

Official Journal

of the European Union

L 8



English edition

Legislation

Volume 53

13 January 2010

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Regulation (EU) No 20/2010 of 12 January 2010 entering a name in the register of protected designations of origin and protected geographical indications [Arzúa-Ulloa (PDO)]** 1
- ★ **Commission Regulation (EU) No 21/2010 of 12 January 2010 entering a name in the register of protected designations of origin and protected geographical indications [Pistacchio Verde di Bronte (PDO)]** 3
- Commission Regulation (EU) No 22/2010 of 12 January 2010 establishing the standard import values for determining the entry price of certain fruit and vegetables 5
- Commission Regulation (EU) No 23/2010 of 12 January 2010 amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year 7

Price: EUR 3

(Continued overleaf)

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.

IV Acts adopted before 1 December 2009 under the EC Treaty, the EU Treaty and the Euratom Treaty

★ **Council Decision 2010/16/CFSP/JHA of 30 November 2009 on the signing, on behalf of the European Union, of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Program** 9

Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Program 11

2010/17/EC:

★ **Commission Decision of 29 October 2009 on the adoption of basic parameters for registers of train driving licences and complementary certificates provided for under Directive 2007/59/EC of the European Parliament and of the Council (notified under document C(2009) 8278) ⁽¹⁾** 17

2010/18/EC:

★ **Commission Decision of 26 November 2009 on establishing the ecological criteria for the award of the Community Ecolabel for wooden floor coverings (notified under document C(2009) 9427) ⁽¹⁾** 32



⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 20/2010

of 12 January 2010

entering a name in the register of protected designations of origin and protected geographical indications [Arzúa-Ulloa (PDO)]

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽¹⁾, and in particular Article 7(4) thereof,

Whereas:

(1) In accordance with the first subparagraph of Article 6(2) and Article 17(2) of Regulation (EC) No 510/2006, the application by Spain to register the name 'Arzúa-Ulloa' was published in the *Official Journal of the European Union*⁽²⁾.

(2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the Register.

Article 2

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

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

Done at Brussels, 12 January 2010.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.
⁽²⁾ OJ C 131, 10.6.2009, p. 25.

ANNEX

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

Class 1.3. Cheeses

SPAIN

Arzúa-Ulloa (PDO)

COMMISSION REGULATION (EU) No 21/2010**of 12 January 2010****entering a name in the register of protected designations of origin and protected geographical indications [Pistacchio Verde di Bronte (PDO)]**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Pistacchio Verde di Bronte' was published in the *Official Journal of the European Union*⁽²⁾.

(2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the Register.

*Article 2*This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 12 January 2010.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 130, 9.6.2009, p. 16.

ANNEX

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

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

ITALY

Pistacchio Verde di Bronte (PDO)

COMMISSION REGULATION (EU) No 22/2010
of 12 January 2010
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 January 2010.

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

Done at Brussels, 12 January 2010.

*For the Commission,
On behalf of the President,
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	122,3
	MA	70,7
	TN	112,5
	TR	96,5
	ZZ	100,5
0707 00 05	EG	174,9
	JO	115,2
	MA	76,9
	TR	116,5
	ZZ	120,9
0709 90 70	MA	120,9
	TR	101,5
	ZZ	111,2
0709 90 80	EG	225,1
	ZZ	225,1
0805 10 20	EG	49,2
	IL	56,2
	MA	63,2
	TR	53,6
	ZZ	55,6
0805 20 10	MA	94,5
	TR	64,0
	ZZ	79,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	52,9
	EG	67,7
	HR	59,0
	IL	68,5
	JM	129,2
	MA	83,8
	TR	71,2
	ZZ	76,0
0805 50 10	EG	64,3
	MA	65,5
	TR	73,7
	US	87,7
	ZZ	72,8
0808 10 80	CA	84,4
	CN	91,1
	MK	24,7
	US	110,8
	ZZ	77,8
0808 20 50	CN	55,0
	US	114,0
	ZZ	84,5

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

COMMISSION REGULATION (EU) No 23/2010**of 12 January 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 14/2010 ⁽⁴⁾.

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 January 2010.

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

Done at Brussels, 12 January 2010.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ OJ L 178, 1.7.2006, p. 24.⁽³⁾ OJ L 253, 25.9.2009, p. 3.⁽⁴⁾ OJ L 4, 8.1.2010, p. 87.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 13 January 2010

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	43,39	0,00
1701 11 90 ⁽¹⁾	43,39	1,89
1701 12 10 ⁽¹⁾	43,39	0,00
1701 12 90 ⁽¹⁾	43,39	1,59
1701 91 00 ⁽²⁾	49,32	2,67
1701 99 10 ⁽²⁾	49,32	0,00
1701 99 90 ⁽²⁾	49,32	0,00
1702 90 95 ⁽³⁾	0,49	0,22

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.

⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.

⁽³⁾ Per 1 % sucrose content.

IV

(Acts adopted before 1 December 2009 under the EC Treaty, the EU Treaty and the Euratom Treaty)

COUNCIL DECISION 2010/16/CFSP/JHA**of 30 November 2009****on the signing, on behalf of the European Union, of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Program**

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union, and in particular Articles 24 and 38 thereof,

Whereas:

- (1) On 27 July 2009, the Council decided to authorise the Presidency, assisted by the Commission, to open negotiations for an Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for the purposes of the Terrorist Finance Tracking Program. Those negotiations have been successful and a draft Agreement (hereinafter 'the Agreement') has been drawn up.
- (2) The Agreement is important in ensuring that designated providers of international financial payment messaging services make available to the United States Department of the Treasury financial payment messaging data stored in the territory of the European Union necessary for preventing and combating terrorism and its financing, subject to strict compliance with safeguards on privacy and the protection of personal data.
- (3) The Agreement should be signed, subject to its conclusion at a later date.
- (4) The Agreement provides for its provisional application as from 1 February 2010. Member States should therefore give effect to its provisions as from that date in conformity with existing domestic law. A declaration to that effect will be made at the time of signature of the Agreement,

Article 1

The signing of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Program, is hereby approved on behalf of the European Union, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the European Union, subject to its conclusion.

Article 3

In accordance with Article 15 of the Agreement, the provisions of the Agreement shall be applied on a provisional basis in conformity with existing domestic law as from 1 February 2010, pending its entry into force. The annexed Declaration on provisional application is to be made at the time of signature.

Done at Brussels, 30 November 2009.

For the Council
The President
B. ASK

ANNEX

Declaration to be made on behalf of the European Union at the time of the signing of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Program

This Agreement, while not derogating from or amending the legislation of the European Union or its Member States, will, pending its entry into force, be implemented provisionally by the Member States in good faith, in the framework of their existing national laws.'

AGREEMENT**between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Program**

THE EUROPEAN UNION,

of the one part, and

THE UNITED STATES OF AMERICA,

of the other part,

Together hereinafter referred to as 'the Parties',

DESIRING to prevent and combat terrorism and its financing, in particular by mutual sharing of information, as a means of protecting their respective democratic societies and common values, rights, and freedoms;

SEEKING to enhance and encourage cooperation between the Parties in the spirit of transatlantic partnership;

RECALLING the United Nations conventions for combating terrorism and its financing, and relevant resolutions of the United Nations Security Council in the field of fighting terrorism, in particular United Nations Security Council Resolution 1373 (2001);

RECOGNISING that the United States Department of the Treasury's (U.S. Treasury Department) Terrorist Finance Tracking Program (TFTP) has been instrumental in identifying and capturing terrorists and their financiers and has generated many leads that have been disseminated for counter terrorism purposes to competent authorities around the world, with particular value for European Union Member States (Member States);

NOTING the importance of the TFTP in preventing and combating terrorism and its financing in the European Union and elsewhere, and the important role of the European Union in ensuring that designated providers of international financial payment messaging services make available financial payment messaging data stored in the territory of the European Union which are necessary for preventing and combating terrorism and its financing, subject to strict compliance with safeguards on privacy and the protection of personal data;

MINDFUL of Article 6(2) of the Treaty on European Union on respect for fundamental rights, the principles of proportionality and necessity concerning the right to respect for privacy and the protection of personal data under Article 8(2) of the European Convention on the Protection of Human Rights and Fundamental Freedoms, the Council of Europe Convention No 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data, and Articles 7 and 8 of the Charter of Fundamental Rights of the European Union;

STRESSING the common values governing privacy and the protection of personal data in the European Union and the United States of America (United States), including the importance which both Parties assign to due process and the right to seek effective remedies for improper government action;

NOTING the rigorous controls and safeguards utilised by the U.S. Treasury Department for the handling, use, and dissemination of financial payment messaging data pursuant to the TFTP, as described in the representations of the U.S. Treasury Department published in the *Official Journal of the European Union* on 20 July 2007 and the *Federal Register* of the United States on 23 October 2007, which reflect the ongoing cooperation between the United States and the European Union in the fight against global terrorism;

