i> Viable cells of <i>Lactobacillus buchneri</i> DSM 29026.						
		<i>Analytical method</i> ⁽¹⁾ — Identification: Pulsed Field Gel Electrophoresis (PFGE) — Enumeration in the feed additive: Spread plate method on MRS agar (EN 15787).						

⁽¹⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

⁽²⁾ Easy to ensile forage: > 3 % soluble carbohydrates in fresh material; moderately difficult to ensile forage: 1,5-3,0 % soluble carbohydrates in the fresh material in accordance with Commission Regulation (EC) No 429/2008 of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives (OJ L 133, 22.5.2008, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) 2021/344
of 25 February 2021
concerning the authorisation of sorbitan monolaurate as a feed additive for all animal species

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC ⁽²⁾.
- (2) Sorbitan monolaurate was authorised without a time limit as a feed additive for all animal species in accordance with Directive 70/524/EEC. That additive was subsequently entered in the Register of feed additives as an existing product, in accordance with Article 10(1) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 thereof, an application was submitted for the re-evaluation of sorbitan monolaurate as a feed additive for all animal species.
- (4) The applicant requested that additive to be classified in the additive category 'technological additives' and in the functional group 'emulsifiers'. The application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (5) The European Food Safety Authority ('the Authority') concluded in its opinions of 27 February 2019 ⁽³⁾ and 25 May 2020 ⁽⁴⁾ that, under the proposed conditions of use, sorbitan monolaurate does not have an adverse effect on animal health, consumer safety or the environment. It also concluded that the additive is irritant to skin and eyes. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards the users of the additive. The Authority also concluded that since sorbitan monolaurate is authorised as a food additive with an emulsifier function, the technological effect underlying its use as a food additive could reasonably be expected to be seen when used in feed. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the methods of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (6) The assessment of sorbitan monolaurate shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of sorbitan monolaurate should be authorised.
- (7) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation of sorbitan monolaurate, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs (OJ L 270, 14.12.1970, p. 1).

⁽³⁾ EFSA Journal 2019;17(3):5651.

⁽⁴⁾ EFSA Journal 2020;18(6):6162.

HAS ADOPTED THIS REGULATION:

Article 1

Authorisation

The additive specified in the Annex, belonging to the additive category 'technological additives' and to the functional group 'emulsifiers', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

Article 2

Transitional measures

1. The additive specified in the Annex and premixtures containing this additive, which are produced and labelled before 18 September 2021 in accordance with the rules applicable before 18 March 2021 may continue to be placed on the market and used until the existing stocks are exhausted.
2. Compound feed and feed materials containing the additive as specified in the Annex which are produced and labelled before 18 March 2022 in accordance with the rules applicable before 18 March 2021 may continue to be placed on the market and used until the existing stocks are exhausted if they are intended for food-producing animals.
3. Compound feed and feed materials containing the additive as specified in the Annex which are produced and labelled before 18 March 2023 in accordance with the rules applicable before 18 March 2021 may continue to be placed on the market and used until the existing stocks are exhausted if they are intended for non-food-producing animals.

Article 3

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*.

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

Done at Brussels, 25 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Identifica- tion number of the additive	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg of additive/kg of complete feedingstuff with a moisture content of 12 %			
Category of technological additives. Functional group: emulsifiers								
1c493	Sorbitan monolaurate	<i>Additive composition</i> A preparation of sorbitan monolaurate containing ≥ 95 % of a mixture of sorbitol, sorbitan, and isosorbide esters, esterified with fatty acids derived from coconut oil. Liquid form <i>Characterisation of the active substance</i> Sorbitan monolaurate CAS number: 1 338-39-2 C ₁₈ H ₃₄ O ₆ <i>Analytical method</i> ⁽¹⁾ For the characterisation of sorbitan monolaurate in the feed additive: — FAO JECFA Monograph ‘Sorbi- tan Monolaurate’	All animal species	-	-	85	1. In the directions for use of the additive and premixtures, the storage conditions and stability to heat treatment shall be indicated. 2. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from their use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment.	18 March 2031

⁽¹⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

COMMISSION IMPLEMENTING REGULATION (EU) 2021/345**of 25 February 2021****approving active chlorine generated from sodium chloride by electrolysis as an active substance for use in biocidal products of product types 2, 3, 4 and 5****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes active chlorine generated from sodium chloride by electrolysis.
- (2) Active chlorine generated from sodium chloride by electrolysis has been evaluated for use in biocidal products of product-type 2, private area and public health area disinfectants and other biocidal products, product-type 3, veterinary hygiene biocidal products, product-type 4, food and feed area disinfectants, and product-type 5, drinking water disinfectants as defined in Annex V to Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾, which correspond respectively to product-types 2, 3, 4 and 5 as defined in Annex V to Regulation (EU) No 528/2012.
- (3) Slovakia was designated as the rapporteur Member State and its evaluating competent authority submitted the assessment reports together with its conclusions to the Commission on 19 November 2010.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the Biocidal Products Committee adopted the opinions of the European Chemicals Agency ⁽⁴⁾ ('the Agency') on 16 June 2020, having regard to the conclusions of the evaluating competent authority.
- (5) According to those opinions, biocidal products of product-types 2, 3, 4 and 5 using active chlorine generated from sodium chloride by electrolysis may be expected to satisfy the requirements laid down in Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) Taking into account the opinions of the Agency, it is appropriate to approve active chlorine generated from sodium chloride by electrolysis for use in biocidal products of product-types 2, 3, 4 and 5 subject to compliance with certain specifications and conditions.
- (7) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

⁽⁴⁾ Biocidal Products Committee Opinion on the application for approval of the active substance active chlorine generated from sodium chloride by electrolysis, Product type: 2, 3, 4 and 5, ECHA/BPC/251, 252, 253, 254, adopted on 16 June 2020.

HAS ADOPTED THIS REGULATION:

Article 1

Active chlorine generated from sodium chloride by electrolysis is approved as an active substance for use in biocidal products of product-types 2, 3, 4 and 5 subject to the specifications and conditions set out in the Annex.

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, 25 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
Active chlorine generated from sodium chloride by electrolysis	IUPAC name: not applicable EC No: not applicable CAS No: not applicable Precursor: IUPAC Name: Sodium Chloride EC No 231-598-3 CAS No 7647-14-5	The specification for active chlorine generated in situ is dependent on the precursor sodium chloride which must comply with purity requirements of one of the following standards: NF Brand, EN 973 A, EN 973 B, EN 14805 Type 1, EN 14805 Type 2, EN 16370 Type 1, EN 16370 Type 2, EN 16401 Type 1, EN 16401 Type 2, CODEX STAN 150-1985 or European Pharmacopoeia 9.0.	1 July 2022	30 June 2032	2	The authorisations of biocidal products are subject to the following conditions: (a) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance; (b) the product assessment shall pay particular attention to the protection of professional users for hard surface disinfection via mopping or wiping.
					3	The authorisations of biocidal products are subject to the following conditions: (a) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance; (b) for products that may lead to residues in food or feed, the need to set new or to amend existing maximum residue levels (MRLs) in accordance with Regulation (EC) No 470/2009 ⁽²⁾ or Regulation (EC) No 396/2005 ⁽³⁾ shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.
					4	The authorisations of biocidal products are subject to the following conditions: (a) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance;

						(b) for products that may lead to residues in food or feed, the need to set new or to amend existing MRLs in accordance with Regulation (EC) No 470/2009 or Regulation (EC) No 396/2005 shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.
					5	The authorisations of biocidal products are subject to the following conditions: (a) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance; (b) for products that may lead to residues in food or feed, the need to set new or to amend existing MRLs in accordance with Regulation (EC) No 470/2009 or Regulation (EC) No 396/2005 shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.

(¹) The purity requirements for the precursor indicated in this column are those provided in the application for the approval of the active substance evaluated.

(²) Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).

(³) Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) 2021/346**of 25 February 2021****concerning the authorisation of a preparation of *Lactobacillus parafarraginis* DSM 32962 as a feed additive for all animal species****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of a preparation of *Lactobacillus parafarraginis* DSM 32962. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of a preparation of *Lactobacillus parafarraginis* DSM 32962 as a feed additive for all animal species, to be classified in the additive category ‘technological additives’.
- (4) The European Food Safety Authority (‘the Authority’) concluded in its opinion of 1 July 2020 ⁽²⁾ that, under the proposed conditions of use, the preparation of *Lactobacillus parafarraginis* DSM 32962 does not have an adverse effect on animal health, consumer safety or the environment. It also concluded that the additive should be considered a potential respiratory sensitiser, and that no conclusions could be drawn on the skin sensitisation potential of the additive. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards the users of the additive. The Authority also concluded that the preparation concerned has the potential to improve the aerobic stability of silage from forage material with a dry matter content ranging from 30-70 %. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of the preparation of *Lactobacillus parafarraginis* DSM 32962 shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category ‘technological additives’ and to the functional group ‘silage additives’, is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ EFSA Journal 2020;18(7):6201

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, 25 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Identification number of the additive	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					CFU of additive/kg of fresh material			
Category of technological additives. Functional group:silage additives								
1k20760	<i>Lactobacillus parafarraginis</i> DSM 32962	Additive composition: Preparation of <i>Lactobacillus parafarraginis</i> DSM 32962 containing a minimum of 5 × 10 ¹¹ CFU/g additive. Solid form Characterisation of the active substance: Viable cells of <i>Lactobacillus parafarraginis</i> DSM 32962. Analytical method ⁽²⁾ — Identification: Pulsed Field Gel Electrophoresis (PFGE) — Enumeration in the feed additive: Spread plate method on MRS agar (EN 15787)	All animal species	-	-	-	1. In the directions for use of the additive and premixtures, the storage conditions shall be indicated. 2. Minimum content of the additive when used without combination with other micro-organisms as silage additives: 1 × 10 ⁸ CFU/kg of easy and moderately difficult to ensile fresh material ⁽¹⁾ . 3. For users of the additive and pre-mixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from its use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and pre-mixtures shall be used with personal protective equipment, including breathing protection.	18.3.2031
⁽¹⁾ Easy to ensile forage: > 3 % soluble carbohydrates in fresh material; moderately difficult to ensile forage: 1,5-3,0 % soluble carbohydrates in the fresh material in accordance with Commission Regulation (EC) No 429/2008 of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives (OJ L 133, 22.5.2008, p. 1). ⁽²⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports								

COMMISSION IMPLEMENTING REGULATION (EU) 2021/347**of 25 February 2021****approving active chlorine released from hypochlorous acid as an active substance for use in biocidal products of product-types 2, 3, 4 and 5****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes active chlorine released from hypochlorous acid.
- (2) Active chlorine released from hypochlorous acid has been evaluated for use in biocidal products of product-type 2, private area and public health area disinfectants and other biocidal products, product-type 3, veterinary hygiene biocidal products, product-type 4, food and feed area disinfectants, and product-type 5, drinking water disinfectants as defined in Annex V to Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾, which correspond respectively to product-types 2, 3, 4 and 5 as defined in Annex V to Regulation (EU) No 528/2012.
- (3) Slovakia was designated as the rapporteur Member State and its evaluating competent authority submitted the assessment reports together with its conclusions to the Commission on 19 November 2010.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the Biocidal Products Committee adopted the opinions of the European Chemicals Agency ⁽⁴⁾ ('the Agency') on 16 June 2020, having regard to the conclusions of the evaluating competent authority.
- (5) According to those opinions, biocidal products of product-types 2, 3, 4 and 5 using active chlorine released from hypochlorous acid may be expected to satisfy the requirements laid down in Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (6) Taking into account the opinions of the Agency, it is appropriate to approve active chlorine released from hypochlorous acid for use in biocidal products of product-types 2, 3, 4 and 5 subject to compliance with certain specifications and conditions.
- (7) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

⁽⁴⁾ Biocidal Products Committee Opinion on the application for approval of the active substance active chlorine released from hypochlorous acid, Product type: 2, 3, 4 and 5, ECHA/BPC/256, 257, 258, 259 adopted on 16 June 2020.

HAS ADOPTED THIS REGULATION:

Article 1

Active chlorine released from hypochlorous acid is approved as an active substance for use in biocidal products of product-types 2, 3, 4 and 5 subject to the specifications and conditions set out in the Annex.

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, 25 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
Active chlorine released from hypochlorous acid	IUPAC name: Hypochlorous acid EC No: 232-232-5 CAS No: 7790-92-3	Specification established for hypochlorous acid (as dry weight min 90,87 % w/w) releasing active chlorine. Hypochlorous acid is the predominant species at pH 3,0-7,4.	1 July 2022	30 June 2032	2	The authorisations of biocidal products are subject to the following conditions: (a) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance. (a) the product assessment shall pay particular attention to the protection of professional users for hard surface disinfection via mopping or wiping.
					3	The authorisations of biocidal products are subject to the following conditions: (a) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance. (b) for products that may lead to residues in food or feed, the need to set new or to amend existing maximum residue levels (MRLs) in accordance with Regulation (EC) No 470/2009 of the European Parliament and of the Council ⁽²⁾ or Regulation (EC) No 396/2005 of the European Parliament and of the Council ⁽³⁾ shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.
					4	The authorisations of biocidal products are subject to the following conditions: (a) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance.

