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Legislation

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Contents

[1] Text with EEA relevance

EN

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

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

DECISIONS

[1] Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 696/2014

of 24 June 2014

amending Regulation (EC) No 1881/2006 as regards maximum levels of erucic acid in vegetable oils and fats and foods containing vegetable oils and fats

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food ([1]), and in particular Article 2(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 1881/2006 ([2]) sets maximum levels for contaminants in food.

(2) A maximum level for erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils and fats has been established by Council Directive 76/621/EEC ([3]). Erucic acid is a natural plant toxin which is a contaminant according to the definition of the contaminant provided in Regulation (EEC) No 315/93 as the presence of erucic acid in food is the result of the agricultural production, more in particular the choice of the variety. To simplify the legislation, it is appropriate to establish the maximum level for erucic acid in Regulation (EC) No 1881/2006. Furthermore it is appropriate to harmonise the provisions for foodstuffs with a fat content equal or less than 5 %. Directive 76/621/EEC shall then be repealed subsequently by a self-standing legal act.

(3) The appropriateness of a maximum level for erucic acid has been highlighted by the Scientific Committee on Food in its opinion expressed on 17 September 1993 on essential requirements for infant formulae and follow-on formulae ([4]).

(4) A stricter maximum level for erucic acid in infant formulae and follow-on formulae has been established by Commission Directive 2006/141/EC ([5]); it is appropriate to indicate this maximum level also in Regulation (EC) No 1881/2006.

(5) Regulation (EC) No 1881/2006 should therefore be amended accordingly.

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

([1]) OJ L 37, 13.2.1993, p. 1.
([2]) Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).
([3]) Council Directive 76/621/EEC of 20 July 1976 relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils and fats (OJ L 202, 28.7.1976, p. 35).
([4]) http://ec.europa.eu/food/fs/sc/scf/reports/scf_reports_34.pdf
([5]) Commission Directive 2006/141/EC of 22 December 2006 on infant formulae and follow-on formulae and amending Directive 1999/21/EC (OJ L 401, 30.12.2006, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EC) No 1881/2006, the following Section 8 'Inherent plant toxins' is added.

'Section 8: Inherent plant toxins

Foodstuffs ([1])		Maximum levels (g/kg)
8.1	**Erucic acid**	
8.1.1	Vegetable oils and fats	50 (*)
8.1.2	Foods containing added vegetable oils and fats with the exception of the foods referred to in 8.1.3	50 (*)
8.1.3	Infant formulae and follow-on formulae ([8])	10 (*)

(*) the maximum level refers to the level of erucic acid, calculated on the total level of fatty acids in the fat component in food.'

Article 2

Entry into force and application

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

It shall apply from 1 July 2014.

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

Done at Brussels, 24 June 2014.

For the Commission
The President
José Manuel BARROSO

COMMISSION REGULATION (EU) No 697/2014

of 24 June 2014

amending Regulation (EC) No 906/2009 as regards its period of application

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 246/2009 of 26 February 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) ([1]), and in particular Article 1 thereof,

After consulting the Advisory Committee on Restrictive Practices and Dominant Positions,

Whereas:

(1) Commission Regulation (EC) No 906/2009 ([2]) grants a block exemption to liner shipping consortia from the prohibition contained in Article 101(1) of the Treaty, subject to certain conditions. That Regulation will expire on 25 April 2015, in accordance with the maximum 5-year duration provided for in Article 2(1) of Regulation (EC) No 246/2009. On the basis of the Commission's experience in applying the block exemption, it appears that the justifications for a block exemption for consortia are still valid and that the conditions on the basis of which the scope and content of Regulation (EC) No 906/2009 were determined have not substantially changed.

(2) Regulation (EC) No 906/2009 simplified and introduced substantial modifications to the rules applicable to consortia. Since the new legal framework has been in place and applied for only a short period of time, further changes should be avoided at this stage. This will avoid increasing the compliance costs of the operators in the industry.

(3) The period of application of Regulation (EC) No 906/2009 should therefore be extended by five years,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 7 of Regulation (EC) No 906/2009 '25 April 2015' is replaced by '25 April 2020'.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*. It shall apply from 25 April 2015.

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

Done at Brussels, 24 June 2014.

For the Commission
The President
José Manuel BARROSO

([1]) OJ L 79, 25.3.2009, p. 1. With effect from 1 December 2009, Articles 81 and 82 of the EC Treaty have become respectively Articles 101 and 102 TFEU.

([2]) Commission Regulation (EC) No 906/2009 of 28 September 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (OJ L 256, 29.9.2009, p. 31).