RECALLING that, to guarantee effective exercise of their rights, any person irrespective of nationality is able to lodge a complaint before an independent data protection authority, other similar authority, independent and impartial court or tribunal, to seek effective remedies;

MINDFUL that appropriate administrative or judicial redress is available under U.S. law for mishandling of personal data, including under the Administrative Procedure Act of 1946 (5 U.S.C. 701 et seq.), the Inspector General Act of 1978 (5 U.S.C. App.), the Implementing Recommendations of the 9/11 Commission Act of 2007 (42 U.S.C. 2000ee et seq.), the Computer Fraud and Abuse Act (18 U.S.C. 1030), and the Freedom of Information Act (5 U.S.C. 552), as amended, among others;

RECALLING that by law within the European Union customers of financial institutions and of providers of financial payment messaging services are informed that personal data contained in financial transaction records may be transferred to Member States' or third countries' public authorities for law enforcement purposes;

AFFIRMING that this Agreement does not constitute a precedent for any future arrangements between the United States and the European Union, or between either of the Parties and any State, regarding the processing and transfer of financial payment messaging data or any other form of data, or regarding data protection;

RECOGNISING that this Agreement does not derogate from the existing powers of data protection authorities in Member States to protect individuals with regard to the processing of their personal data; and

FURTHER AFFIRMING that this Agreement is without prejudice to other law enforcement or information sharing agreements or arrangements between the Parties or between the United States and Member States,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose of Agreement

1. The purpose of this Agreement is to ensure, with full respect for the privacy, protection of personal data, and other conditions set out in this Agreement, that:

- (a) financial payment messaging and related data stored in the territory of the European Union by providers of international financial payment messaging services, that are jointly designated pursuant to this Agreement, are made available upon request by the U.S. Treasury Department for the purpose of the prevention, investigation, detection, or prosecution of terrorism or terrorist financing; and
- (b) relevant information obtained through the TFTP is made available to law enforcement, public security, or counter terrorism authorities of Member States, or Europol or Eurojust, for the purpose of the prevention, investigation, detection, or prosecution of terrorism or terrorist financing.

2. The United States, the European Union, and its Member States shall take all necessary and appropriate measures within their authority to carry out the provisions and achieve the purpose of this Agreement.

Article 2

Scope of Application

Conduct Pertaining to Terrorism or Terrorist Financing

This Agreement applies to the obtaining and use of financial payment messaging and related data with a view to the prevention, investigation, detection, or prosecution of:

- (a) Acts of a person or entity that involve violence, or are otherwise dangerous to human life or create a risk of

damage to property or infrastructure, and which, given their nature and context, are reasonably believed to be committed with the aim of:

- (i) intimidating or coercing a population;
 - (ii) intimidating, compelling, or coercing a government or international organisation to act or abstain from acting; or
 - (iii) seriously destabilising or destroying the fundamental political, constitutional, economic, or social structures of a country or an international organisation;
- (b) A person or entity assisting, sponsoring, or providing financial, material, or technological support for, or financial or other services to or in support of, acts described in subparagraph (a); or
- (c) A person or entity aiding, abetting, or attempting acts described in subparagraphs (a) or (b).

Article 3

Ensuring Provision of Data by Designated Providers

The European Union shall ensure, in accordance with this Agreement, that entities jointly designated by the Parties under this Agreement as providers of international financial payment messaging services (Designated Providers) make available to the U.S. Treasury Department requested financial payment messaging and related data for the purpose of the prevention, investigation, detection, or prosecution of terrorism or terrorist financing (Provided Data).

*Article 4***U.S. Requests to Obtain Data from Designated Providers**

1. Pursuant to Article 8 of the Agreement on Mutual Legal Assistance between the European Union and the United States of America, signed at Washington on 25 June 2003, and the related bilateral mutual legal assistance instrument between the United States and the Member State in which the Designated Provider is either based or where it stores the requested data, the U.S. Treasury Department shall issue a request based on an ongoing investigation concerning a specific conduct referred to in Article 2 that has been committed or where there is, based on pre-existing information or evidence, a reason to believe that it could be committed. For this purpose, the U.S. Treasury Department shall be deemed to be an administrative authority to which assistance is available.

2. The request shall identify as clearly as possible data stored by a Designated Provider in the territory of the European Union that are necessary to this end. Data may include identifying information about the originator and/or recipient of the transaction, including name, account number, address, national identification number, and other personal data related to financial messages.

The request shall substantiate the necessity for the data and shall be tailored as narrowly as possible in order to minimise the amount of data requested, taking due account of geographic, threat and vulnerability analyses.

3. The request shall be transmitted by the U.S. Department of Justice to the central authority of the Member State either in which the Designated Provider is based or where it stores the requested data.

4. The United States shall simultaneously transmit a copy of the request to the central authority of the other Member State. The United States shall also simultaneously transmit a copy of the request to the national members of Eurojust of those Member States.

5. On receipt of the substantiated request in accordance with paragraph 2, the central authority of the requested Member State shall verify that the request accords with this Agreement and the applicable requirements of the bilateral mutual legal assistance agreement. Where the central authority has so verified, the request shall be transmitted to the competent authority for its execution under the law of the requested Member State.

If the request has been transmitted to the central authority of the Member State in which the Designated Provider is based, the

Member State where the data are stored shall give assistance to the execution of the request.

The requested measure shall be executed as a matter of urgency.

6. If the Designated Provider is not able to identify and produce the specific data that would respond to the request because of technical reasons, all potentially relevant data shall be transmitted in bulk, subject to Article 5(2), to the competent authority of the requested Member State.

7. The data shall be transferred between the designated authorities of the requested Member State and of the United States.

8. The European Union shall ensure that Designated Providers keep a detailed log of all data transmitted to the competent authority of the requested Member State for the purpose of this Agreement.

9. The data that have been transmitted lawfully on the basis of this provision may be searched for the purpose of other investigations concerning the types of conduct referred to in Article 2, with full respect for Article 5 of this Agreement.

*Article 5***Safeguards Applicable to the Processing of Provided Data**

1. The U.S. Treasury Department shall ensure that Provided Data are processed in accordance with the provisions of this Agreement.

2. The TFTP does not and shall not involve data mining or any other type of algorithmic or automated profiling or computer filtering. The U.S. Treasury Department shall ensure the protection of personal data by means of the following safeguards, which shall be applied without discrimination, in particular on the basis of nationality or country of residence:

(a) Provided Data shall be processed exclusively for the prevention, investigation, detection, or prosecution of terrorism or its financing;

(b) All searches of Provided Data shall be based upon pre-existing information or evidence which demonstrates a reason to believe that the subject of the search has a nexus to terrorism or its financing;

- (c) Each individual TFTP search of Provided Data shall be narrowly tailored, shall demonstrate a reason to believe that the subject of the search has a nexus to terrorism or its financing, and shall be logged, including such nexus to terrorism or its financing required to initiate the search;
- (d) Provided Data shall be maintained in a secure physical environment, stored separately from any other data, with high-level systems and physical intrusion controls to prevent unauthorised access to the data;
- (e) Access to Provided Data shall be limited to analysts investigating terrorism or its financing and to persons involved in the technical support, management, and oversight of the TFTP;
- (f) No copies of Provided Data shall be made, other than for disaster recovery back-up purposes;
- (g) Provided Data shall not be subject to any manipulation, alteration, or addition and shall not be interconnected with any other database;
- (h) Only terrorist leads obtained through the TFTP under this Agreement shall be shared with law enforcement, public security, or counter terrorism authorities in the United States, European Union, or third States to be used for the purpose of the investigation, detection, prevention, or prosecution of terrorism or its financing;
- (i) During the term of this Agreement, the U.S. Treasury Department shall undertake a review to identify all non-extracted data that are no longer necessary to combat terrorism or its financing. Where such data are identified, procedures to delete those data shall commence within two (2) months of the date that they are so identified and shall be completed as soon as possible thereafter but in any event not later than eight (8) months after identification, absent extraordinary technological circumstances;
- (j) If it transpires that financial payment messaging data were transmitted which were not requested, the U.S. Treasury Department shall promptly and permanently delete such data and shall inform the relevant Designated Provider and central authority of the requested Member State;
- (k) Subject to subparagraph (i), all non-extracted data received prior to 20 July 2007 shall be deleted not later than five (5) years after that date;
- (l) Subject to subparagraph (i), all non-extracted data received on or after 20 July 2007 shall be deleted not later than five (5) years from receipt; and
- (m) Information extracted from Provided Data, including information shared under subparagraph (h), shall be subject to the retention period applicable to the particular government authority according to its particular regulations and record retention schedules.

Article 6

Adequacy

Subject to ongoing compliance with the commitments on privacy and protection of personal data set out in this Agreement, the U.S. Treasury Department is deemed to ensure an adequate level of data protection for the processing of financial payment messaging and related data transferred from the European Union to the United States for purposes of this Agreement.