						(b) for products that may lead to residues in food or feed, the need to set new or to amend existing MRLs in accordance with Regulation (EC) No 470/2009 or Regulation (EC) No 396/2005 shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.
					5	The authorisations of biocidal products are subject to the following conditions: (a) the product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance. (b) for products that may lead to residues in food or feed, the need to set new or to amend existing MRLs in accordance with Regulation (EC) No 470/2009 or Regulation (EC) No 396/2005 shall be verified, and any appropriate risk mitigation measures shall be taken to ensure that the applicable MRLs are not exceeded.

(¹) The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

(²) Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).

(³) Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) 2021/348**of 25 February 2021****approving carbendazim as an existing active substance for use in biocidal products of product-types 7 and 10****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular the third subparagraph of Article 89(1) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1062/2014 ⁽²⁾ establishes a list of existing active substances to be evaluated for their possible approval for use in biocidal products. That list includes carbendazim.
- (2) Carbendazim has been evaluated for use in biocidal products of product-type 7, film preservatives, and product-type 10, masonry preservatives, as described in Annex V to Directive 98/8/EC of the European Parliament and of the Council ⁽³⁾, which correspond respectively to product-types 7 and 10 as described in Annex V to Regulation (EU) No 528/2012.
- (3) The evaluating competent authority of Germany submitted the assessment reports together with its conclusions to the Commission on 2 August 2013.
- (4) In accordance with Article 7(2) of Delegated Regulation (EU) No 1062/2014, the opinions of the European Chemicals Agency ⁽⁴⁾ (the 'Agency') were adopted on 10 December 2019 by the Biocidal Products Committee, having regard to the conclusions of the evaluating competent authority.
- (5) It can be derived from Article 90(2) of Regulation (EU) No 528/2012 that substances for which the Member States' evaluation has been completed by 1 September 2013 should be evaluated in accordance with the provisions of Directive 98/8/EC.
- (6) According to the opinions of the Agency, biocidal products of product-types 7 and 10 containing carbendazim may be expected to satisfy the requirements of Article 5 of Directive 98/8/EC, provided that certain specifications and conditions concerning their use are complied with.
- (7) It is therefore appropriate to approve carbendazim for use in biocidal products of product-types 7 and 10, subject to compliance with certain specifications and conditions.
- (8) The opinions of the Agency conclude that carbendazim meets the criteria for classification as mutagen category 1B and reproductive toxicant category 1B in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽⁵⁾.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) No 1062/2014 of 4 August 2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 294, 10.10.2014, p. 1).

⁽³⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

⁽⁴⁾ Biocidal Products Committee (BPC) opinion on the application for approval of the active substance Carbendazim, Product type: 7, ECHA/BPC/234/2019, adopted on 10 December 2019; Biocidal Products Committee (BPC) opinion on the application for approval of the active substance Carbendazim, Product type: 10, ECHA/BPC/235/2019, adopted on 10 December 2019.

⁽⁵⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

- (9) Since carbendazim should be approved under the terms of Directive 98/8/EC, taking into account those properties, the period of approval should be considerably shorter than 10 years in accordance with the latest practice established under that Directive. In addition, since carbendazim has benefitted from the transitional period provided for in Article 89 of Regulation (EU) No 528/2012 since 14 May 2000 and has been under peer review since 2 August 2013, and with the view to examine at Union level as soon as possible in the context of a potential renewal of approval whether the conditions of Article 5(2) of Regulation (EU) No 528/2012 can be satisfied for carbendazim, the period of approval should be three years.
- (10) Furthermore, pursuant to point 10 of Annex VI to Regulation (EU) No 528/2012, the competent authorities of the Member States should evaluate whether the conditions of Article 5(2) of that Regulation can be satisfied in their territories in order to decide whether a biocidal product containing carbendazim can be authorised.
- (11) The opinions of the Agency also conclude that carbendazim meets the criteria for being a persistent and toxic substance in accordance with Annex XIII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council ⁽⁶⁾.
- (12) For the purposes of Article 23 of Regulation (EU) No 528/2012, carbendazim meets the condition laid down in points (a) and (d) of Article 10(1) of that Regulation and should therefore be considered a candidate for substitution. The competent authorities of the Member States should therefore perform a comparative assessment as part of the evaluation of an application for authorisation or for renewal of authorisation of a biocidal product containing carbendazim.
- (13) The opinions of the Agency also conclude that the outdoor use of paints and plasters treated with or incorporating carbendazim poses unacceptable risks for surface water and sediment during their service life. No adequate risk mitigation measure could be identified to avoid releases of carbendazim in sewers during service-life of such treated articles when used outdoors. Consequently, in addition to the recommendations in the opinions of the Agency, the Commission considers appropriate that biocidal products containing carbendazim should not be authorised for use in paints and plasters which are intended to be used outdoors. Furthermore, paints and plasters treated with or incorporating carbendazim should not be allowed to be placed on the market for outdoor use. Lastly, paints and plasters treated with or incorporating carbendazim should be labelled to indicate that they are not to be used outdoors.
- (14) Since, as concluded by the Agency, carbendazim meets the criteria for classification as mutagen category 1B, reproductive toxicant category 1B, and as skin sensitiser category 1 in accordance with Annex I to Regulation (EC) No 1272/2008, treated articles treated with or incorporating carbendazim should be appropriately labelled when placed on the market.
- (15) This Regulation does not affect the application of Union law in the area of health and safety at work, in particular Council Directives 89/391/EEC ⁽⁷⁾ and 98/24/EC ⁽⁸⁾, and Directive 2004/37/EC of the European Parliament and of the Council ⁽⁹⁾.
- (16) A reasonable period should be allowed to elapse before an active substance is approved in order to permit interested parties to take the preparatory measures necessary to meet the new requirements.

⁽⁶⁾ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

⁽⁷⁾ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

⁽⁸⁾ Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 131, 5.5.1998, p. 11).

⁽⁹⁾ Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50).

- (17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Carbendazim is approved as an active substance for use in biocidal products of product-types 7 and 10, subject to the specifications and conditions set out in the Annex.

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, 25 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Common Name	IUPAC Name Identification Numbers	Minimum degree of purity of the active substance ⁽¹⁾	Date of approval	Expiry date of approval	Product type	Specific conditions
Carbendazim	IUPAC Name: Methyl- benzimidazol-2- ylcarbamate EC No: 234-232-0 CAS No: 10605-21-7	99,0 % w/w	1 February 2022	31 January 2025	7	Carbendazim is considered a candidate for substitution in accordance with points (a) and (d) of Article 10(1) of Regulation (EU) No 528/2012. The authorisations of biocidal products are subject to the following conditions: 1. The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance. In addition, pursuant to point 10 of Annex VI to Regulation (EU) No 528/2012, the product assessment shall include an evaluation as to whether the conditions of Article 5(2) of Regulation (EU) No 528/2012 can be satisfied. 2. Products shall only be authorised for use in Member States where at least one of the conditions laid down in Article 5(2) of Regulation (EU) No 528/2012 is met. 3. Products shall not be authorised for use in paints which are intended to be used outdoors. The placing on the market of treated articles is subject to the following conditions: 1. Paints treated with or incorporating carbendazim shall not be placed on the market for outdoor use. 2. The person responsible for the placing on the market of a paint treated with or incorporating carbendazim shall ensure that the label of that paint indicates that it shall not be used outdoors. 3. The person responsible for the placing on the market of a treated article treated with or incorporating carbendazim shall ensure that the label of that treated article provides the information listed in the second subparagraph of Article 58(3) of Regulation (EU) No 528/2012.
					10	Carbendazim is considered a candidate for substitution in accordance with points (a) and (d) of Article 10(1) of Regulation (EU) No 528/2012.

						The authorisations of biocidal products are subject to the following conditions: 1. The product assessment shall pay particular attention to the exposures, the risks and the efficacy linked to any uses covered by an application for authorisation, but not addressed in the Union level risk assessment of the active substance. In addition, pursuant to point 10 of Annex VI to Regulation (EU) No 528/2012, the product assessment shall include an evaluation as to whether the conditions of Article 5(2) of Regulation (EU) No 528/2012 can be satisfied. 2. Products shall only be authorised for use in Member States where at least one of the conditions laid down in Article 5(2) of Regulation (EU) No 528/2012 is met. 3. Products shall not be authorised for use in plasters which are intended to be used outdoors.. The placing on the market of treated articles is subject to the following conditions: 1. Plasters treated with or incorporating carbendazim shall not be placed on the market for outdoor use. 2. The person responsible for the placing on the market of a plaster treated with or incorporating carbendazim shall ensure that the label of that plaster indicates that it shall not be used outdoors. 3. The person responsible for the placing on the market of a treated article treated with or incorporating carbendazim shall ensure that the label of that treated article provides the information listed in the second subparagraph of Article 58(3) of Regulation (EU) No 528/2012.
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(¹) The purity indicated in this column was the minimum degree of purity of the active substance evaluated. The active substance in the product placed on the market can be of equal or different purity if it has been proven to be technically equivalent to the evaluated active substance.

COMMISSION IMPLEMENTING REGULATION (EU) 2021/349**of 25 February 2021****amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 183(b) thereof,

Having regard to Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009 ⁽²⁾, and in particular Article 5(6)(a) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin.
- (3) Regulation (EC) No 1484/95 should therefore be amended accordingly.
- (4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out 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*.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 150, 20.5.2014, p. 1.

⁽³⁾ Commission Regulation (EC) No 1484/95 of 28 June 1995 laying down detailed rules for implementing the system of additional import duties and fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation No 163/67/EEC (OJ L 145, 29.6.1995, p. 47).

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

Done at Brussels, 25 February 2021.

*For the Commission,
On behalf of the President,
Wolfgang BURTSCHER
Director-General
Directorate-General for Agriculture and Rural
Development*

ANNEX

‘ANNEX I

CN code	Description of goods	Representative price (EUR/100 kg)	Security under Article 3 (EUR/100 kg)	Origin ⁽¹⁾
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	178,5	41	AR
		154,6	53	BR
		165,2	47	TH
0207 27 10	Boneless turkey cuts, frozen	206,8	27	BR

(¹) Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7).’

COMMISSION IMPLEMENTING REGULATION (EU) 2021/350**of 25 February 2021****amending for the 318th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations ⁽¹⁾, and in particular Article 7(1)(a) and Article 7a(5) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 19 February 2021, the Sanctions Committee of the United Nations Security Council decided to remove two entries from the list of persons, groups and entities to whom the freezing of funds and economic resources should apply.
- (3) Annex I to Regulation (EC) No 881/2002 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

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

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

Done at Brussels, 25 February 2021.

*For the Commission,
On behalf of the President,**Director-General
Directorate-General for Financial Stability, Financial
Services and Capital Markets Union*

⁽¹⁾ OJ L 139 29.5.2002, p. 9.

ANNEX

In Annex I to Regulation (EC) No 881/2002, the following entries under the heading 'Natural persons' are deleted:

- (1) 'Said Ben Abdelhakim Ben Omar Al-Cherif (original script: سعيد بن عبد الحكيم بن عمر الشريف) (good quality alias: (a) Cherif Said (Date of birth: 25.1.1970; place of birth: Tunisia); (b) Binhamoda Hokri (Date of birth: 25.1.1970; place of birth: Sosa, Tunisia); (c) Hcrif Ataf (Date of birth: 25.1.1971; place of birth: Solisse, Tunisia); (d) Bin Homoda Chokri (Date of birth: 25.1.1970; place of birth: Tunis, Tunisia); (e) Atef Cherif (Date of birth: 12.12.1973; place of birth: Algeria); (f) Sherif Ataf (Date of birth: 12.12.1973; place of birth: Aras, Algeria); (g) Ataf Cherif Said (Date of birth: 12.12.1973; place of birth: Tunis, Tunisia); (h) Cherif Said (Date of birth: 25.1.1970; place of birth: Tunis, Tunisia); (i) Cherif Said (Date of birth: 12.12.1973; place of birth: Algeria); low quality alias: (a) Djallal; (b) Youcef; (c) Abou Salman; (d) Said Tmimi). Date of birth: 25.1.1970. Place of birth: Manzil Tmim, Tunisia. Nationality: Tunisian. Passport no. M307968 (Tunisian passport issued on 8.9.2001, expired on 7.9.2006). Address: Corso Lodi 59, Milan, Italy. Other information: (a) Mother's name is Radhiyah Makki; (b) Deported from Italy to Tunisia on 27.11.2013. Date of designation referred to in Article 7d(2)(i): 12.11.2003.'
 - (2) 'Emrah Erdogan (alias (a) Imraan Al-Kurdy, (b) Imraan, (c) Imran, (d) Imran ibn Hassan, (e) Salahaddin El Kurdy, (f) Salahaddin Al Kudy, (g) Salahaddin Al-Kurdy, (h) Salah Aldin, (i) Sulaiman, (j) Ismatollah, (k) Ismatullah, (l) Ismatullah Al Kurdy). Date of birth: 2.2.1988. Place of birth: Karliova, Turkey. Address: Werl prison, Germany (since May 2015). Nationality: German. Passport No BPA C700RKL8R4 (German national identification issued on 18 Feb. 2010, expires on 17 Feb. 2016). Other information: (a) Physical description: eye colour brown, hair colour brown, build: strong, weight: 92 kg, height: 176 cm, birthmark on right back. (b) Mother's name: Emine Erdogan. (c) Father's name: Sait Erdogan.'
-

DECISIONS

COUNCIL DECISION (EU) 2021/351

of 22 February 2021

on the position to be adopted on behalf of the European Union in the meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (the 'Agreement'), negotiated under the aegis of the Food and Agriculture Organization (FAO), of which the Union is a Member, was approved by the Union by means of Council Decision 2011/443/EU ⁽¹⁾. The Agreement entered into force on 5 June 2016.
- (2) The meeting of the Parties is the decision-making body under the Agreement and has the authority to adopt measures to prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing that are binding on the Parties. It meets every two years, or more frequently if it so decides.
- (3) Article 24(2) of the Agreement provides that, four years after the entry into force of the Agreement, FAO is to convene a meeting of the Parties to review and assess the effectiveness of the Agreement in achieving its objective ('the first review meeting'). The Parties are then to decide on further such meetings as necessary. Special meetings of the Parties can also be held at such other times as may be deemed necessary by the Parties, or at the written request of any Party.
- (4) It is appropriate to establish the position to be adopted on the Union's behalf for the first review meeting, which is due to take place from 31 May to 4 June 2021, as well as for the three subsequent biennial meetings of the Parties and any related intersessional meetings, as measures under the Agreement will be binding on the Union and capable of decisively influencing the content of Union law, namely Council Regulations (EC) No 1005/2008 ⁽²⁾ and (EC) No 1224/2009 ⁽³⁾, Regulation (EU) 2017/2403 of the European Parliament and of the Council ⁽⁴⁾ and Commission Implementing Regulation (EU) No 404/2011 ⁽⁵⁾.