COMMISSION IMPLEMENTING REGULATION (EU) No 698/2014

of 24 June 2014

amending Regulation (EC) No 2076/2002 as regards delta-endotoxin of *Bacillus thuringiensis*

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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

Whereas:

(1) Commission Regulation (EC) No 2076/2002 ([2]) listed delta-endotoxin of *Bacillus thuringiensis* in its Annex I setting out active substances which are not included as active substance in Annex I to Council Directive 91/414/EEC ([3]). That listing was due to the fact that a commitment to further prepare the necessary dossier for that active substance had not been notified.

(2) The Commission realised that listing delta-endotoxin of *Bacillus thuringiensis* in Annex I to Regulation (EC) No 2076/2002 could give rise to confusion in view of the fact that Commission Implementing Regulation (EU) No 540/2011 ([4]) lists several strains of *Bacillus thuringiensis* as approved active substances.

(3) Annex I to Regulation (EC) No 2076/2002 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EC) No 2076/2002

In Annex I to Regulation (EC) No 2076/2002 the entry 'delta-endotoxin of *Bacillus thuringiensis*' is deleted.

Article 2

Entry into force

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

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

Done at Brussels, 24 June 2014.

For the Commission
The President
José Manuel BARROSO

([1]) OJ L 309, 24.11.2009, p. 1.
([2]) Commission Regulation (EC) No 2076/2002 of 20 November 2002 extending the time period referred to in Article 8(2) of Council Directive 91/414/EEC and concerning the non-inclusion of certain active substances in Annex I to that Directive and the withdrawal of authorisations for plant protection products containing these substances (OJ L 319, 23.11.2002, p. 3).
([3]) Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).
([4]) Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

COMMISSION IMPLEMENTING REGULATION (EU) No 699/2014

of 24 June 2014

on the design of the common logo to identify persons offering medicinal products for sale at a distance to the public and the technical, electronic and cryptographic requirements for verification of its authenticity

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community Code relating to medicinal products for human use [1], and in particular Article 85c(3) thereof,

Whereas:

(1) Article 85c(3) of Directive 2001/83/EC provides that a common logo recognisable throughout the Union should be established, which will enable the identification of the Member State where the person offering medicinal products for sale at a distance to the public by means of information society services is established.

(2) Pursuant to Article 85c(3)(a) of Directive 2001/83/EC, the Commission should adopt implementing acts in order to harmonise the functioning of common logo regarding the technical, electronic and cryptographic requirements for verification of the authenticity of the common logo. These requirements should provide for a high level of security and prevent any fraudulent use of the logo.

(3) In line with Article 85c(1)(d)(iii) the verification of the authenticity of the common logo is done via a hyperlink between the logo and the entry of the person authorised or entitled to offer medicinal products for sale at a distance to the public by means of information society services on the list referred to in Article 85c(4)(c). Therefore, these hyperlinks should be permanent and secured.

(4) In order to prevent a fraudulent use of the logo, the national websites referred to Article 85c(4) should be secured, updated and hosted on trusted domains.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Medicinal Products for Human Use,

HAS ADOPTED THIS REGULATION:

Article 1

The design of the common logo referred to in Article 85c(3)(b) of Directive 2001/83/EC shall follow the model set out in the Annex to this Regulation.

Article 2

The website, mentioned in Article 85c(4) shall be accessible in such a way that the public can be easily assured that it is the trusted site for the purpose.

Article 3

The hyperlink, mentioned in Article 85c(1)(d)(iii) of Directive 2001/83/EC between the website of the person authorised or entitled to supply medicinal products at a distance to the public by means of information society services and the website hosting the national list mentioned in Article 85c(4)(c) of the Directive, shall be fixed and reciprocal.

[1] OJ L 311, 28.11.2001, p. 67.

The information transit between the websites authorised or entitled to supply medicinal products at a distance to the public by means of information society services and the websites hosting the national lists shall be secured through appropriate means.

Article 4

In order for the hyperlink mentioned in the first paragraph of Article 3 to work reliably the websites hosting the national lists set up in accordance with Article 85c(4)(c) of Directive 2001/83/EC shall be secured and updated, with an indication of the latest update moment.

Article 5

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

It shall apply as from 1 July 2015.

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

Done at Brussels, 24 June 2014.