Article 7

Spontaneous Provision of Information

1. The U.S. Treasury Department shall ensure the availability, as soon as practicable, to law enforcement, public security, or counter terrorism authorities of concerned Member States, and, as appropriate, to Europol within the remit of its mandate, of information obtained through the TFTP that may contribute to the investigation, prevention, detection, or prosecution in the European Union of terrorism or its financing. Any follow-on information that may contribute to the investigation, prevention, detection, or prosecution in the United States of terrorism or its financing shall be conveyed back to the United States on a reciprocal basis.

2. In order to facilitate the efficient exchange of information, Europol may designate a liaison officer to the U.S. Treasury Department. The modalities of the liaison officer's status and tasks shall be decided jointly by the Parties.

Article 8

EU Requests for TFTP Searches

Where a law enforcement, public security, or counter terrorism authority of a Member State, or Europol or Eurojust, determines that there is reason to believe that a person or entity has a nexus to terrorism as defined in Articles 1 to 4 of Council Framework Decision 2002/475/JHA as amended by Council Framework Decision 2008/919/JHA, such authority may request a search for relevant information obtained through the TFTP. The U.S. Treasury Department shall promptly conduct a search in accordance with Article 5 and provide relevant information in response to such requests.

*Article 9***Cooperation with Future Equivalent EU System**

In the event that an EU system equivalent to the U.S. TFTP is implemented in the European Union or in one or more of its Member States that requires financial payment messaging data stored in the United States to be made available in the European Union, the U.S. Treasury Department shall actively pursue, on the basis of reciprocity and appropriate safeguards, the cooperation of any relevant international financial payment messaging service providers which are based in the territory of the United States.

*Article 10***Joint Review**

1. The Parties shall jointly review, at the request of one of the Parties and at any event after a period of six (6) months, the implementation of this Agreement with particular regard to verifying the privacy, protection of personal data, and reciprocity provisions set out in this Agreement. The review shall include a proportionality assessment of the Provided Data, based on the value of such data for the investigation, prevention, detection, or prosecution of terrorism or its financing.

2. In the review, the European Union shall be represented by the Presidency of the Council of the European Union, the European Commission, and two representatives of data protection authorities from Member States, at least one of which shall be from a Member State where a Designated Provider is based. The United States shall be represented by the U.S. Treasury Department.

3. For purposes of the review, the U.S. Treasury Department shall ensure access to relevant documentation, systems, and personnel, as well as precise data relating to the number of financial payment messages accessed and the number of occasions on which leads have been shared. The Parties shall jointly determine the modalities of the review.

*Article 11***Redress**

1. Any person has the right to obtain, following requests made at reasonable intervals, without constraint and without excessive delay or expense, confirmation from his or her data protection authority whether all necessary verifications have taken place within the European Union to ensure that his or her data protection rights have been respected in compliance with this Agreement, and, in particular, whether any processing of his or her personal data has taken place in breach of this Agreement. Such right may be subject to necessary and proportionate measures applicable under national law, including for the protection of public security or national security or to avoid prejudicing the prevention, detection, investigation, or prosecution of criminal offences, with due regard for the legitimate interest of the person concerned.

2. The Parties shall take all reasonable steps to ensure that the U.S. Treasury Department and any relevant Member State promptly inform one another, and consult with one another and the Parties, if necessary, where they consider that personal data have been processed in breach of this Agreement.

3. Any person who considers his or her personal data to have been processed in breach of this Agreement is entitled to seek effective administrative and judicial redress in accordance with the laws of the European Union, its Member States, and the United States, respectively.

*Article 12***Consultation**

1. The Parties shall, as appropriate, consult to enable the most effective use to be made of this Agreement, including to facilitate the resolution of any dispute regarding the interpretation or application of this Agreement.

2. The Parties shall take measures to avoid the imposition of extraordinary burdens on one another through application of this Agreement. Where extraordinary burdens nonetheless result, the Parties shall immediately consult with a view to facilitating the application of this Agreement, including the taking of such measures as may be required to reduce pending and future burdens.

3. The Parties shall immediately consult in the event that any third party, including an authority of another country, challenges or asserts a legal claim with respect to any aspect of the effect or implementation of this Agreement.

*Article 13***Non-derogation**

This Agreement is not intended to derogate from or amend the laws of the United States or the European Union or its Member States. This Agreement does not create or confer any right or benefit on any other person or entity, private or public.

*Article 14***Termination**

1. Either party may suspend or terminate this Agreement at any time by notification through diplomatic channels. Suspension shall take effect 10 days from the date of receipt of such notification. Termination shall take effect 30 days from the date of receipt of such notification.

2. Notwithstanding the suspension or termination of this Agreement, all data held by the U.S. Treasury Department pursuant to this Agreement shall continue to be processed in accordance with this Agreement.

*Article 15***Final Provisions**

1. This Agreement shall enter into force on the first day of the month after the date on which the Parties have exchanged notifications indicating that they have completed their internal procedures for this purpose.

2. This Agreement shall apply provisionally from 1 February 2010, until its entry into force, subject to paragraph 3.

3. Unless previously terminated in accordance with Article 14 or by agreement of the Parties, this Agreement shall expire and cease to have effect on 31 October 2010.

4. As soon as the Treaty of Lisbon enters into force, the Parties shall endeavour to conclude a long-term agreement to succeed this Agreement.

5. Done at Brussels this day 30 of November 2009, in two originals, in the English language. This Agreement shall also be drawn up in the Bulgarian, Czech, Danish, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, and Swedish languages. Upon approval by both Parties, these language versions shall be considered equally authentic.

COMMISSION DECISION

of 29 October 2009

on the adoption of basic parameters for registers of train driving licences and complementary certificates provided for under Directive 2007/59/EC of the European Parliament and of the Council*(notified under document C(2009) 8278)***(Text with EEA relevance)**

(2010/17/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community ⁽¹⁾, and in particular Article 22 thereof,

Having regard to the recommendation of the European Railway Agency on basic parameters for registers of train driving licences and complementary certificates (ERA/REC/SAF/05-2008) of 19 December 2008,

Whereas:

- (1) In accordance with Article 22(1) of Directive 2007/59/EC, competent authorities should keep a national register for train driving licences or ensure that such a register is kept.
- (2) In accordance with Article 22(2) of Directive 2007/59/EC, railway undertakings and infrastructure managers should keep a company register for complementary certificates or ensure that such a register is kept.
- (3) Article 22(4) of Directive 2007/59/EC requires the European Railway Agency to draft the basic parameters for registers of train driving licences to be set up by competent authorities and registers of complementary certificates to be set up by railway undertakings and infrastructure managers employing or contracting drivers. The national register for train driving licences of a Member State should contain all train driving licences issued in that Member State.

A standard application form should be used for applying for train driving licences, for the purposes of licence registration and recording of updates, amendments, replacements, renewals, suspensions and withdrawal.

- (4) The registers for train driving licences and complementary certificates should be accessible for consultation

by the authorised representatives of competent authorities and stakeholders. The different registers should be consistent as regards the data they contain and data formatting. They should therefore be set up using common operational and technical specifications.

- (5) All information contained in licences, harmonised complementary certificates and registers of licences and harmonised complementary certificates should be used by the safety authorities to facilitate evaluation of the staff certification process provided for in Articles 10 and 11 of Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) ⁽²⁾ and to speed up the issuing of the safety certificates provided for in those Articles.
- (6) In accordance with Article 19(1)(f) of Directive 2007/59/EC, the register of train driving licences should be kept and updated by the competent authorities or by delegated bodies. Member States should inform the Commission and the other Member States of the body which they have designated for this purpose, partly to enable these bodies to exchange information.
- (7) Ideally, each Member State should set up a computer-based driving licence register to achieve full interoperability of the registers and allow competent authorities and others who have access rights to obtain information. However, for economic and technical reasons, this kind of interface cannot be adopted without further investigation. Firstly, it is necessary to agree on methods to ensure that access is granted subject to certain conditions, as required by Directive 2007/59/EC. Secondly, a survey of the number of transactions is necessary to perform a cost benefit analysis and propose a feasible solution that does not impose administrative costs that might be disproportionate to real needs. The European Railway Agency therefore proposed to implement an interim solution, with simplified exchange of information, and proceed with the development of an electronic interface at a later stage.

⁽¹⁾ OJ L 315, 3.12.2007, p. 51.

⁽²⁾ OJ L 220, 21.6.2004, p. 16.

- (8) In accordance with Article 36(3) of Directive 2007/59/EC, that Directive does not apply to Cyprus and Malta. Therefore this Decision should not be applicable to Cyprus and Malta for as long as these Member States do not have a railway system.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Railway Interoperability and Safety Committee established under Article 21 of Directive 96/48/EC,

HAS ADOPTED THIS DECISION:

Article 1

The basic parameters for the National Register of Train Driving Licences (hereinafter 'NLR') set out in Annex I are adopted.