⁽¹⁾ Council Decision 2011/443/EU of 20 June 2011 on the approval, on behalf of the European Union, of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (OJ L 191, 22.7.2011, p. 1).

⁽²⁾ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

⁽³⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

⁽⁴⁾ Regulation (EU) 2017/2403 of the European Parliament and of the Council of 12 December 2017 on the sustainable management of external fishing fleets, and repealing Council Regulation (EC) No 1006/2008 (OJ L 347, 28.12.2017, p. 81).

⁽⁵⁾ Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy (OJ L 112, 30.4.2011, p. 1).

- (5) In view of the need for the position of the Union to take account of new developments, based on relevant information presented before or during the meeting of the Parties, procedures should also be established, in line with the principle of sincere cooperation among the Union institutions enshrined in Article 13(2) of the Treaty on European Union, for the year-to-year specification of the position to be adopted on the Union's behalf in the meeting of the Parties.
- (6) The objective of the Agreement is to prevent, deter and eliminate IUU fishing through the implementation of effective port State measures. The Agreement reduces the incentives for vessels engaged in IUU fishing to continue to operate, while preventing fishery products derived from such fishing from reaching national and international markets.
- (7) IUU fishing constitutes one of the most serious threats to the sustainable exploitation of living aquatic resources and jeopardises the very foundation of the Union common fisheries policy as well as international efforts to promote better ocean governance.
- (8) The meeting of the Parties is responsible for the adoption of measures designed to ensure the implementation of the Agreement and thereby the long-term conservation and sustainable use of living marine resources and marine ecosystems. The Union should play an active, effective and constructive role in the meeting of the Parties in order to ensure the implementation of the Agreement and foster international cooperation on IUU fishing,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be adopted on the Union's behalf in the meeting of the Parties to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing shall be in accordance with the principles and guidelines on the position to be taken on the Union's behalf in the meeting of the Parties ⁽⁶⁾.
2. The position referred to in paragraph 1 is established for the first review meeting, as well as for the three subsequent biennial meetings of the Parties and any related intersessional meetings.

Article 2

1. Before each meeting of the Parties, where that body is called upon to adopt decisions having legal effects on the Union, the necessary steps shall be taken so that the position to be expressed on the Union's behalf takes account of the latest scientific and other relevant information provided to the Commission, in accordance with the principles and guidelines referred to in Article 1(1).
2. For the purposes of paragraph 1, and on the basis of the information referred to therein, the Commission shall, in sufficient time before each meeting of the Parties, submit to the Council a written document setting out the particulars of the proposed specification of the Union's position for discussion and endorsement of the details of the position to be expressed on the Union's behalf.
3. If, in the course of a meeting of the Parties, it is impossible to reach an agreement, including on the spot, in order for the Union's position to take account of new elements, the matter shall be referred to the Council or its preparatory bodies.

Article 3

The position referred to in Article 1(1) shall be assessed and, where appropriate, revised by the Council upon a proposal from the Commission, at the latest for the meeting of the Parties following the third biennial meeting of the Parties after the first review meeting.

⁽⁶⁾ See document ST 5410/21 at <http://register.consilium.europa.eu>

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 22 February 2021.

For the Council
The President
J. BORRELL FONTELLES

COUNCIL DECISION (CFSP) 2021/352**of 25 February 2021****amending Decision (CFSP) 2018/905 extending the mandate of the European Union Special Representative for the Horn of Africa**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 33 and Article 31(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 8 December 2011, the Council adopted Decision 2011/819/CFSP ⁽¹⁾ appointing Mr Alexander RONDOS as the European Union Special Representative (EUSR) for the Horn of Africa.
- (2) The mandate of Mr Alexander RONDOS as the EUSR for the Horn of Africa has been successively renewed, most recently by Council Decision (CFSP) 2018/905 ⁽²⁾, as amended by Council Decision (CFSP) 2020/1014 ⁽³⁾. The EUSR's mandate is to expire on 28 February 2021.
- (3) The EUSR's mandate should be extended for a further period of four months and a new financial reference amount for the period from 1 March 2021 to 30 June 2021 should be established.
- (4) The EUSR will implement the mandate in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2018/905 is amended as follows:

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

‘1. The mandate of Mr Alexander RONDOS as the European Union Special Representative (EUSR) for the Horn of Africa is extended until 30 June 2021. The Council may decide that the EUSR's mandate be terminated earlier, based on an assessment of the Political and Security Committee (PSC) and a proposal from the High Representative of the Union for Foreign Affairs and Security Policy (HR).’;

- (2) in Article 5(1), the following subparagraph is added:

‘The financial reference amount intended to cover the expenditure related to the EUSR's mandate for the period from 1 March 2021 to 30 June 2021 shall be EUR 345 000.’;

- (3) in Article 14, the second paragraph is replaced by the following:

‘The final comprehensive mandate implementation report of the EUSR shall be presented by 30 April 2021.’.

⁽¹⁾ Council Decision 2011/819/CFSP of 8 December 2011 appointing the European Union Special Representative for the Horn of Africa (OJ L 327, 9.12.2011, p. 62).

⁽²⁾ Council Decision (CFSP) 2018/905 of 25 June 2018 extending the mandate of the European Union Special Representative for the Horn of Africa (OJ L 161, 26.6.2018, p. 16).

⁽³⁾ Council Decision (CFSP) 2020/1014 of 13 July 2020 amending Decision (CFSP) 2018/905 extending the mandate of the European Union Special Representative for the Horn of Africa (OJ L 225 I, 14.7.2020, p. 1).

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 25 February 2021.

For the Council
The President
A. P. ZACARIAS

COUNCIL DECISION (CFSP) 2021/353
of 25 February 2021
amending Decision 2012/642/CFSP concerning restrictive measures against Belarus

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 15 October 2012, the Council adopted Decision 2012/642/CFSP ⁽¹⁾ concerning restrictive measures against Belarus.
- (2) On the basis of a review of Decision 2012/642/CFSP, the restrictive measures should be extended until 28 February 2022.
- (3) The title of Decision 2012/642/CFSP, and the statements of reasons for nine natural and three legal persons included in the list of natural and legal persons, entities and bodies subject to restrictive measures set out in the Annex to that Decision, should be amended. The date of listing for all natural persons included in that Annex should be added.
- (4) Decision 2012/642/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2012/642/CFSP is amended as follows:

- (1) the title is replaced by the following:

'Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures in view of the situation in Belarus';

- (2) Article 8 is replaced by the following:

'Article 8

1. This Decision shall apply until 28 February 2022.
 2. This Decision shall be kept under constant review and shall be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.;
- (3) the Annex is replaced by the Annex to this Decision.

Article 2

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

Done at Brussels, 25 February 2021.

For the Council
The President
A. P. ZACARIAS

⁽¹⁾ Council Decision 2012/642/CFSP of 15 October 2012 concerning restrictive measures against Belarus (OJ L 285, 17.10.2012, p. 1).

List of natural and legal persons, entities and bodies referred to in Articles 3(1) and 4(1)

A. Natural persons referred to in Articles 3(1) and 4(1)

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
1.	Uladzimir Uladzimiravich NAVUMAU Vladimir Vladimirovich NAUMOV	Уладзімір Уладзіміравіч НАВУМАЎ Владимир Владимирович НАУМОВ	Position(s): former Minister of Internal Affairs; former Head of the President's Security Service DOB: 7.2.1956 POB: Smolensk, former USSR (now Russian Federation) Gender: male	Failed to take action to investigate the case of the unresolved disappearances of Yuri Zakharenko, Viktor Gonchar, Anatoly Krasovski and Dmitri Zavadski in Belarus in 1999-2000. Former Minister of Internal Affairs and also former Head of the President's Security Service. As a Minister of Internal Affairs he was responsible for the repression of peaceful demonstrations until his retirement on 6 April 2009 for health reasons. Received a residence in the Drozdy nomenklatura district in Minsk from the Presidential Administration. In October 2014, was awarded the Order 'For Merit' III degree by President Lukashenka.	24.9.2004
2.	Dzmitry Valerievich PAULICHENKA Dmitri Valerievich PAVLICHENKO (Dmitriy Valeriyeovich PAVLICHENKO)	Дзмітрый Валер'евіч ПАЎЛІЧЭНКА Дмитрий Валериевич ПАВЛИЧЕНКО	Position(s): former Commander of the Special Rapid Response Unit (SOBR) DOB: 1966 POB: Vitebsk/Viciebsk, former USSR (now Belarus) Address: Belarusian Association of Veterans of Special Forces of the Ministry of Internal Affairs 'Honour', 111 Mayakovskogo St., Minsk 220028, Belarus Gender: male	Key person in the unresolved disappearances of Yuri Zakharenko, Viktor Gonchar, Anatoly Krasovski and Dmitri Zavadski in Belarus in 1999-2000. Former Commander of the Special Rapid Response Unit (SOBR) at the Ministry of Internal Affairs (MoIA). Businessman, Head of 'Honour', the MoIA's Association of veterans from the special forces of the MoIA.	24.9.2004

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
3.	Viktar Uladzimiravich SHEIMAN (Viktar Uladzimiravich SHEYMAN) Viktor Vladimirovich SHEIMAN (Viktor Vladimirovich SHEYMAN)	Віктар Уладзіміравіч ШЭЙМАН Віктор Владимирович ШЕЙМАН	Position(s): Head of the Belarus President Property Management Directorate; Former Minister of Internal Affairs DOB: 26.5.1958 POB: Soltanishki, Grodno/Hrodna Region/Oblast, former USSR (now Belarus) Address: Belarus President Property Management Directorate, 38 K. Marx St., Minsk 220016, Belarus Gender: male	Head of the Belarus President Property Management Directorate. Responsible for the unresolved disappearances of Yuri Zakharenko, Viktor Gonchar, Anatoly Krasovski and Dmitri Zavadski in Belarus in 1999-2000. Former Secretary of the Security Council. Sheiman remains a Special Assistant/Aid to the President.	24.9.2004
4.	Iury Leanidavich SIVAKAU (Yuri Leanidavich SIVAKAU, SIVAKOU) Iury (Yuri) Leonidovich SIVAKOV	Юрый Леанідавіч СІВАКАЎ, СІВАКОЎ Юрий Леонидович СИВАКОВ	Position(s): former Minister of Internal Affairs; former Deputy Head of the Presidential Administration DOB: 5.8.1946 POB: Onor, Sakhalin Region/Oblast, former USSR (now Russian Federation) Address: Belarusian Association of Veterans of Special Forces of the Ministry of Internal Affairs 'Honour', 111 Mayakovskogo St., Minsk 220028, Belarus Gender: male	Orchestrated the unresolved disappearances of Yuri Zakharenko, Viktor Gonchar, Anatoly Krasovski and Dmitri Zavadski in Belarus in 1999-2000. Former Minister of Tourism and Sports, former Minister of Internal Affairs and former Deputy Head of the Presidential Administration.	24.9.2004
5.	Yuri Khadzimurataovich KARAEU Yuri Khadzimuratovich KARAEV	Юрый Хаджымуратавіч КАРАЕЎ Юрий Хаджимуратович КАРАЕВ	Position(s): Former Minister of Internal Affairs; Lieutenant General of Militia (police force); Aide to the President of the Republic of Belarus - Inspector for the Grodno/Hrodna Region/Oblast DOB: 21.6.1966 POB: Ordzhonikidze, former USSR (now Vladikavkaz, Russian Federation) Gender: male	In his former leadership position as Minister of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. Remains active in the Lukashenka regime as an aide to the President of Belarus – Inspector for the Grodno/Hrodna Region/Oblast.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
6.	Genadz Arkadzievich KAZAKEVICH Gennadi Arkadievich KAZAKEVICH	Генадзь Аркадзевіч КАЗАКЕВІЧ Геннадий Аркадьевич КАЗАКЕВИЧ	Position(s): Former First Deputy Minister of Internal Affairs; Deputy Minister of Internal Affairs – Chief of the Criminal Militia, Colonel of Militia (police force) DOB: 14.2.1975 POB: Minsk, former USSR (now Belarus) Gender: male	In his former leadership position as First Deputy Minister of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as the Deputy Minister of Internal Affairs. He retains his post of Chief of the Criminal Militia.	2.10.2020
7.	Aliaksandr Piatrovich BARSUKOU Alexander (Alexandr) Petrovich BARSUKOV	Аляксандр Пятровіч БАРСУКОЎ Александр Петрович БАРСУКОВ	Position(s): Former Deputy Minister Internal Affairs; Lieutenant-General of Militia (police force); Aide to the President of the Republic of Belarus - Inspector for the Minsk Region/Oblast DOB: 29.4.1965 POB: Vetkovski (Vetka) District, former USSR (now Belarus) Gender: male	In his former leadership position as Deputy Minister of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as Aide to the President of Belarus – Inspector for the Minsk Region/Oblast.	2.10.2020
8.	Siarhei Mikalaevich KHAMENKA Sergei Nikolaevich KHOMENKO	Сяргей Мікалаевіч ХАМЕНКА Сергей Николаевич ХОМЕНКО	Position(s): Deputy Minister of Internal Affairs, Major-General of Militia (police force) DOB: 21.9.1966 POB: Yasinovataya, former USSR (now Ukraine) Gender: male	In his leadership position as Deputy Minister of the Ministry of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	2.10.2020
9.	Yuri Genadzevich NAZARANKA Yuri Gennadievich NAZARENKO	Юрый Генадзевіч НАЗАРАНКА Юрий Геннадьевич НАЗАРЕНКО	Position(s): Former Deputy Minister of Internal Affairs, Former Commander of the Internal Troops;	In his former leadership position as Deputy Minister of the Ministry of Internal Affairs (MoIA) and Commander of the MoIA Internal Troops, he is responsible for the repression and intimidation campaign led by MoIA forces, in particular the Internal Troops under his command, in the wake of the 2020 presidential election,	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
			First Deputy Minister of Internal Affairs, Head of the Public Security Police, Major General of Militia (police force) DOB: 17.4.1976 POB: Slonim, former USSR (now Belarus) Gender: male	in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as first Deputy Minister of Internal Affairs and Head of the Public Security Police.	
10.	Khazalbek Baktibekavich ATABEKAU Khazalbek Bakhtibekovich ATABEKOV	Хазалбек Бактібекавіч АТАБЕКАЎ Хазалбек Бахтибекович АТАБЕКОВ	Position(s): Deputy Commander of the Internal Troops DOB: 18.3.1967 Gender: male	In his position as Deputy Commander of the Internal Troops of the Ministry of Internal Affairs (MoIA), he is responsible for the repression and intimidation campaign led by MoIA forces, in particular the Internal Troops under his command, in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators, as well as intimidation and violence against journalists.	2.10.2020
11.	Aliaksandr Valerievich BYKAU Alexander (Alexandr) Valerievich BYKOV	Аляксандр Валер’евіч БЫКАЎ Александр Валерьевич БЫКОВ	Position(s): Commander of the Special Rapid Response Unit (SOBR), Lieutenant Colonel Gender: male	In his position as Commander of the Special Rapid Response Unit (SOBR) of the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by SOBR forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators.	2.10.2020
12.	Aliaksandr Sviataslavavich SHEPELEU Alexander (Alexandr) Svyatoslavovich SHEPELEV	Аляксандр Святаслававіч ШЭПЕЛЕЎ Александр Святославович ШЕПЕЛЕВ	Position(s): Head of the Department for Safety and Security, Ministry of Internal Affairs DOB: 14.10.1975 POB: village of Rublevsk, Kruglyanskiy district, Mogilev/Mahiliou Region/Oblast, former USSR (now Belarus) Gender: male	In his senior position as Head of the Department for Safety and Security in the Ministry of Internal Affairs (MoIA), he is involved in the repression and intimidation campaign led by MoIA forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
13.	Dzmitry Uladzimiravich BALABA Dmitry Vladimirovich BALABA	Дзмітрый Уладзіміравіч БАЛАБА Дмитрий Владимирович БАЛАБА	Position(s): Head of OMON ("Special Purpose Police Detachment") for the Minsk City Executive Committee DOB: 1.6.1972 POB: village of Gorodilovo, Minsk Region/Oblast, former USSR (now Belarus) Gender: male	In his command position over OMON forces in Minsk, he is responsible for the repression and intimidation campaign led by OMON forces in Minsk in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	2.10.2020
14.	Ivan Uladzimiravich KUBRAKOU Ivan Vladimirovich KUBRAKOV	Іван Уладзіміравіч КУБРАКОЎ Иван Владимирович КУБРАКОВ	Position(s): Former Head of the Main Internal Affairs Directorate of the Minsk City Executive Committee; Minister of Internal Affairs, Major General of Militia (police force) DOB: 5.5.1975 POB: village of Malinovka, Mogilev/Mahiliou Region/Oblast, former USSR (now Belarus) Gender: male	In his former position as Head of the Main Internal Affairs Directorate of the Minsk City Executive Committee, he is responsible for the repression and intimidation campaign led by police forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as the Minister of Internal Affairs.	2.10.2020
15.	Maxim Aliaksandravich GAMOLA (HAMOLA) Maxim Alexandrovich GAMOLA	Максім Аляксандравіч ГАМОЛА Максим Александрович ГАМОЛА	Position(s): Former Head of the Police Department in Moskovski District, Minsk; Deputy head of the Minsk City Police Department, Head of Criminal Police Gender: male	In his former position as Head of the Police Department in Moskovski District, Minsk, he is responsible for the repression and intimidation campaign in that district against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture. He remains active in the Lukashenka regime as Deputy Head of the Minsk City Police Department and Head of Criminal Police.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
16.	Aliaksandr Mikhailovich ALIASHKEVICH Alexander (Alexandr) Mikhailovich ALESHKEVICH	Аляксандр Міхайлавіч АЛЯШКЕВІЧ Александр Михайлович АЛЕШКЕВИЧ	Position(s): First Deputy Head of the District Department of Internal Affairs in Moskovski District, Minsk, Head of Criminal Police Gender: male	In his position as First Deputy Head of the District Department of Internal Affairs in Moskovski District, Minsk and Head of Criminal Police, he is responsible for the repression and intimidation campaign in that district against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
17.	Andrei Vasilievich GALENKA Andrey Vasilievich GALENKA	Андрэй Васільевіч ГАЛЕНКА Андрей Васильевич ГАЛЕНКА	Position(s): Deputy Head of the District Department of Internal Affairs in Moskovski District, Minsk, Head of Public Safety Police Gender: male	In his position as Deputy Head of the District Department of Internal Affairs in Moskovski District, Minsk and Head of Public Safety Police, he is responsible for the repression and intimidation campaign in that district against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
18.	Aliaksandr Paulavich VASILIEU Alexander (Alexandr) Pavlovich VASILIEV	Аляксандр Паўлавіч ВАСІЛЬЕЎ Александр Павлович ВАСИЛЬЕВ	Position(s): Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee DOB: 24.3.1975 POB: Mogilev/Mahilou, former USSR (now Belarus) Gender: male	In his position as Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee, he is responsible for the repression and intimidation campaign in that region/oblast against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
19.	Aleh Mikalaevich SHULIAKOUSKI Oleg Nikolaevich SHULIAKOVSKI	Алег Мікалаевіч ШУЛЯКОЎСКІ Олег Николаевич ШУЛЯКОВСКИЙ	Position(s): First Deputy Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee, Head of Criminal Police DOB: 26.7.1977 Gender: male	In his position as First Deputy Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee and Head of Criminal Police, he is responsible for the repression and intimidation campaign in that region/oblast against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
20.	Anatol Anatolievich VASILIEU Anatoli Anatolievich VASILIEV	Анатоль Анатольевіч ВАСІЛЬЕЎ Анатолий Анатольевич ВАСИЛЬЕВ	Position(s): Deputy Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee, Head of Public Safety Police DOB: 26.1.1972 POB: Gomel/Homyel, Gomel/Homyel Region/Oblast, former USSR (now Belarus) Gender: male	In his position as Deputy Head of the Department of Internal Affairs of Gomel/Homyel Region/Oblast Executive Committee and Head of Public Safety Police, he is responsible for the repression and intimidation campaign in that region/oblast against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
21.	Aliaksandr Viachaslavavich ASTREIKA Alexander (Alexandr) Viacheslavovich ASTREIKO	Аляксандр Вячаслававіч АСТРЭЙКА Александр Вячеславович АСТРЕЙКО	Position(s): Head of Department of Internal Affairs of Brest Region/Oblast Executive Committee, Major-General of Militia (police force) DOB: 22.12.1971 POB: Kapyl, former USSR (now Belarus) Gender: male	In his position as Head of Department of Internal Affairs of Brest Region/Oblast Executive Committee and Major-General of Militia, he is responsible for the repression and intimidation campaign in that region/oblast against peaceful protesters in the wake of the 2020 presidential election, in particular arbitrary arrests, excessive use of force and ill-treatment, including torture.	2.10.2020
22.	Leanid ZHURAVSKI Leonid ZHURAVSKI	Леанід ЖУРАЎСКІ Леонид ЖУРАВСКИЙ	Position(s): Head of OMON ("Special Purpose Police Detachment") in Vitebsk/Viciebsk DOB: 20.9.1975 Gender: male	In his command position over OMON forces in Vitebsk/Viciebsk, he is responsible for the repression and intimidation campaign led by OMON forces in Vitebsk/Viciebsk in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment of peaceful demonstrators.	2.10.2020
23.	Mikhail DAMARNACKI Mikhail DOMARNATSKY	Міхаіл ДАМАРНАЦКІ Михаил ДОМАРНАЦКИЙ	Position(s): Head of OMON ("Special Purpose Police Detachment") in Gomel/Homyel Gender: male	In his command position over OMON forces in Gomel/Homyel, he is responsible for the repression and intimidation campaign led by OMON forces in Gomel/Homyel in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment of peaceful demonstrators.	2.10.2020
24.	Maxim MIKHOVICH Maxim MIKHOVICH	Максім МІХОВІЧ Максим МИХОВИЧ	Position(s): Head of OMON ("Special Purpose Police Detachment") in Brest, Lieutenant Colonel Gender: male	In his command position over OMON forces in Brest, he is responsible for the repression and intimidation campaign led by OMON forces in Brest in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment of peaceful demonstrators.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
25.	Aleh Uladzimiravich MATKIN Oleg Vladimirovitch MATKIN	Алег Уладзіміравіч МАТКІН Олег Владимирович МАТКИН	Position(s): Head of the Penal Correction Department in the Ministry of Internal Affairs, Major-General of Militia (police force) Gender: male	In his position as Head of the Penal Correction Department that has authority over the detention facilities of the Ministry of Internal Affairs, he is responsible for the inhumane and degrading treatment, including torture, inflicted on citizens detained in those detention facilities in the wake of the 2020 presidential election and for the general brutal crackdown on peaceful protesters.	2.10.2020
26.	Ivan Yurievich SAKALOUSKI Ivan Yurievich SOKOLOVSKI	Іван Юр'евіч САКАЛОЎСКІ Иван Юрьевич СОКОЛОВСКИЙ	Position(s): Director of the Akrestina detention centre, Minsk Gender: male	In his capacity as Director of the Akrestina detention centre in Minsk, he is responsible for the inhumane and degrading treatment, including torture, inflicted on citizens detained in that detention centre in the wake of the 2020 presidential election.	2.10.2020
27.	Valeri Paulavich VAKULCHYK Valery Pavlovich VAKULCHIK	Валерый Паўлавіч ВАКУЛЬЧЫК Валерий Павлович ВАКУЛЬЧИК	Position(s): Former Chairman of the State Security Committee (KGB); Former State Secretary of the Security Council; Aide to the President of the Republic of Belarus – Inspector for the Brest Region/Oblast DOB: 19.6.1964 POB: Radostovo, former USSR (now Belarus) Gender: male	In his former leadership position as Chairman of the State Security Committee (KGB), he was responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members. He remains active in the Lukashenka regime as Aide to the President of Belarus – Inspector for the Brest Region/Oblast.	2.10.2020
28.	Siarhei Yaugenavich TSERABAU Sergey Evgenievich TEREBOV	Сяргей Яўгенавіч ЦЕРАБАЎ Сергей Евгеньевич ТЕРЕБОВ	Position(s): First Deputy Chairman of the State Security Committee (KGB) DOB: 1972 POB: Borisov/Barisaw, former USSR (now Belarus) Gender: male	In his leadership position as First Deputy Chairman of the State Security Committee (KGB), he is responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members.	2.10.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
29.	Dzmitry Vasilievich RAVUTSKI Dmitry Vasilievich REUTSKY	Дзмітрый Васільевіч РАВУЦКІ Дмитрий Васильевич РЕУЦКИЙ	Position(s): Deputy Chairman of the State Security Committee (KGB) Gender: male	In his leadership position as Deputy Chairman of the State Security Committee (KGB), he is responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members.	2.10.2020
30.	Uladzimir Viktaravich KALACH Vladimir Viktorovich KALACH	Уладзімір Віктаравіч КАЛАЧ Владимир Викторович КАЛАЧ	Position(s): Deputy Chairman of the State Security Committee (KGB) Gender: male	In his leadership position as Deputy Chairman of the State Security Committee (KGB), he is responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members.	2.10.2020
31.	Alieg Anatolevich CHARNYSHOU Oleg Anatolievich CHERNYSHEV	Алег Анатольевіч ЧАРНЫШОЎ Олег Анатольевич ЧЕРНЫШЁВ	Position(s): Deputy Chairman of the State Security Committee (KGB) Gender: male	In his leadership position as Deputy Chairman of the State Security Committee (KGB), he is responsible for the participation of the KGB in the repression and intimidation campaign in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators and opposition members.	2.10.2020
32.	Aliaksandr Uladzimiravich KANYUK Alexander (Alexandr) Vladimirovich KONYUK	Аляксандр Уладзіміравіч КАНЮК Александр Владимирович КОНЮК	Position(s): Former Prosecutor General of the Republic of Belarus; Ambassador of the Republic of Belarus to Armenia DOB: 11.7.1960 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	In his former position as Prosecutor General, he was responsible for the widespread use of criminal proceedings to disqualify opposition candidates ahead of the 2020 presidential election and to prevent persons from joining the Coordination Council launched by the opposition to challenge the outcome of that election. He remains active in the Lukashenka regime as the ambassador of Belarus to Armenia.	2.10.2020