Article 2

The basic parameters for the Register of Complementary Certificates (hereinafter 'CCR') set out in Annex II are adopted.

Article 3

1. Within 24 months from the taking effect of this Decision, the European Railway Agency (hereinafter 'the Agency') shall carry out a feasibility study for a computer-based application fulfilling the basic parameters for the NLR and CCR and facilitating the exchange of information among competent authorities, railway undertakings and infrastructure managers.

The feasibility study shall in particular consider the functional and technical architecture, operating modes and rules for data input and consultation.

The feasibility study shall be discussed and approved within the cooperation between the representatives of the competent authorities specified in Article 35 of the Directive 2007/59/CE.

2. Where appropriate, on the basis of the results of the study referred to in paragraph 1, the Agency shall set up a pilot application of a network with at least three NLRs and nine CCRs.

The Agency shall monitor the pilot application for at least one year, and issue a report to the Commission with, where appropriate, a recommendation to amend this Decision.

Article 4

Within one year of this Decision taking effect, Member States shall inform the Commission and the other Member States:

- (a) of the body designated to deliver train driving licences in accordance with Article 19(1)(a) of Directive 2007/59/EC,
- (b) of the body designated to keep and update the NLR in accordance with Article 19(1)(f) of Directive 2007/59/EC.

Article 5

This Decision is addressed to the Member States.

It shall not apply to Cyprus and Malta as long as no railway system is established within their territory.

Done at Brussels, 29 October 2009.

For the Commission

Antonio TAJANI

Vice-President

ANNEX I

BASIC PARAMETERS FOR NATIONAL REGISTERS OF TRAIN DRIVING LICENCES (NLRs)**1. Basic parameters**

The basic parameters for National Registers of train driving licences set in accordance with Article 22(4) of Directive 2007/59/EC, are:

- Data to be collected (Chapter 2),
- Data format (Chapter 3),
- Access rights (Chapter 4),
- Data exchange (Chapter 5),
- Duration of data retention (Chapter 6),

2. Data to be collected

NLR shall comprise four sections.

Section 1 shall contain information about the current status of the licence.

Section 2 shall contain information about the licence issued, in line with the list of requirements contained in Annex I, Section 2, of Directive 2007/59/EC.

Section 3 shall contain historical information about the licence.

Section 4 shall contain information about basic requirements and initial checks, to allow the licence to be issued and subsequent checks, to allow the licence to remain valid.

The data to be collected are set out in the table in Chapter 3.

3. Data format

The following is a list of requirements for the data format of the NLR.

The list is set out as follows:

No	Datum to be displayed		
	Content	Format	Status of the requirement

Section 1: Current state of the licence

1	Licence number		
1.1	Number of the licence	EIN (12 digits)	Compulsory
2	Current state of the licence		
2.1	Evidence of the current state of the licence. — Valid, — Suspended (decision pending), — Withdrawn,	Text	Compulsory
2.2	Reason for suspension or withdrawal	Text	Compulsory

Section 2: Information on the current licence issued, in accordance with Annex I, Section 2, of Directive 2007/59/EC

3	Surname(s) of the holder		
3.1	Surname(s) displayed on passport or national identity card or other recognised document proving identity. More surnames are allowed, depending on national custom	Text	Compulsory
4	Name(s) of the holder		
4.1	Name(s) displayed in passport or national identity card or other recognised document proving identity. More names are allowed, depending on national custom	Text	Compulsory
5	Date of birth of the holder		
5.1	Date of birth of the holder	YYYY-MM-DD	Compulsory
6	Place of birth of the holder		
6.1	Place of birth of the holder	Text	Compulsory
6.2	Nationality	Text	Optional
7	Date of issue of the licence		
7.1	Display of the current date of issue of the licence	YYYY-MM-DD	Compulsory
8	Date of expiry of the licence		
8.1	Date of the expected formal expiry of the valid licence	YYYY-MM-DD	Compulsory
9	Name of issuing authority		
9.1	Name of the authority issuing the licence (competent authority, delegated entity, railway undertaking, infrastructure manager)	Text	Compulsory
10	Reference number assigned to the employee by the employer		
10.1	Company reference for the train driver	Text	Optional
11	Photograph of the holder		
11.1	Photograph	Original or Electronic scanning	Compulsory
12	Signature of the holder		
12.1	Signature	Original/Photocopy/ Electronic scanning	Compulsory
13	Permanent place of residence or postal address of the holder		

13.1	Address of the holder	Street and number	Text	Optional
13.2		Town	Text	Optional
13.3		Country	Text	Optional
13.4		Postcode	Alpha-numerical code	Optional
13.5		Telephone number	Text	Optional
13.6		e-mail address	Text	Optional
14	Additional information			
14.1	Information imposed by a competent authority in accordance with Annex II of Directive 2007/59/EC		Coded information	Compulsory
	Field 9.a.1 — Native language(s) of the driver		Text	
	Field 9.a.2 — Space reserved for entries by the Member State which issues the licence, for information that may be necessary under national legislation		Text	
15	Medical restriction			
15.1	Information imposed by a competent authority in accordance with Annex II of Directive 2007/59/EC		Coded information	Compulsory
	Mandatory use of glasses/lenses		(code b.1)	
	Mandatory use of hearing aid(s)		(code b.2)	

Section 3: Historical information on the status of the licence and the results of periodic checks

16	Date of first issues			
16.1	Date of first issue	YYYY-MM-DD	Compulsory	
17	Date of expiry			
17.1	Date of expiry (and of expected formal renewal)	YYYY-MM-DD	Compulsory	
18	Update(s) (Several records are possible)			
18.1	Date of update	YYYY-MM-DD	Compulsory	
18.2	Reason for update	Text	Compulsory	
19	Amendment(s) (Several records are possible)			
19.1	Date of amendment	YYYY-MM-DD	Compulsory	
19.2	Reason of amendment	Text	Compulsory	

20	Suspension(s) (Several records are possible)			
20.1	Length of period of suspension	From (date) to (date)	Compulsory	
20.2	Reason for suspension	Text	Compulsory	
21	Withdrawal(s) (Several records are possible)			
21.1	Date of withdrawal	YYYY-MM-DD	Compulsory	
21.2	Reason for withdrawal	Text	Compulsory	
22	Licence reported lost			
22.1	Date of communication	YYYY-MM-DD	Compulsory	
22.2	Date of any duplicate issued	YYYY-MM-DD	Compulsory	
23	Licence reported stolen			
23.1	Date of communication	YYYY-MM-DD	Compulsory	
23.2	Date of any duplicate issued	YYYY-MM-DD	Compulsory	
24	Licence reported destroyed			
24.1	Date of communication	YYYY-MM-DD	Compulsory	
24.2	Date of any duplicate issued	YYYY-MM-DD	Compulsory	

Section 4: Information on the basic requirements for issuing a licence and results of periodic checks

25	Education			
25.1	Basic requirement	Highest level of certification possessed	Text	Compulsory
26	Physical fitness			
26.1	Basic requirement	Statement on fulfilment of criteria in Directive 2007/59/EC, Annex II (Sections 1.1, 1.2, 1.3 and 2.1)	Text	Compulsory
26.2	Date of check		YYYY-MM-DD	Compulsory
26.3	Subsequent periodic check	Confirmed/not confirmed	Text	Compulsory
26.4	(several records possible)	Date of last check	YYYY-MM-DD	Compulsory
26.5	Next check	Date of next formally expected check	YYYY-MM-DD	Compulsory

26.6	Notes	Notes to be specified: — Normal schedule, — Anticipated schedule (according to doctor's certificate), — Change in information (code 9.a.2) if necessary, — Change in restriction code, — Other + field to specify,	Text	Compulsory
27	Occupational psychological fitness			
27.1	Basic requirement	Statement on fulfilment of criteria in Annex II of Directive 2007/59/EC (Section 2.2)	Text	Compulsory
27.2	Date of check		YYYY-MM-DD	Compulsory
27.3	Following check(s)	Only if necessary (several records possible)	Statement	Compulsory
27.4		Date of any subsequent check	YYYY-MM-DD	Compulsory
28	General professional knowledge			
28.1	Basic requirement	Statement on fulfilment of criteria in Annex IV of Directive 2007/59/EC	Text	Compulsory
28.2	Date of check		YYYY-MM-DD	Compulsory
28.3	Subsequent check	(only if required at national level)	YYYY-MM-DD	Compulsory

4. Access rights

Access to the information contained in the NLR shall be granted to the following interested parties for the following purposes:

- to the competent authorities of the other Member States, upon reasoned request, for:
 - controlling trains operating in their area of jurisdiction,
 - making enquiries regarding compliance with Directive 2007/59/EC by all those active in their area of jurisdiction,
- to the Agency, upon reasoned request, for evaluating the development of train driver certification in accordance with Article 33 of Directive 2007/59/EC, in particular regarding the interconnection of registers,
- to any employer of drivers, for consulting the status of the licences in accordance with article 22(1)(b) of Directive 2007/59/EC,
- to railway undertakings and infrastructure managers, employing or contracting train drivers, for consulting the status of licences, in accordance with Article 22(1)(b) of Directive 2007/59/EC,
- to train drivers, upon request, for consulting the data concerning them,

— to investigation bodies set up in accordance with Article 21 of Directive 2004/49/EC, for investigating accidents, in particular as stated in Article 20(2)(e) and (g) of that Directive,

5. Data exchange

Access to relevant data shall be granted upon formal request. The competent authority shall provide the data, without delay, in a manner which ensures secure transmission of information and protection of personal data.