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33.	Lidzia Mihailauna YARMOSHINA Lidia Mikhailovna YERMOSHINA	Лідзя Міхайлаўна ЯРМОШЫНА Лидия Михайловна ЕРМОШИНА	Position(s): Chairwoman of the Central Electoral Commission (CEC) DOB: 29.1.1953 POB: Slutsk, former USSR (now Belarus) Gender: female	As Chairwoman of the CEC, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its leadership have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
34.	Vadzim Dzmitryevich IPATAU Vadim Dmitrievich IPATOV	Вадзім Дзмітрыевіч ІПАТАЎ Вадим Дмитриевич ИПАТОВ	Position(s): Deputy Chairman of the Central Electoral Commission (CEC) DOB: 30.10.1964 POB: Kolomyia, Ivano-Frankivsk Region/Oblast, former USSR (now Ukraine) Gender: male	As Deputy Chairman of the CEC, he is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its leadership have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
35.	Alena Mikalaevna DMUHAILA Elena Nikolaevna DMUHAILO	Алена Мікалаеўна ДМУХАЙЛА Елена Николаевна ДМУХАЙЛО	Position(s): Secretary of the Central Electoral Commission (CEC) DOB: 1.7.1971 Gender: female	As Secretary of the CEC, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its leadership have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020

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36.	Andrei Anatolievich GURZHY Andrey Anatolievich GURZHIY	Андрэй Анатольевіч ГУРЖЫ Андрей Анатольевич ГУРЖИЙ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 10.10.1975 Gender: male	As a member of the CEC college, he is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
37.	Volga Leanidauna DARASHENKA Olga Leonidovna DOROSHENKO	Вольга Леанідаўна ДАРАШЭНКА Ольга Леонидовна ДОРОШЕНКО	Position(s): Member of the Central Electoral Commission (CEC) DOB: 1976 Gender: female	As a member of the CEC college, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
38.	Siarhei Aliakseevich KALINOUSKI Sergey Alexeyevich KALINOVSKIY	Сяргей Аляксеевіч КАЛІНОЎСКІ Сергей Алексеевич КАЛИНОВСКИЙ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 3.1.1969 Gender: male	As a member of the CEC college, he is responsible for its misconduct of the 2020 presidential electoral, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020

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39.	Sviatlana Piatrouna KATSUBA Svetlana Petrovna KATSUBO	Святлана Пятроўна КАЦУБА Светлана Петровна КАЦУБО	Position(s): Member of the Central Electoral Commission (CEC) DOB: 6.8.1959 POB: Podilsk, Odessa Region/Oblast, former USSR (now Ukraine) Gender: female	As a member of the CEC college, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
40.	Aliaksandr Mikhailavich LASYAKIN Alexander (Alexandr) Mikhailovich LOSYAKIN	Аляксандр Міхайлавіч ЛАСЯКІН Александр Михайлович ЛОСЯКИН	Position(s): Member of the Central Electoral Commission (CEC) DOB: 21.7.1957 Gender: male	As a member of the CEC college, he is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
41.	Igar Anatolievich PLYSHEUSKI Ihor Anatolievich PLYSHEVSKIY	Ігар Анатольевіч ПЛЫШЭЎСКІ Ігорь Анатольевич ПЛЫШЕВСКИЙ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 19.2.1979 POB: Lyuban, former USSR (now Belarus) Gender: male	As a member of the CEC college, he is responsible for its misconduct of the presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020

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42.	Marina Yureuna RAKHMANAVA Marina Yurievna RAKHMANOVA	Марына Юр'еўна РАХМАНАВА Марина Юрьевна РАХМАНОВА	Position(s): Member of the Central Electoral Commission (CEC) DOB: 26.9.1970 Gender: female	As a member of the CEC college, she is responsible for its misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
43.	Aleh Leanidavich SLIZHEUSKI Oleg Leonidovich SLIZHEVSKI	Алег Леанідавіч СЛІЖЭЎСКІ Олег Леонидович СПИЖЕВСКИЙ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 16.8.1972 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	As a member of the CEC college, he is responsible for the misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020
44.	Irina Aliaksandrauna TSELIKAVETS Irina Alexandrovna TSELIKOVEC	Ірына Аляксандраўна ЦЭЛІКАВЕЦ Ирина Александровна ЦЕЛИКОВЕЦ	Position(s): Member of the Central Electoral Commission (CEC) DOB: 2.11.1976 POB: Zhlobin, former USSR (now Belarus) Gender: female	As a member of the CEC college, she is responsible for the misconduct of the 2020 presidential electoral process, its non-compliance with basic international standards of fairness and transparency and its falsification of election results. The CEC and its college have, in particular, organised the dismissal of certain opposition candidates on spurious grounds and placed disproportionate restrictions on observers in polling stations. The CEC has also ensured that the election commissions under its supervision are composed in a biased manner.	2.10.2020

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45.	Aliaksandr Ryhoravich LUKASHENKA Alexander (Alexandr) Grigorievich LUKASHENKO	Аляксандр Рыгоравіч ЛУКАШЭНКА Александр Григорьевич ЛУКАШЕНКО	Position(s): President of the Republic of Belarus DOB: 30.8.1954 POB: Kopy's settlement, Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: male	As President of Belarus with authority over State bodies, he is responsible for the violent repression by the State apparatus carried out before and after the 2020 presidential election, in particular the dismissal of key opposition candidates, arbitrary arrests and ill-treatment of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020
46.	Viktar Aliaksandravich LUKASHENKA Viktor Alexandrovich LUKASHENKO	Віктар Аляксандравіч ЛУКАШЭНКА Виктор Александрович ЛУКАШЕНКО	Position(s): National Security Advisor to the President, Member of the Security Council DOB: 28.11.1975 POB: Mogilev/Mahiliou, former USSR (now Belarus) Gender: male	In his position as National Security Advisor to the President and a Member of the Security Council, as well as his informal supervisory position over Belarus security forces, he is responsible for the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020
47.	Ihar Piatrovich SERGYAENKA Igor Petrovich SERGEENKO	Ігар Пятровіч СЕРГЯЕНКА Игорь Петрович СЕРГЕЕНКО	Position(s): Chief of Staff of the Presidential Administration DOB: 14.1.1963 POB: Stolitsa village in Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: male	In his position as the Chief of Staff of the Presidential Administration, he is closely associated with the President and responsible for ensuring the implementation of presidential powers in the field of domestic and foreign policy. He is therefore supporting the Lukashenka regime, including in the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election.	6.11.2020
48.	Ivan Stanislavavich TERTEL Ivan Stanislavovich TERTEL	Іван Станіслававіч ТЭРТЭЛЬ Иван Станиславович ТЕРТЕЛЬ	Position(s): Chairman of the State Security Committee (KGB), former Chairman of the State Control Committee DOB: 8.9.1966 POB: village Privalka/Privalki in Grodno/Hrodna Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as the Chairman of the State Security Committee (KGB) and in his former position as the Chairman of the State Control Committee, he is responsible for the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020

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49.	Raman Ivanavich MELNIK Roman Ivanovich MELNIK	Раман Іванавіч МЕЛЬНІК Роман Иванович МЕЛЬНИК	Position(s): Head of Main Directorate of Law and Order Protection and Prevention at the Ministry of Internal Affairs DOB: 29.5.1964 Gender: male	In his leadership position as the Head of Main Directorate of Law and Order Protection and Prevention at the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020
50.	Ivan Danilavich NASKEVICH Ivan Danilovich NOSKEVICH	Іван Данілавіч НАСКЕВІЧ Иван Данилович НОСКЕВИЧ	Position(s): Chairman of the Investigative Committee DOB: 25.3.1970 POB: village of Cierabličy in Brest Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as the Chairman of the Investigative Committee, he is responsible for the repression and intimidation campaign led by the Committee in the wake of the 2020 presidential election, in particular investigations launched against the Coordination Council and peaceful demonstrators.	6.11.2020
51.	Aliaksey Aliaksandravich VOLKAU Alexei Alexandrovich VOLKOV	Аляксей Аляксандравіч ВОЛКАЎ Алексей Александрович ВОЛКОВ	Position(s): Former First Deputy Chairman of the Investigative Committee; currently Chairman of the State Committee for Forensic Expertise DOB: 7.9.1973 POB: Minsk, former USSR (now Belarus) Gender: male	In his former leadership position as the First Deputy Chairman of the Investigative Committee, he is responsible for the repression and intimidation campaign led by the Committee in the wake of the 2020 presidential election, in particular investigations launched against the Coordination Council and peaceful demonstrators.	6.11.2020
52.	Siarhei Yakaulevich AZEMSHA Sergei Yakovlevich AZEMSHA	Сяргей Якаўлевіч АЗЕМША Сергей Яковлевич АЗЕМША	Position(s): Deputy Chairman of the Investigative Committee DOB: 17.7.1974 POB: Rechitsa, Gomel/Homyel Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as the Deputy Chairman of the Investigative Committee, he is responsible for the repression and intimidation campaign led by the Committee in the wake of the 2020 presidential election, in particular investigations launched against the Coordination Council and peaceful demonstrators.	6.11.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
53.	Andrei Fiodaravich SMAL Andrei Fyodorovich SMAL	Андрэй Фёдаравіч СМАЛЬ Андрей Фёдорович СМАЛЬ	Position(s): Deputy Chairman of the Investigative Committee DOB: 1.8.1973 POB: Brest, former USSR (now Belarus) Gender: male	In his leadership position as the Deputy Chairman of the Investigative Committee, he is responsible for the repression and intimidation campaign led by the Committee in the wake of the 2020 presidential election, in particular investigations launched against the Coordination Council and peaceful demonstrators.	6.11.2020
54.	Andrei Yurevich PAULIUCHENKA Andrei Yurevich PAVLYUCHENKO	Андрэй Юр'евіч ПАЎЛЮЧЕНКА Андрей Юрьевич ПАВЛЮЧЕНКО	Position(s): Head of Operational-Analytical Center DOB: 1.8.1971 Gender: male	In his leadership position as the Head of Operational-Analytical Center, he is closely associated with the President and responsible for the repression of civil society, in particular interrupting connection to telecommunication networks as a tool of repression of civil society, peaceful demonstrators and journalists.	6.11.2020
55.	Ihar Ivanavich BUZOUSKI Igor Ivanovich BUZOVSKI	Ігар Іванавіч БУЗОЎСКІ Игорь Иванович БУЗОВСКИЙ	Position(s): Deputy Minister of Information DOB: 10.7.1972 POB: village of Koshelevo, Grodno/Hrodna Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as Deputy Minister of Information, he is responsible for the repression of civil society, in particular the Ministry of Information decision to cut off access to independent websites and limit internet access in Belarus in the wake of the 2020 presidential election, as a tool of repression of civil society, peaceful demonstrators and journalists.	6.11.2020
56.	Natallia Mikalaeuna EISMANT Natalia Nikolayevna EISMONT	Наталля Мікалаеўна ЭЙСМАНТ Наталья Николаевна ЭЙСМОНТ	Position(s): Press Secretary of the President of Belarus DOB: 16.2.1984 POB: Minsk, former USSR (now Belarus) Maiden name: Kirsanova (Russian spelling: Кирсанова) or Selyun (Russian spelling: Селюн) Gender: female	In her position as Press Secretary of the President of Belarus, she is closely associated with the President and responsible for coordinating media activities of the President, including drafting statements and organising public appearances. She is therefore supporting the Lukashenko regime, including in the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election. In particular, with her public statements defending the President and criticising opposition activists as well as the peaceful protesters, made in the wake of the 2020 presidential election, she contributed to seriously undermining democracy and the rule of law in Belarus.	6.11.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
57.	Siarhei Yaugenavich ZUBKOU Sergei Yevgenevich ZUBKOV	Сяргей Яўгенавіч ЗУБКОЎ Сергей Евгеньевич ЗУБКОВ	Position(s): ALFA Unit Commander DOB: 21.8.1975 Gender: male	In his commanding position over ALFA Unit forces, he is responsible for the repression and intimidation campaign carried out by those forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	6.11.2020
58.	Andrei Aliakseevich RAUKOU Andrei Alexeyevich RAVKOV	Андрэй Аляксеевіч РАЎКОЎ Андрей Алексеевич РАВКОВ	Position(s): Former State Secretary of the Security Council Ambassador of the Republic of Belarus to Azerbaijan DOB: 25.6.1967 POB: village of Revyaki, Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: male	In his former position as State Secretary of the Security Council, he has been closely associated with the President and responsible for the repression and intimidation campaign carried out by the State apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He remains active in the Lukashenka regime as the ambassador of Belarus to Azerbaijan.	6.11.2020
59.	Pyotr Piatrovich MIKLASHEVICH Petr Petrovich MIKLASHEVICH	Пётр Пятровіч МІКЛАШЭВІЧ Петр Петрович МИКЛАШЕВИЧ	Position(s): Chairman of the Constitutional Court of the Republic of Belarus DOB: 18.10.1954 POB: Minsk Region/Oblast, former USSR (now Belarus) Gender: male	As the chairman of the Constitutional Court, he is responsible for the Constitutional Court's decision adopted on 25 August 2020, by which the results of the fraudulent elections were legitimised. He has therefore supported and facilitated actions of repression and intimidation campaign by the State apparatus against peaceful protestors and journalists and is therefore responsible for seriously undermining democracy and the rule of law in Belarus.	6.11.2020
60.	Anatol Aliaksandravich SIVAK Anatoli Alexandrovich SIVAK	Анатоль Аляксандравіч СІВАК Анатолий Александрович СИВАК	Position(s): Deputy Prime Minister; former Chairman of the Minsk City Executive Committee DOB: 19.7.1962 POB: Zavoi, Narovlya District, Gomel/Homyel Region/Oblast, former USSR (now Belarus)	In his former leadership capacity as Chairman of the Minsk City Executive Committee, he was responsible for the repression and intimidation campaign run by the local apparatus in Minsk under his oversight in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He made numerous public statements criticising peaceful protests taking place in Belarus.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
			Gender: male	In his current leadership position as Deputy Prime Minister he continues to support the Lukashenka regime.	
61.	Ivan Mikhailavich EISMANT Ivan Mikhailovich EISMONT	Іван Міхайлавіч ЭЙСМАНТ Иван Михайлович ЭЙСМОНТ	Position(s): Chairman of the Belarusian State Television and Radio Company, Head of Belteleradio Company DOB: 20.1.1977 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	In his current position as Head of the Belarusian State Television and Radio Company, he is responsible for the dissemination of state propaganda in public media and continues to support the Lukashenka regime. This includes using media channels to support the President's continuation of his term in office, despite the fraudulent presidential elections that took place on 9 August 2020, and the subsequent and repeated violent crackdown on peaceful and legitimate protests. Eismont made public statements criticising the peaceful protesters and refused to provide media coverage of the protests. He also fired striking employees of Belteleradio Company under his management, thereby making him responsible for human rights violations.	17.12.2020
62.	Uladzimir Stsiapanavich KARANIK Vladimir Stepanovich KARANIK	Уладзімір Сцяпанавіч КАРАЊІК Владимир Степанович КАРАЊІК	Position(s): Governor of the Grodno/Hrodna Region/Oblast; former Minister of Healthcare DOB: 30.11.1973 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	In his former leadership capacity as the Minister of Healthcare, he was responsible for the use of healthcare services to repress peaceful protesters, including using ambulances to transport protesters in need of medical assistance to isolation wards rather than to hospitals. He made numerous public statements criticising the peaceful protests taking place in Belarus, on one occasion accusing a protester of being intoxicated. In his current leadership position as the Governor of the Grodno/Hrodna Region/Oblast he continues to support the Lukashenka regime.	17.12.2020
63.	Natallia Ivanauna KACHANAVA	Наталля Іванаўна КАЧАНАВА	Position(s): Chair of the Council of the Republic of the National Assembly of Belarus	In her current leadership position as Chair of the Council of the Republic of the National Assembly of Belarus, she is responsible for supporting the decisions of the President in the field of domestic policy. She is also responsible for organising the fraudulent	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
	Natalia Ivanovna KOCHANOVA	Наталья Ивановна КОЧАНОВА	DOB: 25.9.1960 POB: Polotsk, Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: female	elections that took place on 9 August 2020. She made public statements defending the brutal crackdown of the security apparatus on peaceful demonstrators.	
64.	Pavel Mikalaevich LIOHKI Pavel Nikolaevich LIOHKI	Павел Мікалаевіч ЛЁГКІ Павел Николаевич ЛЁГКИЙ	Position(s): First Deputy Minister of Information DOB: 30.5.1972 POB: Baranavichy, former USSR (now Belarus) Gender: male	In his leadership position as First Deputy Minister of Information, he is responsible for the repression of civil society, and in particular the Ministry of Information decision to cut off access to independent websites and limit internet access in Belarus in the wake of the 2020 presidential election, as a tool of repression of civil society, peaceful demonstrators and journalists.	17.12.2020
65.	Ihar Uladzimiravich LUTSKY Igor Vladimirovich LUTSKY	Ігар Уладзіміравіч ЛУЦКІ Игорь Владимирович ЛУЦКИЙ	Position(s): Minister of Information DOB: 31.10.1972 POB: Stolin, Brest Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as Minister of Information, he is responsible for the repression of civil society, and in particular the Ministry of Information decision to cut off access to independent websites and limit internet access in Belarus in the wake of the 2020 presidential election, as a tool of repression of civil society, peaceful demonstrators and journalists.	17.12.2020
66.	Andrei Ivanavich SHVED Andrei Ivanovich SHVED	Андрэй Іванавіч ШВЕД Андрей Иванович ШВЕД	Position(s): Prosecutor General of the Republic of Belarus DOB: 21.4.1973 POB: Glushkovichi, Gomel/Homyel Region/Oblast, former USSR (now Belarus) Gender: male	In his position as Prosecutor General, he is responsible for the ongoing repression of civil society and democratic opposition, and in particular the launching of numerous criminal proceedings against peaceful demonstrators, opposition leaders and journalists in the wake of the 2020 presidential elections. He also made public statements threatening participants in “unauthorised rallies” with punishment.	17.12.2020
67.	Genadz Andreevich BOGDAN Gennady Andreevich BOGDAN	Генадзь Андрэевіч БОГДАН Геннадий Андреевич БОГДАН	Position(s): Deputy Head of the Belarus President Property Management Directorate DOB: 8.1.1977 Gender: male	In his position of Deputy Head of the Belarus President Property Management Directorate, he oversees the functioning of numerous enterprises. The body under his leadership provides financial, material and technical, social, household and medical support to the State apparatus and republican authorities. He is closely associated with the President and continues to support the Lukashenka regime.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
68.	Ihar Paulavich BURMISTRAU Igor Pavlovich BURMISTROV	Ігар Паўлавіч БУРМІСТРАЎ Игорь Павлович БУРМИСТРОВ	Position(s): Chief of Staff and First Deputy Commander of the Internal Troops of the Ministry of Internal Affairs DOB: 30.9.1968 Gender: male	In his leadership position as First Deputy Commander of the Internal Troops of the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by the Internal Troops under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	17.12.2020
69.	Arciom Kanstantinavich DUNKA Artem Konstantinovich DUNKO	Арцём Канстанцінавіч ДУНЬКА Артем Константинович ДУНЬКО	Position(s): Senior Inspector for Special Matters of the Department of Financial Investigations of the State Control Committee DOB: 8.6.1990 Gender: male	In his leadership position as Senior Inspector for Special Matters of the Department of Financial Investigations of the State Control Committee, he is responsible for the repression and intimidation campaign led by the State apparatus in the wake of the 2020 presidential election, in particular investigations launched into opposition leaders and activists.	17.12.2020
70.	Aleh Heorhievich KARAZEI Oleg Georgevich KARAZEI	Алег Георгіевіч КАРАЗЕЙ Олег Георгиевич КАРАЗЕЙ	Position(s): Head of the Prevention Department of the Main Department of Law Enforcement and Prevention of the Public Security Police of the Ministry of Internal Affairs DOB: 1.1.1979 POB: Minsk Region/Oblast, former USSR (now Belarus) Gender: male	In his leadership position as Head of the Prevention Department of the Main Department of Law Enforcement and Prevention of the Public Security Police of the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by the police forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	17.12.2020
71.	Dzmitry Aliaksandravich KURYAN Dmitry Alexandrovich KURYAN	Дзмітрый Аляксандравіч КУРЬЯН Дмитрий Александрович КУРЬЯН	Position(s): Police Colonel, Deputy Head of the Main Department and Head of the Department of Law Enforcement in the Ministry of Internal Affairs DOB: 3.10.1974 Gender: male	In his leadership position as Police Colonel and Deputy Head of the Main Department and Head of the Department of Law Enforcement in the Ministry of Internal Affairs, he is responsible for the repression and intimidation campaign led by the police forces in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
72.	Aliaksandr Henrykavich TURCHIN Alexander (Alexandr) Henrihovich TURCHIN	Аляксандр Генрыхавіч ТУРЧЫН Александр Генрихович ТУРЧИН	Position(s): Chairman of Minsk Regional Executive Committee DOB: 2.7.1975 POB: Novogrudok, Grodno/Hrodna Region/Oblast, former USSR (now Belarus) Gender: male	In his position as the Chairman of Minsk Regional Executive Committee, he is responsible for overseeing local administration, including a number of committees. He is therefore supporting the Lukashenka regime.	17.12.2020
73.	Dzmitry Mikalaevich SHUMILIN Dmitry Nikolayevich SHUMILIN	Дзмітрый Мікалаевіч ШУМІЛІН Дмитрий Николаевич ШУМИЛИН	Position(s): Deputy Head of the department for mass events of the GUV D (Main Department of Internal Affairs) of the Minsk City Executive Committee DOB: 26.7.1977 Gender: male	In his position as Deputy Head of the department for mass events of the GUV D of the Minsk City Executive Committee, he is responsible for the repression and intimidation campaign led by the local apparatus in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. He is documented as personally taking part in the unlawful detention of peaceful protesters.	17.12.2020
74.	Vital Ivanavich STASIUKOVICH Vitalyi Ivanovich STASIUKOVICH	Віталь Іванавіч СТАСЮКЕВІЧ Виталий Иванович СТАСЮКЕВИЧ	Position(s): Deputy Chief of the Public Security Police in Grodno/Hrodna DOB: 5.3.1976 POB: Grodno/Hrodna, former USSR (now Belarus) Gender: male	In his position as Deputy Chief of the Public Security Police in Grodno/Hrodna, he is responsible for the repression and intimidation campaign led by the local police force under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. According to witnesses, he personally supervised the unlawful detention of peaceful protesters.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
75.	Siarhei Leanidavich KALINNIK Sergei Leonidovich KALINNIK	Сяргей Леанідавіч КАЛІННІК Сергей Леонидович КАЛІННІК	Position(s): Police Colonel, Chief of the Sovetsky District Police Department of Minsk DOB: 23.7.1979 Gender: male	In his position as Chief of the Sovetsky District Police Department of Minsk, he is responsible for the repression and intimidation campaign led by the local police force under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. According to witnesses, he personally supervised and took part in torturing unlawfully detained protesters.	17.12.2020
76.	Vadzim Siarhaevich PRYGARA Vadim Sergeyevich PRIGARA	Вадзім Сяргеевіч ПРЫГАРА Вадим Сергеевич ПРИГАРА	Position(s): Police Lieutenant Colonel, Head of the District Police Department in Molodechno DOB: 31.10.1980 Gender: male	In his position as Head of the District Police Department in Molodechno, he is responsible for the repression and intimidation campaign led by the local police force under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. According to witnesses, he personally supervised beatings of unlawfully detained protesters. He also made numerous derogatory statements about the protesters to the media.	17.12.2020
77.	Viktar Ivanavich STANISLAUCHYK Viktor Ivanovich STANISLAVCHIK	Віктар Іванавіч СТАНІСЛАЎЧЫК Виктор Иванович СТАНИСЛАВЧИК	Position(s): Deputy Head of the Police Department of the Sovetsky District of Minsk, Head of the Public Security Police DOB: 27.1.1971 Gender: male	In his position as Deputy Head of the Police Department of the Sovetsky District of Minsk and Head of the Public Security Police, he is responsible for the repression and intimidation campaign led by the local police force under his command in the wake of the 2020 presidential election, in particular arbitrary arrests and ill-treatment, including torture, of peaceful demonstrators as well as intimidation and violence against journalists. According to witnesses, he personally supervised the detention of peaceful protesters and beatings of those unlawfully detained.	17.12.2020