Competent authorities may offer login facilities on their websites to all who have access rights, provided they ensure that the grounds for requests are checked.

6. Duration of data retention

All data in the NLR shall be kept for at least 10 years from the date of end of validity of the train driving licence. If at any time during the 10-year period an investigation involving the driver is started, data relating to the driver must be kept beyond the 10-year period if so required.

Any changes in the NLR shall be recorded.

ANNEX II

BASIC PARAMETERS FOR REGISTERS OF TRAIN DRIVERS' COMPLEMENTARY CERTIFICATES (CCRS)**1. Basic parameters**

The basic parameters for registers of complementary certificates (CCR), set in accordance with Article 22(4) of Directive 2007/59/EC, are:

- Data to be collected (Chapter 2),
- Data format (Chapter 3),
- Access rights (Chapter 4),
- Data exchange (Chapter 5),
- Duration of data retention (Chapter 6),
- Procedures in case of bankruptcy (Chapter 7),

2. Data to be collected

CCRs shall comprise four sections.

Section 1 shall contain information about the current state of the licence owned by the train driver.

Section 2 shall contain information about the complementary certificate issued, as listed in Annex I, Section 3, of Directive 2007/59/EC.

Section 3 shall contain historical information about the complementary certificate.

Section 4 shall contain information about basic requirements and initial checks to allow the complementary certificate to be issued and about subsequent checks to be recorded to allow the complementary certificate to remain valid.

The data to be collected are set out in the table in Chapter 3.

Information on current knowledge of rolling stock, knowledge of infrastructure and linguistic knowledge assessed in accordance with the relevant part of Directive 2007/59/EC shall be given in Section 2. That section shall include the date of the next expected checks. By the date of subsequent checks the new 'current state' will start, and previous information will be moved into Section 4, containing historical information.

3. Data format

The following list shows the data format of the CCR.

The list is set out as follows:

No	Datum to be displayed		
	Content	Format	Status of the requirement

Section 1: Reference to the licence

1	Licence number		
1.1	Number of the licence, giving access to data in the national register	EIN (12 digits)	Compulsory

2	Current state of the licence		
2.1	Evidence of the current state of the licence — Valid — Suspended — Withdrawn	Text	Compulsory

Section 2: Information about the current complementary certificate issued, as listed in Annex I, Section 3, of Directive 2007/59/EC

3	Surname(s) of the holder (the same of the licence)		
3.1	Surname(s) displayed on passport or national identity card or other recognised document proving identity. More surnames are allowed, depending on national custom	Text	Compulsory
4	Name(s) of the holder (the same of the licence)		
4.1	Name(s) displayed on passport or national identity card or other recognised document proving identity. More names are allowed, depending on national custom	Text	Compulsory
5	Date of birth of the holder		
5.1	Date of birth of the holder	YYYY-MM-DD	Compulsory
6	Place of birth of the holder		
6.1	Place of birth of the holder	Text	Compulsory
7	Date of issue of the certificate		
7.1	The current date of issue of the certificate	YYYY-MM-DD	Compulsory
8	Date of expiry of the certificate		
8.1	Date of the expected formal expiry of the certificate, to be set by the company and included in the procedure required in Article 15 of Directive 2007/59/EC.	YYYY-MM-DD	Compulsory
9	Name of issuing entity		
9.1	Name of the entity issuing the certificate (railway undertaking, infrastructure manager, other)	Text	Compulsory
10	Reference number assigned to the employee by the employer		
10.1	Company reference for the train driver	Text	Optional
11	Photograph of the holder		
11.1	Photograph	Original or Electronic scanning	Compulsory

12	Signature of the holder			
12.1	Signature		Original/Photocopy/ Electronic scanning	Compulsory
13	Permanent place of residence or postal address of the holder			
13.1	Address of the holder	Street and number	Text	Optional
13.2		Town	Text	Optional
13.3		Country	Text	Optional
13.4		Postcode	Alpha-numerical code	Optional
13.5		Telephone number		
13.6		e-mail address		
14	Address of the railway undertaking or infrastructure manager for which the driver is authorised to drive			
14.1	Address of the RU/IM	Street and number	Text	Compulsory
14.2		Town	Town	Compulsory
14.3		Country	Text	Compulsory
14.4		Postcode	Alpha-numerical code	Compulsory
14.5		Contact person	Text	Optional
14.6		Telephone number	Text	Compulsory
14.7		Fax number	Text	Compulsory
14.8		e-mail address	Text	Compulsory
15	Category in which the driver is authorised to drive			
15.1	Relevant code(s)		Text	Compulsory
16	Rolling stock which the driver is authorised to drive			
16.1	(list, record to be repeated)		Text	Compulsory
16.2	For each item the date of next expected check shall be added		YYYY-MM-DD	Compulsory
17	Infrastructure on which the driver is authorised to drive			
17.1	(list, record to be repeated)		Text	Compulsory
17.2	For each item the date of next expected check shall be added		YYYY-MM-DD	Compulsory

18	Language skills		
18.1	(list, record to be repeated)	Text	Compulsory
18.2	For each item the date of next expected check shall be added	YYYY-MM-DD	Compulsory
19	Additional information		
19.1	(list, record to be repeated)	Text	Compulsory
20	Additional restrictions		
20.1	(list, record to be repeated)	Text	Compulsory

Section 3: Historical records on the status of the complementary certificate

21	Date of first issue		
21.1	Date of first issue of the certificate	YYYY-MM-DD	Optional
22	Update(s) (Several records are possible)		
22.1	Date of update	YYYY-MM-DD	Compulsory
22.2	Details of and reason for update (correction of one or more data displayed on the complementary certificate, e.g. personal address of the driver)	Text	Compulsory
23	Amendment(s) (Several records are possible)		
23.1	Date of amendment	YYYY-MM-DD	Compulsory
	Reason for amendments, referring to specific parts of the certificate: — amendments in field 3 'Categories of driving' — amendments in field 4 'Additional Information' — amendments in field 5: new linguistics knowledge acquired or knowledge periodically checked — amendments in field 6 'Restrictions' — amendments in column 7: new rolling stock knowledge acquired or knowledge periodically checked — amendments in column 8: new infrastructure knowledge acquired or knowledge periodically checked	Text	Compulsory
24	Suspension(s) (Several records are possible)		
24.1	Length of period of suspension	From (date) to (date)	Compulsory
24.2	Reason for suspension	Text	Compulsory

25	Withdrawal(s) (Several records are possible)		
25.1	Date of withdrawal	YYYY-MM-DD	Compulsory
25.2	Reason for withdrawal	Text	Compulsory
26	Certificate reported lost		
26.1	Date of communication	YYYY-MM-DD	Compulsory
26.2	If yes, date of issued duplicate	YYYY-MM-DD	Compulsory
27	Certificate reported stolen		
27.1	Date of communication	YYYY-MM-DD	Compulsory
27.2	Date of any duplicate issued	YYYY-MM-DD	Compulsory
28	Certificate reported destroyed		
28.1	Date of communication	YYYY-MM-DD	Compulsory
28.2	Date of any duplicate issued	YYYY-MM-DD	Compulsory

Section 4: Historical records in connection with the basic requirements for issuing a complementary certificate and the results of periodic checks

29	Linguistic competence		
29.1	Basic requirement	Working language(s) for which a statement that the criteria set out in Annex VI(8) of Directive 2007/59/EC had been fulfilled was issued	Text Compulsory
29.2	Periodic check	Date of certified knowledge (exam passed) for each language. Several records are possible.	YYYY-MM-DD Compulsory
30	Rolling stock knowledge		
30.1	Basic requirement	Rolling stock for which a statement that the criteria set out in Annex V of Directive 2007/59/EC had been fulfilled was issued	Text Compulsory
30.2	Periodic check	Date of periodic check (certified knowledge) Several records are possible.	YYYY-MM-DD Compulsory

31	Infrastructure knowledge			
31.1	Basic requirement	Infrastructure for which a statement that the criteria set out in Annex VI of Directive 2007/59/EC had been fulfilled was issued	Text	Compulsory
31.2	Periodic check	Date of periodic check (certified knowledge). Several records are possible.	YYYY-MM-DD	Compulsory

4. Access rights

Access to the information contained in the CCR shall be granted to the following interested parties for the following purposes:

- to the competent authority of the Member State in accordance with Article 22(2)(b) of Directive 2007/59/EC,
- to competent authorities of the Member States in which the railway undertaking or infrastructure manager operates, and where the driver is authorised to drive on at least one line of the network:
 - for their task of monitoring the development of certification, under Article 19(1)(g) and Article 26 of Directive 2007/59/EC,
 - for their inspection tasks under Article 19(1)(h) and (2) and Article 29(1) of Directive 2007/59/EC (this task may be carried out by a delegated entity),
- to train drivers, for the data concerning them, in accordance with Article 22(3) of Directive 2007/59/EC,
- to investigation bodies set up in accordance with Article 21 of Directive 2004/49/EC, for investigating accidents, in particular as stated in Article 20(e) and (g) of that Directive,

Companies shall be free to grant access to other users, subject to personal data protection.