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78.	Aliaksandr Aliaksandravich PIETRASH Alexander (Alexandr) Alexandrovich PETRASH	Аляксандр Аляксандравіч ПЕТРАШ Александр Александрович ПЕТРАШ	Position(s): Chairman of the Moskovski district court in Minsk DOB: 16.5.1988 Gender: male	In his position as chairman of the Moskovski district court in Minsk, he is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters. Violations of rights of defence and reliance on statements from false witnesses were reported during trials conducted under his supervision. He was instrumental in fining and detaining protesters, journalists and opposition leaders in the wake of the 2020 presidential election. He is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
79.	Andrei Aliaksandravich LAHUNOVICH Andrei Alexandrovich LAHUNOVICH	Андрэй Аляксандравіч ЛАГУНОВІЧ Андрей Александрович ЛАГУНОВИЧ	Position(s): Judge of the Sovetsky district court in Gomel/Homyel Gender: male	In his position as judge of the Sovetsky district court in Gomel/Homyel, he is responsible for numerous politically motivated rulings against journalists, activists and protesters. Violations of rights of defence were reported during trials conducted under his supervision. He is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
80.	Alena Vasileuna LITVINA Elena Vasilevna LITVINA	Алена Васільеўна ЛІТВИНА Елена Васильевна ЛИТВИНА	Position(s): Judge of the Leninsky district court in Mogilev/Mahiliou Gender: female	In her position as judge of the Leninsky district court in Mogilev/Mahiliou, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters, in particular the sentencing of Siarhei Tsikhanousky – opposition activist and husband of presidential candidate Svetlana Tsikhanouskaya. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020

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81.	Victoria Valeryeuna SHABUNYA Victoria Valerevna SHABUNYA	Вікторыя Валер’еўна ШАБУНЯ Виктория Валерьевна ШАБУНЯ	Position(s): Judge of the Central district court in Minsk DOB: 27.2.1974 Gender: female	In her position as judge of the Central district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters, in particular the sentencing of Sergei Dylevsky – Coordination Council member and leader of a strike committee. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
82.	Alena Aliaksandravna ZHYVITSA Elena Alexandrovna ZHYVITSA	Алена Аляксандравна ЖЫВІЦА Елена Александровна ЖИВИЦА	Position(s): Judge of the Oktyabrsky district court in Minsk DOB: 9.4.1990 Gender: female	In her position as judge of the Oktyabrsky district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
83.	Natallia Anatolievna DZIADKOVA Natalia Anatolievna DEDKOVA	Наталля Анатольеўна ДЗЯДКОВА Наталья Анатольевна ДЕДКОВА	Position(s): Judge of the Partizanski district court in Minsk DOB: 2.12.1979 Gender: female	In her position as judge of the Partizanski district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters, in particular the sentencing of Coordination Council leader Mariya Kalesnikava. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
84.	Maryna Arkadzeuna FIODARAVA Marina Arkadievna FEDOROVA	Марына Аркадзьеўна ФЁДАРАВА Марина Аркадьевна ФЕДОРОВА	Position(s): Judge of the Sovetsky district court in Minsk DOB: 11.9.1965 Gender: female	In her position as judge of the Sovetsky district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
85.	Yulia Chaslavauna HUSTYR Yulia Cheslavovna HUSTYR	Юлія Чаславаўна ГУСТЫР Юлия Чеславовна ГУСТЫР	Position(s): Judge of the Central district court in Minsk DOB: 14.1.1984 Gender: female	In her position as judge of the Central district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters, in particular the sentencing of opposition presidential candidate Viktor Babarika. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020
86.	Alena Tsimafeeuna NYAKRASAVA Elena Timofeyevna NEKRASOVA	Алена Цімафееўна НЯКРАСАВА Елена Тимофеевна НЕКРАСОВА	Position(s): Judge of the Zavodsky district court in Minsk DOB: 26.11.1974 Gender: female	In her position as judge of the Zavodsky district court in Minsk, she is responsible for numerous politically motivated rulings against journalists, opposition leaders, activists and protesters. Violations of rights of defence were reported during trials conducted under her supervision. She is therefore responsible for human rights violations and undermining the rule of law, as well as for contributing to the repression of civil society and democratic opposition.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
87.	Aliaksandr Vasilevich SHAKUTSIN Alexander (Alexandr) Vasilevich SHAKUTIN	Аляксандр Васільевіч ШАКУЦІН Александр Васильевич ШАКУТИН	Position(s): Businessman, owner of Amkodor Holding DOB: 12.1.1959 POB: Bolshoe Babino, Orsha Rayon, Vitebsk/Viciebsk Region/Oblast, former USSR (now Belarus) Gender: male	He is one of the leading businessmen operating in Belarus, with business interests in construction, machine building, agriculture and other sectors. He is reported to be one of the persons who benefited most from the privatisation during Lukashenka's tenure as President. He is also a member of the presidium of the pro-Lukashenka public association "Belaya Rus" and a member of the Council for the Development of Entrepreneurship in the Republic of Belarus. He is therefore benefitting from and supporting the Lukashenka regime. In July 2020 he made public comments condemning the opposition protests in Belarus, thereby contributing to the repression of civil society and democratic opposition.	17.12.2020
88.	Mikalai Mikalaevich VARABEI/VERABEI Nikolay Nikolaevich VOROBAY	Мікалай Мікалаевіч ВАРАБЕЙ/ ВЕРАБЕЙ Николай Николаевич ВОРОБЕЙ	Position(s): Businessman, co-owner of Bremino Group DOB: 4.5.1963 POB: former Ukrainian SSR (now Ukraine) Gender: male	He is one of the leading businessmen operating in Belarus, with business interests in petroleum, coal transit, banking and other sectors. He is the co-owner of Bremino Group – a company that has enjoyed tax breaks and other forms of support from the Belarusian administration. He is therefore benefitting from and supporting the Lukashenka regime.	17.12.2020

B. Legal persons, entities or bodies referred to in Article 4(1)

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
1.	Beltechexport	Белтехэкспорт	Address: Nezavisimosti ave. 86-B, Minsk, Belarus Website: https://bte.by/ E-mail address: mail@bte.by	Beltechexport is a private entity which exports weapons and military equipment produced by Belarusian state-owned companies to countries in Africa, South America, Asia and Middle East. Beltechexport is closely associated with the Ministry of Defense of Belarus. Beltechexport is therefore benefitting from its association with and supporting the Lukashenka regime, by bringing benefits to the Presidential Administration.	17.12.2020
2.	Dana Holdings / Dana Astra	Дана Холдингз / Дана Астра	Address: P. Mstislavtsa 9 (1st floor), Minsk, Belarus Registration number: Dana Astra - 191295361 Website: https://en.dana-holdings.com ; https://dana-holdings.com/ E-mail address: PR@bir.by Tel.: +375 17 26-93-290; +375 17 39-39-465	Dana Holdings / Dana Astra is one of the main real estate developers and constructors in Belarus. The company received plots of land for the development of several large residential complexes and business centres. Owners of Dana Holdings / Dana Astra maintain close relations with President Lukashenka. Liliya Lukashenka, daughter-in-law of the President, had a high-ranking position in the company. Dana Holdings / Dana Astra is therefore benefitting from its association with and supporting the Lukashenka regime.	17.12.2020
3.	GHU – Main Economic Department of the Belarus President Property Management Directorate	Главное хозяйственное управление	Address: Miasnikova str. 37, Minsk, Belarus Website: http://ghu.by E-mail address: ghu@ghu.by	Main Economic Department (GHU) of the Belarus President Property Management Directorate is the largest operator on the non-residential real estate market in Belarus and a supervisor of numerous companies. Viktor Sheiman, who as the head of the Belarus President Property Management Directorate exercises direct control over GHU, was asked by President Lukashenka to supervise the safety of the 2020 presidential elections. GHU is therefore benefitting from its association with and supporting the Lukashenka regime.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
4.	LLC SYNESIS	ООО "Синезис"	Address: Platonova 20B, 220005 Minsk, Belarus; Mantulinskaya 24, Moscow 123100, Russia Registration number (УНН/ИНН): 190950894 (Belarus); 7704734000/770301001 (Russia) Website: https://synesis.partners ; https://synesis-group.com/ Tel.: +375 17 240-36-50 E-mail address: s@synesis.by	LLC Synesis provides the Belarusian authorities with a surveillance platform, which can search through and analyse video footage and employ facial recognition software, making the company responsible for the repression of civil society and democratic opposition by the state apparatus in Belarus. Synesis employees are forbidden from communicating in Belarusian, thereby supporting the Lukashenka regime's policy of discrimination on the basis of language. The Belarussian State Security Committee (KGB) and Ministry of Internal Affairs are listed as users of a system created by Synesis. The company is therefore benefitting from its association with and supporting the Lukashenka regime. Synesis CEO Alexander Shatrov publicly criticised those protesting against the Lukashenka regime and relativized the lack of democracy in Belarus.	17.12.2020
5.	AGAT electromechanical Plant OJSC	Агат-электро-механический завод	Address: Nezavisimosti ave. 115, 220114 Minsk, Belarus Tel.: +375 17 272-01-32 +375 17 570-41-45 E-mail address: marketing@agat-emz.by Web: https://agat-emz.by/	AGAT electromechanical Plant OJSC is part of the Belarussian State Authority for Military Industry of the Republic of Belarus (a.k.a. SAMI or State Military Industrial Committee), which is responsible for implementing the military-technical policy of the State and a subordinate to the Council of Ministers and the President of Belarus. AGAT electromechanical Plant OJSC is therefore benefitting from its association with and supporting the Lukashenka regime. The company manufactures 'Rubezh', a barrier system designed for riot control. Rubezh was deployed against peaceful demonstrations that took place in the wake of the presidential elections that took place on 9 August 2020, thus making the company responsible for the repression of civil society and democratic opposition.	17.12.2020

	Names (Transliteration of Belarusian spelling) (Transliteration of Russian spelling)	Names (Belarusian spelling) (Russian spelling)	Identifying information	Reasons for listing	Date of listing
6.	140 Repair Plant	140 ремонтный завод	Website: 140zavod.org	140 Repair Plant is part of the Belarussian State Authority for Military Industry of the Republic of Belarus (a.k.a. SAMI or State Military Industrial Committee), which is responsible for implementing the military-technical policy of the State and a subordinate to the Council of Ministers and the President of Belarus. 140 Repair Plant is therefore benefitting from its association with and supporting the Lukashenka regime. The company manufactures transport vehicles and armoured vehicles, which have been deployed against peaceful demonstrations that took place in the wake of the presidential elections that took place on 9 August 2020, thus making the company responsible for the repression of civil society and democratic opposition.	17.12.2020
7.	MZKT (a.k.a. VOLAT)	МЗКТ - Минский завод колёсных тягачей	Website: www.mzkt.by	MZKT (a.k.a. VOLAT) is part of the Belarussian State Authority for Military Industry of the Republic of Belarus (a.k.a. SAMI or State Military Industrial Committee), which is responsible for implementing the military-technical policy of the State and a subordinate to the Council of Ministers and the President of Belarus. MZKT (a.k.a. VOLAT) is therefore benefitting from its association with and supporting the Lukashenka regime. Employees of MZKT who protested during the visit of President Lukashenka to the factory and went on strike in the wake of the 2020 presidential elections in Belarus were fired, which makes the company responsible for human rights violations.	17.12.2020'

COMMISSION IMPLEMENTING DECISION (EU) 2021/354**of 25 February 2021****postponing the expiry date of approval of propiconazole for use in biocidal products of product-type 8****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products ⁽¹⁾, and in particular Article 14(5) thereof,

After consulting the Standing Committee on Biocidal Products,

Whereas:

- (1) The active substance propiconazole was included in Annex I to Directive 98/8/EC of the European Parliament and of the Council ⁽²⁾ for use in biocidal products of product-type 8, and pursuant to Article 86 of Regulation (EU) No 528/2012 is therefore considered approved under that Regulation subject to the specifications and conditions set out in Annex I to that Directive.
- (2) On 1 October 2018, an application was submitted in accordance with Article 13(1) of Regulation (EU) No 528/2012 for the renewal of the approval of propiconazole.
- (3) On 8 February 2019, the evaluating competent authority of Finland informed the Commission that it had decided, pursuant to Article 14(1) of Regulation (EU) No 528/2012, that a full evaluation of the application was necessary. Pursuant to Article 8(1) of Regulation (EU) No 528/2012, the evaluating competent authority is to perform a full evaluation of the application within 365 days of its validation. The evaluating competent authority has requested the applicant to provide sufficient data to carry out the evaluation in accordance with Article 8(2) of that Regulation.
- (4) As the competent authority is carrying out a full evaluation of the application, in accordance with Article 14(3) of Regulation (EU) No 528/2012, the European Chemicals Agency ('the Agency') is to prepare and submit to the Commission an opinion on renewal of the approval of the active substance within 270 days of receipt of the recommendation from the evaluating competent authority.
- (5) Considering that propiconazole is classified as toxic for reproduction category 1B in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽³⁾, and therefore meets the exclusion criterion set out in point (c) of Article 5(1) of Regulation (EU) No 528/2012, further examination is necessary to decide whether at least one of the conditions of the first subparagraph of Article 5(2) of Regulation (EU) No 528/2012 is fulfilled, and whether the approval of propiconazole may therefore be renewed.
- (6) The expiry date of approval of propiconazole has been postponed to 31 March 2021 by Commission Implementing Decision (EU) 2020/27 ⁽⁴⁾ in order to allow sufficient time for the examination of the application. This examination is still not finalised and the evaluating competent authority has not yet submitted its assessment report and the conclusions of its evaluation to the Agency.