5. Data exchange

In accordance with Directive 2007/59/EC, access to relevant data shall be granted:

- (a) to the competent authorities where the railway undertaking or infrastructure manager is domiciled, in accordance with Article 22(2)(b) of Directive 2007/59/EC,
- (b) to competent authorities of other Member States, upon request, in accordance with Article 22(2)(c) of Directive 2007/59/EC,
- (c) to drivers, upon request, in accordance with Article 22(3) of Directive 2007/59/EC.

The railway undertaking, infrastructure manager or delegated entity shall provide the data, without delay, in a manner which ensures secure transmission of information and protection of personal data.

Railway undertakings and infrastructure managers may offer login facilities on their websites to all who have access rights, provided they ensure that grounds for requests are checked.

6. Duration of data retention

All data in the CCR shall be kept for at least 10 years from the last expiry date referred to on the certificate.

If at any time during the 10-year period an investigation involving the driver is started, data relating to the driver must be kept beyond the 10-year period if so required.

Any changes in the CCR shall be recorded.

7. Procedure in case of bankruptcy

If a railway undertaking or infrastructure manager goes bankrupt, the new company that takes over the operation of the service shall be responsible for the data contained in the register of complementary certificates.

The competent authority in the Member State where the railway undertaking or infrastructure manager is established shall be the repository of data contained in the register of complementary certificates if the activity is not taken over by another company.

COMMISSION DECISION**of 26 November 2009****on establishing the ecological criteria for the award of the Community Ecolabel for wooden floor coverings***(notified under document C(2009) 9427)***(Text with EEA relevance)**

(2010/18/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme⁽¹⁾, and in particular the second subparagraph of Article 6(1) thereof,

After consulting the European Union Eco-labelling Board,

Whereas:

- (1) Regulation (EC) No 1980/2000 provides that specific eco-label criteria, drawn up on the basis of the criteria drafted by the European Union Eco-labelling Board, are to be established according to product groups.
- (2) The ecological criteria, as well as the related assessment and verification requirements, should be valid for four years from the date of notification of this decision.
- (3) Measures provided for in this Decision are in accordance with the opinion of the Committee instituted by Article 17 of Regulation (EC) No 1980/2000,

HAS ADOPTED THIS DECISION:

Article 1

The product group 'wooden floor coverings' shall comprise wood- and plant-based coverings: including wood and timber coverings, laminate floorings, cork coverings and bamboo floorings which are made, for more than 90 % in mass (in the final product), from wood, wood powder and/or wood/plant-based material. It does not apply to wall coverings,

where properly indicated, or coverings for external use or for coverings with a structural function.

This product group will not include any covering treated with biocidal products at any stage of the production process, except where those biocidal products are included in Annex IA to Directive 98/8/EC of the European Parliament and of the Council⁽²⁾ and where the active substance is authorised for the use in question according to Annex V to Directive 98/8/EC.

Article 2

In order to be awarded the Community Ecolabel under Regulation (EC) No 1980/2000, wooden floor coverings must fall within the product group 'wooden floor coverings' as defined in Article 1, and must comply with the ecological criteria set out in the Annex to this Decision.

Article 3

The ecological criteria for the product group 'wooden floor coverings', as well as the related assessment and verification requirements, shall be valid for four years from the date of notification of this decision.

Article 4

For administrative purposes the code number assigned to the product group 'wooden floor coverings' shall be '35'.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 26 November 2009.

For the Commission
Stavros DIMAS
Member of the Commission

⁽¹⁾ OJ L 237, 21.9.2000, p. 1.

⁽²⁾ OJ L 123, 24.4.1998, p. 1.

ANNEX

FRAMEWORK

The aims of the criteria

These criteria aim in particular at promoting:

- the reduction of impacts on habitats and associated resources,
- the reduction of energy consumption,
- the reduction of discharges of toxic or otherwise polluting substances into the environment,
- the reduction of use of dangerous substances in the materials and in the finished products,
- safety and absence of risk to health in the living environment,
- information that will enable the consumer to use the product in an efficient way which minimises the whole environmental impact.

The criteria are set at levels that promote the labelling of coverings that are produced with low environmental impact.

Assessment and verification requirements

The specific assessment and verification requirements are indicated within each criterion.

This product group includes 'Wood and timber coverings', 'Laminate floorings', 'Cork coverings' and 'Bamboo floorings';

Wood and timber coverings are 'wood floors or wall coverings made of one solid piece of wood that have tongue and groove sides or constructed from several wood plies that are glued together in a multilayer panel. A wood covering can be unfinished, and once installed sanded, then finished on site or pre-finished in a factory.'

Wood and timber coverings criteria can be applicable both for wall and floor coverings, if the production processes remain the same, using the same materials and the same manufacturing methods. The criteria are set for internal use only.

The industry producing wood floor coverings determines its technical position in the European Committee for Standardisation CEN/TC 112.

Laminate floorings are 'rigid floor covering with a surface layer consisting of one or more thin sheets of a fibrous material (usually paper), impregnated with aminoplastic thermosetting resins (usually melamine), pressed or bonded on a substrate, normally finished with a backer'.

Laminates coverings criteria can be applicable only for floor coverings and for indoor use.

The industry producing laminate floor coverings determines its technical position in the European Committee for Standardisation CEN/TC 134.

Cork coverings are floor or wall coverings the main component of which is cork. The granulated cork is mixed with a binder, and then cured or several layers of cork (agglomerated/veneer) can be pressed together with glue.

The cork coverings can be divided into natural cork tiles (the main component of which is agglomerated composition cork, intended to be used with a finish) and in engineered cork panels (consisting of several layers including a fibreboard the main component of which is agglomerated cork or has cork as technical solution, intended to be used with a finishing wear layer).

Cork coverings criteria can be applicable both for wall and floor coverings, if the production processes remain the same, using the same materials and the same manufacturing methods. The criteria are set for indoor use only.

The European 'cork' floor covering industry determines its technical position in the European Committee for Standardisation CEN/TC134.

Bamboo floor covering are made of bamboo in solid pieces or in agglomerates as a main component.

Bamboo coverings criteria can be applicable only for floor coverings and for indoor use.

The functional unit, to which inputs and outputs should be related, is 1 m² of finished product.

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

Where possible, testing should be performed by appropriately accredited laboratories or laboratories that meet the general requirements expressed in standard EN ISO 17025.

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

WOODEN FLOOR COVERINGS CRITERIA

1. RAW MATERIALS

All cork, bamboo and virgin wood must originate from forests that are managed so as to implement the principles and measures aimed at certifying sustainable forest management.

1.1. *Sustainable forest management*

The producer shall have a policy for sustainable wood procurement and a system to trace and verify the origin of wood and tracking it from forest to the first reception point.

The origin of all wood shall be documented. The producer must ensure that all wood originate from legal sources. The wood shall not come from protected areas or areas in the official process of designation for protection, old growth forests and high conservation value forests defined in national stakeholder processes unless the purchases are clearly in line with the national conservation regulations.

- Until 30 June 2011, for wooden products placed on the market bearing the Ecolabel, at least 50 % of any solid wood and 20 % wood-based materials must originate either from sustainably managed forests which have been certified by independent third party schemes fulfilling the criteria listed in paragraph 15 of the Council Resolution of 15 December 1998 on a forestry strategy for the European Union ⁽¹⁾ and further development thereof, or from recycled materials.
- From 1 July 2011, until 31 December 2012 for wooden products placed on the market bearing the Ecolabel at least 60 % of any solid wood and 30 % wood-based materials must originate either from sustainably managed forests which have been certified by independent third party schemes fulfilling the criteria listed in paragraph 15 of the Council Resolution of 15 December 1998 on a forestry strategy for the European Union and further development thereof, or from recycled materials.
- From 1 January 2013, for wooden products placed on the market bearing the Ecolabel at least 70 % of any solid wood and 40 % wood-based materials must originate either from sustainably managed forests which have been certified by independent third party schemes fulfilling the criteria listed in paragraph 15 of the Council Resolution of 15 December 1998 on a forestry strategy for the European Union and further development thereof, or from recycled materials.