⁽¹⁾ OJ L 167, 27.6.2012, p. 1.

⁽²⁾ Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1).

⁽³⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁽⁴⁾ Commission Implementing Decision (EU) 2020/27 of 13 January 2020 postponing the expiry date of approval of propiconazole for use in biocidal products of product-type 8 (OJ L 8, 14.1.2020, p. 39).

- (7) Consequently, for reasons beyond the control of the applicant, the approval of propiconazole for use in biocidal products of product-type 8 is likely to expire before a decision has been taken on its renewal. It is therefore appropriate to postpone the expiry date of approval of propiconazole for use in biocidal products of product-type 8 for a period of time sufficient to enable the examination of the application.
- (8) Considering the period necessary for the preparation and submission of the opinion by the Agency, the period necessary to assess if at least one of the conditions of the first subparagraph of Article 5(2) of Regulation (EU) No 528/2012 is fulfilled and whether the approval of propiconazole may therefore be renewed, it is appropriate to postpone the expiry date of approval to 31 December 2022.
- (9) Except for the expiry date of approval, propiconazole remains approved for use in biocidal products of product-type 8 subject to the specifications and conditions set out in Annex I to Directive 98/8/EC,

HAS ADOPTED THIS DECISION:

Article 1

The expiry date of approval of propiconazole for use in biocidal products of product-type 8 is postponed to 31 December 2022.

Article 2

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

Done at Brussels, 25 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION DECISION (EU) 2021/355**of 25 February 2021****concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council***(notified under document C(2021) 1215)***(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 system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC ⁽¹⁾ and in particular Article 11 thereof,

Whereas:

- (1) Auctioning is the rule for the allocation of emission allowances from 2013 onwards to operators of installations within the scope of the emissions trading system of the Union (EU ETS). Eligible operators will continue to receive free allowances in the trading period 2021 to 2030. The amount of allowances that each such operator receives is determined based on Union-wide harmonised rules set out in Directive 2003/87/EC and Commission Delegated Regulation (EU) 2019/331 ⁽²⁾.
- (2) Member States were required to submit to the Commission by 30 September 2019 their National Implementation Measures (NIMs), comprising a list of installations covered by Directive 2003/87/EC on their territory and including information on production activity, transfers of heat and gases, electricity production and emissions at sub-installation level, over the five years of the baseline period (2014-2018) in accordance with Annex IV to Delegated Regulation (EU) 2019/331.
- (3) To ensure data quality and comparability, Member States submitted their NIMs using the electronic template provided by the Commission in accordance with Article 14(1) of Delegated Regulation (EU) 2019/331, which included the relevant data per installation. Member States also submitted a methodology report setting out the data collection process conducted by their authorities.
- (4) Given the wide range of information and data submitted, the Commission first analysed the completeness of all the NIMs. Where the Commission noted that submissions were incomplete, it requested additional information from the Member States concerned. In reply to those requests, the relevant authorities submitted additional relevant information in order to complete the submitted NIMs.
- (5) The Commission then assessed the NIMs against the criteria contained in Directive 2003/87/EC and in Delegated Regulation (EU) 2019/331, taking into account the Commission's guidance documents to Member States published between January and April 2020. Those consistency checks constituted the second phase of the NIMs assessment.

⁽¹⁾ OJ L 275, 25.10.2003, p. 32

⁽²⁾ Commission Delegated Regulation (EU) 2019/331 of 19 December 2018 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 (OJ L 59, 27.2.2019, p. 8).

- (6) The consistency checks of the NIMs were carried out for each Member State and each installation separately and in comparison with other installations in the same sector. As part of that comprehensive assessment, the Commission analysed the consistency of the data itself and with the Union-wide rules for harmonised free allocation for phase 4 of Delegated Regulation (EU) 2019/331. The Commission examined the eligibility of installations for free allocation, the division of installations into sub-installations and their boundaries, in order to apply the correct benchmark. Considering that the data is used for calculating the revised benchmark values, the Commission paid particular attention to the attribution of emissions to each sub-installation. Furthermore, given the significant impact on allocations, the Commission analysed in detail the data concerning calculation of the historical activity levels of installations during the baseline period. The Commission also examined whether the inclusion of an installation in the NIMs lists was in line with the provisions of Annex I to Directive 2003/87/EC.
- (7) Further in-depth analyses of the data for specific installations that have had an impact in the calculation of the revised benchmark values and per Member State were conducted. The specific assessments were based on risk assessment analysis that took into account several criteria including the emissions intensity for each product benchmark sub-installation.
- (8) Based on the results of those checks, the Commission carried out a detailed assessment of installations where potential irregularities in the application of the harmonised allocation rules were identified. For those installations, further clarification was sought from the competent authority of the Member States concerned.
- (9) In the light of the results of that compliance assessment, the NIMs of Belgium, Bulgaria, Czechia, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Malta, Hungary, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden were found to be compatible with Directive 2003/87/EC and Delegated Regulation (EU) 2019/331, except as set out below. The installations included in the NIMs by those Member States have been found eligible for free allocation and no inconsistencies with regard to the Union-wide rules for harmonised free allocation of emission allowances were detected, except as set out below.
- (10) However, in the light of the results of the assessment, certain aspects of the NIMs submitted by Finland and Sweden are incompatible with the criteria contained in Directive 2003/87/EC and in Delegated Regulation (EU) 2019/331.
- (11) Finland and Sweden proposed the inclusion of 51 installations using biomass exclusively. Some of those installations were subject to unilateral opt-in in 2004-2007, approved by the Commission pursuant to Article 24 of Directive 2003/87/EC. Nevertheless, installations exclusively using biomass were subsequently excluded from the EU ETS, in line with a new provision in paragraph 1 of Annex I to Directive 2003/87/EC. That provision was introduced in the ETS Directive by Directive 2009/29/EC of the European Parliament and of the Council ^(*), and since its application on 1 January 2013, it determined a new scope for the ETS, including regarding prior opt-ins. Therefore, the inclusion of the installations that used biomass exclusively is to be rejected for all the years of the baseline period including when they were listed in Article 11(1) of Directive 2003/87/EC.
- (12) Sweden proposed the inclusion of one installation whose emissions originate from a lime kiln in which lime mud, a residue from the recovery of the cooking chemicals in kraft pulp mills, is calcined. The process of recovering lime from lime mud is covered by the definitions of the system boundaries of short/long fibre kraft pulp. Thus, the concerned installation imports an intermediate product that is covered by a product benchmark. Given that emissions should not be double-counted, as recalled in Article 16(7) of Delegated Regulation (EU) 2019/331, the free allocation data of that installation is to be rejected.

(*) Directive 2009/29/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community, OJ L140, 5.6.2009, p. 63.

- (13) Sweden proposed that three installations would use different benchmark sub-installations compared to what they used in phase 3 NIMs for production of iron ore pellets. Sweden proposed the use of a sintered ore benchmark sub-installation for the production of iron ore pellets, while in phase 3 heat and fuel benchmarks were used. However, the sintered ore benchmark is defined in Annex I to Delegated Regulation (EU) 2019/331 and the definition of products as well as the definition of processes and emissions covered by that product benchmark are tailored to sinter production and do not include iron ore pellets. Moreover, Article 10a(2) of Directive 2003/87/EC requires an update of the benchmark values for phase 4, and does not provide for any adjustment of the interpretation of the benchmark definitions. The data submitted for the production of iron ore pellets based on a sintered ore sub-installation are therefore to be rejected,

HAS ADOPTED THIS DECISION:

Article 1

1. The inscription of the installations listed in Annex I to this Decision included on the lists of installations covered by Directive 2003/87/EC submitted to the Commission pursuant to Article 11(1) of that Directive and the corresponding data to these installations are rejected.
2. The free allocation data of the installation listed in Annex II to this Decision included on the lists of installations covered by Directive 2003/87/EC submitted to the Commission pursuant to Article 11(1) of that Directive is rejected.
3. The data corresponding to the product benchmark sub-installations of the installations listed in Annex III to this Decision on the lists of installations covered by Directive 2003/87/EC and submitted to the Commission pursuant to Article 11(1) of Directive 2003/87/EC are rejected.
4. No objections are raised should a Member State amend the data concerning the split into sub-installations submitted for the installations in its territory included in the lists referred to in paragraph 3 and listed in Annex III to this Decision before determining the preliminary annual amounts of free allowances for each year from 2021 to 2025 in accordance with Article 14(5) of Delegated Regulation (EU) 2019/331.
5. Any amendment referred to in paragraph 4 shall be notified to the Commission as soon as possible, and a Member State shall not proceed to the determination of the preliminary annual amounts of free allowances for each year from 2021 to 2025 in accordance with Article 14(5) of Delegated Regulation (EU) 2019/331 until acceptable amendments have been made.

Article 2

Except as set out in Article 1, no objections are raised with regard to the lists of installations covered by Directive 2003/87/EC as submitted by Member States pursuant to Article 11(1) of Directive 2003/87/EC and the data corresponding to those installations.

This Decision is addressed to the Member States.

Done at Brussels, 25 February 2021.

For the Commission
Frans TIMMERMANS
Executive Vice-President

ANNEX I

Installations using exclusively biomass**Installations Identifier in the NIMs lists**

FI0000000000000645	FI000000000207696		
SE000000000000031	SE000000000000064	SE000000000000073	SE000000000000074
SE000000000000086	SE000000000000088	SE000000000000099	SE000000000000102
SE000000000000169	SE000000000000186	SE000000000000199	SE000000000000205
SE000000000000211	SE000000000000249	SE000000000000261	SE000000000000319
SE000000000000320	SE000000000000324	SE000000000000382	SE000000000000468
SE000000000000523	SE000000000000543	SE000000000000547	SE000000000000565
SE000000000000583	SE000000000000629	SE000000000000659	SE000000000000681
SE000000000000686	SE000000000000687	SE000000000000705	SE000000000000785
SE000000000000789	SE000000000000798	SE000000000000830	SE000000000000838
SE000000000000845	SE000000000000847	SE000000000202297	SE000000000205800
SE000000000205887	SE000000000206192	SE000000000208282	SE000000000209062
SE000000000209930	SE000000000211058	SE000000000000153	SE000000000000231
SE000000000000779			

ANNEX II

Installation using intermediate product for lime production**Installations Identifier in the NIMs list**

SE000000000000419

ANNEX III

Installations using sintered ore product benchmark instead of heat or fuel benchmarks**Installations Identifier in the NIMs list**

SE000000000000497

SE000000000000498

SE000000000000499

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2021 OF THE PARTNERSHIP COUNCIL ESTABLISHED BY THE TRADE AND COOPERATION AGREEMENT BETWEEN THE EUROPEAN UNION AND THE EUROPEAN ATOMIC ENERGY COMMUNITY, OF THE ONE PART, AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, OF THE OTHER PART

of 23 February 2021

as regards the date on which provisional application pursuant to the Trade and Cooperation Agreement is to cease (2021/356)

THE PARTNERSHIP COUNCIL,

Having regard to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, and in particular point (a) of paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] thereof,

Whereas:

- (1) Pursuant to paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ⁽¹⁾ (the ‘Trade and Cooperation Agreement’), the Parties agreed to provisionally apply the Trade and Cooperation Agreement from 1 January 2021 provided that prior to that date they had notified each other that their respective internal requirements and procedures necessary for provisional application have been completed. Provisional application is to cease on one of the following dates, whichever is the earliest: 28 February 2021 or another date as decided by the Partnership Council; or the first day of the month following that in which both Parties have notified each other that they have completed their respective internal requirements and procedures for establishing their consent to be bound.
- (2) As the European Union will not be able, due to internal procedural requirements, to conclude the Trade and Cooperation Agreement by 28 February 2021, the Partnership Council should set 30 April 2021 as the date on which provisional application is to cease pursuant to point (a) of paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] of the Trade and Cooperation Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The date on which provisional application is to cease pursuant to point (a) of paragraph 2 of Article FINPROV.11 [Entry into force and provisional application] of the Trade and Cooperation Agreement shall be 30 April 2021.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 444, 31.12.2020, p. 14.

Done at Brussels and London, 23 February 2021.

For the Partnership Council

The Co-chairs

Maroš ŠEFČOVIČ

Michael GOVE

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