Assessment and verification: for meeting these conditions, the applicant shall demonstrate that any of their wooden eco-labelled products, when first placed on the market after the dates shown in the criterion will meet the appropriate level of certified wood. If this cannot be demonstrated the competent body will only issue the Ecolabel licence for the period for which compliance can be demonstrated. The applicant shall provide appropriate documentation from the wood supplier indicating the types, quantities and precise origins of wood used in the production of floor coverings. The applicant shall provide appropriate certificate(s) showing that the certification scheme correctly fulfils the requirements as laid down in paragraph 15 of the Council Resolution of 15 December 1998 on a forestry strategy for the European Union.

⁽¹⁾ OJ C 56, 26.2.1999, p. 1.

Definition: Wood-based materials means material made by binding with adhesives and/or glues one or more of the following materials: wood fibres, and/or stripped or sheared wood sheets, and/or wood residues from forest, plantations, sawn wood, residues from pulp/paper industry, and/or recycled wood. Wood-based materials comprise: hardboard, fibreboard, medium density fibreboard, particleboard, OSB (oriented strand board), plywood, and panels in solid wood. The term 'wood-based material' also refers to composite materials made from wood-based panels coated by plastics, or laminated plastics, or metals, or other coating materials and finished/semi-finished wood-based panels.

1.2. Recycled wood and plant materials (for laminate flooring and multilayer wood coverings)

Post-consumer wood, chips or fibres applied in the production of wood-based materials (input), shall at least comply with the provisions in the EPF industry standard, as reported in paragraph 6 of document 'EPF standard for delivery conditions of recycled wood' of 24 October 2002.

The total amount of the recycled material shall comply with the limits indicated in table below:

Elements and compounds	Limit values (mg/kg of total dry panel)
Arsenic	25
Cadmium	50
Chromium	25
Copper	40
Lead	90
Mercury	25
Fluorine	100
Chlorine	1 000
Pentachlorophenol (PCP)	5
Tar oils (benzo(a)pyrene)	0,5

Assessment and verification: a declaration shall be provided that recycled wood or plant materials comply with limit values as laid down in text. If it can be proved that the substances indicated have not been used in any previous preparation or treatment, the application of test to demonstrate compliance with this requirement can be avoided.

1.3. Impregnating substances and preservatives

Wooden flooring shall not be impregnated.

Solid wood, after logging, shall not be treated with substances or preparations containing substances that are included in any of the following lists:

- WHO recommended classification of pesticides by hazard classified as class 1a (extremely hazardous),
- WHO recommended classification of pesticides by hazard classified as class 1b (highly hazardous).

Moreover, the treatment of wood shall be in accordance with the provisions of Council Directive 79/117/EEC ⁽¹⁾ and Council Directive 76/769/EEC ⁽²⁾.

Assessment and verification: the applicant shall provide a declaration showing compliance to this criterion, a list of the substances which have been used and a data sheet for each of them.

⁽¹⁾ OJ L 33, 8.2.1979, p. 36.

⁽²⁾ OJ L 262, 27.9.1976, p. 201.

1.4. *Genetically modified wood*

The product shall not contain GMO wood.

Assessment and verification: the applicant shall provide a declaration that no GMO wood has been used.

2. USE OF DANGEROUS SUBSTANCES

2.1. *Dangerous substances for the raw wood and plant treatments*

(a) No substances or preparations that are assigned, or may be assigned at the time of application, any of the following risk phrases (or combinations thereof) may be added to the wooden product:

R23 (toxic by inhalation)

R24 (toxic in contact with skin)

R25 (toxic if swallowed)

R26 (very toxic by inhalation)

R27 (very toxic in contact with skin)

R28 (very toxic if swallowed)

R39 (danger of very serious irreversible effects)

R40 (limited evidence of a carcinogenic effect)

R42 (may cause sensitisation by inhalation)

R43 (may cause sensitisation by skin contact)

R45 (may cause cancer)

R46 (may cause heritable genetic damage)

R48 (danger or serious damage to health by prolonged exposure)

R49 (may cause cancer by inhalation)

R50 (very toxic to aquatic organisms)

R51 (toxic to aquatic organisms)

R52 (harmful to aquatic organisms)

R53 (may cause long-term adverse effects in the aquatic environment)

R60 (may impair fertility)

R61 (may cause harm to the unborn child)

R62 (possible risk of impaired fertility)

R63 (possible risk of harm to the unborn child)

R68 (possible risk of irreversible effects),

as laid down in Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances⁽¹⁾ (Dangerous Substances Directive), and its subsequent amendments, and considering Directive 1999/45/EC of the European Parliament and of the Council⁽²⁾ (Dangerous Preparations Directive).

⁽¹⁾ OJ 196, 16.8.1967, p. 1.

⁽²⁾ OJ L 200, 30.7.1999, p. 1.

Alternatively, classification may be considered according to 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 ⁽¹⁾. In this case no substances or preparations may be added to the raw materials that are assigned, or may be assigned at the time of application, any of the following hazard statements (or combinations thereof): H300, H301, H310, H311, H317, H330, H331, H334, H351, H350, H340, H350i, H400, H410, H411, H412, H413, H360F, H360D, H361f, H361d, H360FD, H361fd, H360Fd, H360Df, H341, H370, H372.

(b) The product must not contain halogenated organic binding agents, azidirin and polyaziridins as well as pigments and additives based on:

- lead, cadmium, chrome (VI), mercury and their compounds,
- arsenic, boron and copper,
- organic tin.

2.2. Dangerous substances in the coating and surface treatments

Generic requirements

(a) The requirements of part 2.1 on dangerous substances for the raw wood and plant treatments shall also apply for coating and surface treatments.

(b) Chemical substances classified as harmful for the environment by the chemical manufacturer/supplier in accordance with EU classification system (28th Amendment to Directive 67/548/EEC) shall comply with the two following limits:

- chemical substances classified as harmful for the environment in accordance with the Directive 1999/45/EC must not be added to substances and preparations for surface treatment.

Nevertheless the products may contain up to 5 % volatile organic compounds (VOC) as defined in Directive 1999/13/EC ⁽²⁾ (VOC shall mean any organic compound having at 293,15 K a vapour pressure of 0,01 kPa or more, or having a corresponding volatility under the particular conditions of use). If the product requires dilution, the contents of the diluted product must not exceed the abovementioned threshold values,

- the applied quantity (wet paint/varnish) of environmentally harmful substances shall not exceed 14 g/m² surface area and applied quantity (wet paint/varnish) of VOC shall not exceed 35 g/m².

Assessment and verification: the applicant shall provide a declaration of compliance with this criterion, together with documents to support this declaration, including:

- a complete recipe with designation of quantities and CAS numbers for constituent substances,
- the test method and test results for all substances present in the product, according to the Directive 67/548/EEC,
- a declaration stating that all constituent substances have been disclosed,
- number of coats and quantity applied per coat per square metre of surface.

The following standard degrees of effectiveness are used for the purpose of calculating the consumption of surface treatment product and of the applied quantity: spraying device without recycling 50 %, spraying device with recycling 70 %, electrostatic spraying 65 %, spraying, bell/disk 80 %, roller coating 95 %, blanket coating 95 %, vacuum coating 95 %, dipping 95 %, rinsing 95 %.

(c) The content of free formaldehyde in products or preparations used in the panels shall not exceed 0,3 % by weight.

⁽¹⁾ OJ L 353, 31.12.2008, p. 1.

⁽²⁾ OJ L 85, 29.3.1999, p. 1.

The content of free formaldehyde in binding agents, adhesives, and glues for plywood panels or laminated wood panels shall not exceed 0,5 % by weight.

Assessment and verification: the applicant shall provide appropriate declarations verifying that the above requirements are respected. For the chemical products used in the production a SDS or equivalent documentation shall be presented containing information on health hazard classification.

Adhesives

- (a) The requirements of part 2.1 on dangerous substances for the raw wood and plant treatments shall also apply for adhesives.

Assessment and verification: the applicant shall provide appropriate declarations verifying that the above requirements are met. For each chemical product used in the assembly of the product, a SDS or equivalent documentation shall be presented containing information on health hazard classification. Test reports or a declaration from the supplier shall be provided for the free formaldehyde content.

- (b) The VOC content of adhesives used in the assembly of the product shall not exceed 10 % by weight (w/w).

Assessment and verification: a declaration shall be provided by the applicant indicating all adhesives used in the assembly the product, as well as the compliance with this criterion.

Formaldehyde

Formaldehyde emissions from substances and preparations for surface treatment liberating formaldehyde shall be less than 0,05 ppm.

Assessment and verification: the applicant and/or its supplier shall provide the Material Safety Data Sheet or an equivalent declaration for the compliance of this requirement, together with information on the formulation of the surface treatment.

Plasticisers

The requirements of part 2.1 on dangerous substances for the raw wood and plant treatments shall also apply for any phthalates used in the manufacturing process.

Additionally DNOP (di-n-octyl phthalate), DINP (di-isononyl phthalate), DIDP (di-isodecyl phthalate) are not permitted in the product.

Assessment and verification: the applicant shall provide a declaration of compliance with this criterion.

Biocides

Only biocidal products containing biocidal active substances included in Annex IA of Directive 98/8/EC, and authorised for use in floor coverings, shall be allowed for use.

Assessment and verification: the applicant shall provide a declaration that the requirements of this criterion have been met along with a list of biocidal products used.

3. PRODUCTION PROCESS

3.1. Energy consumption

The energy consumption shall be calculated as the process energy used for the production of the coverings.

The process energy, calculated as indicated in the Technical Appendix, shall exceed the following limits (P = scoring point):

Product family	Limit (P)
Wood floor and bamboo coverings	10,5
Laminate floor coverings	12,5
Cork coverings	9

Assessment and verification: the applicant shall calculate the Energy consumption of the production process according to the Technical Appendix instructions providing the related results and supporting documentation.

3.2. Waste management

The applicant shall provide an appropriate documentation on the procedures adopted for the recovery of the by-products originated from the process. The applicant shall provide a report including the following information:

- kind and quantity of waste recovered,
- kind of disposal,
- information about the reuse (internally or externally to the production process) of waste and secondary materials in the production of new products.

Assessment and verification: the applicant shall provide appropriate documentation based on, for example, mass balance sheets and/or environmental reporting systems showing the rates of recovery achieved whether externally or internally, for example, by means of recycling, reuse or reclamation/regeneration.

4. USE PHASE

4.1. Release of dangerous substances

The release of formaldehyde from the panels of cork, bamboo or wood fibres constituting the covering shall not exceed 0,05 mg/m³.

Assessment and verification: the applicant shall provide appropriate documentation based on test following the chamber method according to EN 717-1 method.

Volatile organic compounds (VOC)

The finished products must not exceed the following emission values:

Substance	Requirement (after 3 days)
Total organic compounds within the retention range C6 — C16 (TVOC)	0,25 mg/m ³ air
Total organic compounds within the retention range > C16 — C22 (TSVOC)	0,03 mg/m ³ air
Total VOC without LCI (*)	0,05 mg/m ³ air

(*) LCI = lowest concentration of interest; see 'Health risk assessment process for emissions of volatile organic compounds (VOC) from building products' (Federal Environmental Agency).

Assessment and verification: the applicant shall present a test certificate according to emission tests prEN 15052 or EN ISO 16000-9.

5. PACKAGING

Packaging must be made out of one of the following:

- easily recyclable material,

- materials taken from renewable resources,
- materials intended to be reusable.

Assessment and verification: a description of the product packaging shall be provided on application, together with a corresponding declaration of compliance with this criterion.

6. FITNESS FOR USE

The product shall be fit for use. This evidence may include data from appropriate ISO, CEN or equivalent test methods, such as national procedures.

Assessment and verification: details of the test procedures and results shall be provided, together with a declaration that the product is fit for use based on all other information about the best application by the end-user. According to Directive 89/106/EEC ⁽¹⁾ a product is presumed to be fit for use if it conforms to a harmonised standard, a European technical approval or a non-harmonised technical specification recognised at Community level. The EC conformity mark 'CE' for construction products provides producers with an attestation of conformity easily recognisable and may be considered as sufficient in this context.

7. CONSUMER INFORMATION

The product shall be sold with relevant user information, which provides advice on the product's proper and best general and technical use as well as its maintenance. It shall bear the following information on the packaging and/or on documentation accompanying the product:

- (a) information that the product has been awarded the EU Ecolabel together with a brief yet specific explanation as to what this means in addition to the general information provided by box 2 of the logo;
- (b) recommendations for the use and maintenance of the product. This information should highlight all relevant instructions particularly referring to the maintenance and use of products. As appropriate, reference should be made to the features of the product's use under difficult conditions, for example, water absorption, stain resistance, resistance to chemicals, necessary preparation of the underlying surface, cleaning instructions and recommended types of cleaning agents and cleaning intervals. The information should also include any possible indication on the product's potential life expectancy in technical terms, either as an average or as a range value;
- (c) an indication of the route of recycling or disposal (explanation in order to give the consumer information about the high possible performance of such a product);
- (d) information on the EU Ecolabel and its related product groups, including the following text (or equivalent): 'for more information visit the EU Ecolabel website: <http://ec.europa.eu/environment/ecolabel/>'.

Assessment and verification: the applicant shall provide a sample of the packaging and/or texts enclosed.

8. INFORMATION APPEARING ON THE ECOLABEL

Box 2 of the Ecolabel shall contain the following text:

- sustainable managed forests and reduced impact on habitats,
- hazardous substance restricted,
- production process energy saving,
- lower risk to health in the living environment.

⁽¹⁾ OJ L 40, 11.2.1989, p. 12.

*Technical appendix for wood- and plant-based coverings***ENERGY CONSUMPTION CALCULATION**

Energy consumption is calculated as an annual average of the energy consumed during the production process (excluding premises heating) from the raw material in bulk to the finished covering. This means, for example, that the energy calculation for wood- and plant-based products shall be measured from the input of the raw material into the factory until the finishing operations, packaging included.

The calculation shall not include the energy content of the raw material (i.e. feedstock energy).

The energy required to manufacture adhesives and varnish or coatings shall not be included in the calculations.

The unit chosen for the calculations is the MJ/m².

Electricity consumption refers to electricity purchased from an external supplier.

If the producer has an energy surplus that is sold as electricity, steam or heat, the quantity sold can be deducted from the fuel consumption. Only the fuel that is actually used in floor covering production shall be included in the calculations.

Solid wood floor and bamboo coverings

Environmental parameter

A = Wood from certified, sustainable forest (%)

B = Proportion of renewable fuels (%)

C = Electricity consumption (MJ/m²)

D = Fuel consumption (MJ/m²)

$$P = \frac{A}{25} + \frac{B}{25} + (4 - 0,055 \times C) + (4 - 0,022 \times D)$$

Laminate flooring

Environmental parameter

A = Cork, bamboo or wood from certified, sustainable forest (%)

B = Proportion of recycled wood raw materials (%)

C = Proportion of renewable fuels (%)

D = Electricity consumption (MJ/m²)

E = Fuel consumption (MJ/m²)

$$P = \frac{A}{25} + \frac{B}{25} + \frac{C}{25} + (4 - 0,055 \times D) + (4 - 0,022 \times E)$$

Cork coverings

Environmental parameter

A = Proportion of recycled cork (%)

B = Proportion of renewable fuels (%)

C = Electricity consumption (MJ/m²)D = Fuel consumption (MJ/m²)

$$P = \frac{A}{25} + \frac{B}{25} + (4 - 0,055 \times C) + (4 - 0,022 \times D)$$

The energy contents of various fuels are provided in the following table:

Table for calculating fuel consumption

Production period — 1 year:

Days:

From:

To:

Fuel	Quantity	Units	Conversion factor	Energy (MJ)
Straw (15 % W)		kg	14,5	
Pellets (7 % W)		kg	17,5	
Waste wood (20 % W)		kg	14,7	
Wood chips (45 % W)		kg	9,4	
Peat		kg	20	
Natural gas		kg	54,1	
Natural gas		Nm ³	38,8	
Butane		kg	49,3	
Kerosene		kg	46,5	
Gasoline		kg	52,7	
Diesel		kg	44,6	
Gas oil		kg	45,2	
Heavy fuel oil		kg	42,7	
Dry steam coal		kg	30,6	
Anthracite		kg	29,7	
Charcoal		kg	33,7	
Industrial coke		kg	27,9	
Electricity (from net)		kWh	3,6	
Total energy (MJ)				

EU Book shop

All the EU publications

YOU are looking for!



bookshop.europa.eu

2010 SUBSCRIPTION PRICES (excluding VAT, including normal transport charges)

EU Official Journal, L + C series, paper edition only	22 official EU languages	EUR 1 100 per year
EU Official Journal, L + C series, paper + annual CD-ROM	22 official EU languages	EUR 1 200 per year
EU Official Journal, L series, paper edition only	22 official EU languages	EUR 770 per year
EU Official Journal, L + C series, monthly CD-ROM (cumulative)	22 official EU languages	EUR 400 per year
Supplement to the Official Journal (S series), tendering procedures for public contracts, CD-ROM, two editions per week	multilingual: 23 official EU languages	EUR 300 per year
EU Official Journal, C series — recruitment competitions	Language(s) according to competition(s)	EUR 50 per year

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

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

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

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

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

CD-Rom formats will be replaced by DVD formats during 2010.

Sales and subscriptions

Subscriptions to various priced periodicals, such as the subscription to the *Official Journal of the European Union*, are available from our commercial distributors. The list of commercial distributors is available at:

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

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

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