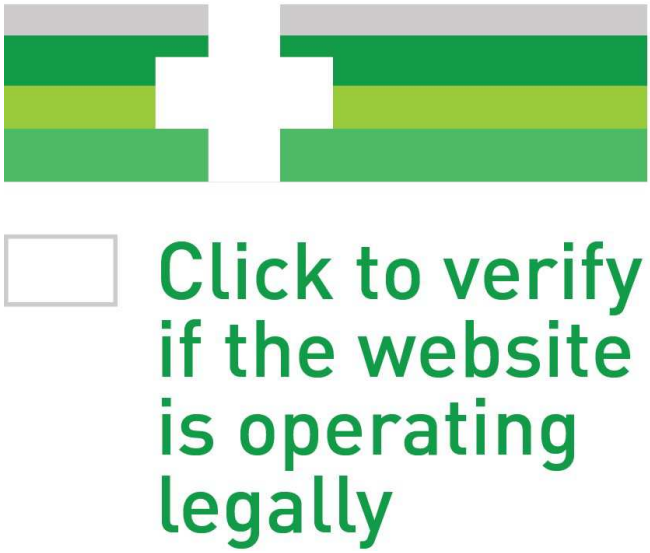
For the Commission

The President

José Manuel BARROSO

ANNEX

1. The model referred to in Article 1 for the common logo is the following:



2. The reference colours are: PANTONE 421 CMYK 13/11/8/26 RGB 204/204/204; PANTONE 7731 CMYK 79/0/89/22 RGB 0/153/51; PANTONE 376 CMYK 54/0/100/0 RGB 153/204/51; PANTONE 7480 CMYK 75/0/71/0.
3. The national flag of the Member State where the natural or legal person supplying medicinal products to the public at a distance by means of information society services is established shall be inserted in the white rectangle in the middle (left side) of the common logo.
4. The language of the text in the common logo shall be established by the Member State referred to in point 3.
5. The common logo shall have a minimum width size of 90 pixel.
6. The common logo shall be static.
7. If the logo is used on a coloured background which makes it difficult to see, a delimiting outer line around the logo can be used to improve contrast with the background colour.

COMMISSION IMPLEMENTING REGULATION (EU) No 700/2014

of 24 June 2014

amending Implementing Regulation (EU) No 686/2012 as regards the rapporteur Member State for the active substance dimethomorph

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ([1]), and in particular Article 19 thereof,

Whereas:

(1) Commission Implementing Regulation (EU) No 686/2012 ([2]) allocates the evaluation for the purposes of the renewal procedures to the Member States, naming for each active substance a rapporteur and a co-rapporteur for active substances whose approval expires by 31 December 2018. Upon request of the applicant and in agreement with the concerned Member States it is considered necessary to change the rapporteur Member State for dimethomorph while respecting the balance as regards the distribution of the responsibilities and the work between Member States. The evaluation for the purposes of the renewal procedures for dimethomorph should from now on be allocated to the Netherlands.

(2) Implementing Regulation (EU) No 686/2012 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Implementing Regulation (EU) No 686/2012 the entry for the active substance dimethomorph is replaced by the following:

'Dimethomorph	NL	DE'

Article 2

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

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

Done at Brussels, 24 June 2014.

For the Commission

The President

José Manuel BARROSO

([1]) OJ L 309, 24.11.2009, p. 1.

([2]) Commission Implementing Regulation (EU) No 686/2012 of 26 July 2012 allocating to Member States, for the purposes of the renewal procedure, the evaluation of the active substances whose approval expires by 31 December 2018 at the latest (OJ L 200, 27.7.2012, p. 5).

COMMISSION IMPLEMENTING REGULATION (EU) No 701/2014

of 24 June 2014

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

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

(1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round 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 XVI, Part A thereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 24 June 2014.

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

([1]) OJ L 299, 16.11.2007, p. 1.
([2]) OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	MK	67,9
	TR	53,9
	ZZ	60,9
0707 00 05	MK	50,7
	TR	85,3
	ZZ	68,0
0709 93 10	TR	109,6
	ZZ	109,6
0805 50 10	AR	91,0
	BO	130,6
	TR	141,7
	ZA	127,2
	ZZ	122,6
0808 10 80	AR	113,5
	BR	90,8
	CL	103,8
	CN	130,3
	NZ	134,1
	US	148,2
	ZA	130,8
	ZZ	121,6
0809 10 00	TR	227,9
	ZZ	227,9
0809 29 00	TR	306,2
	ZZ	306,2
0809 30	MK	87,8
	ZZ	87,8

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

DIRECTIVES

COMMISSION DIRECTIVE 2014/82/EU

of 24 June 2014

amending Directive 2007/59/EC of the European Parliament and of the Council as regards general professional knowledge and medical and licence requirements

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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 31 thereof,

Whereas:

(1) Annex II of Directive 2007/59/EC includes a provision according to which vision for both eyes is not required to be effective in the case of adequate adaptation and sufficient compensation experience and only if binocular vision was lost after starting the job. That provision contradicts the other vision requirements in Annex II of Directive 2007/59/EC and might put at risk the high level of safety in rail operations.

(2) In addition, certain requirements in Annexes IV and VI of Directive 2007/59/EC regarding the licence and the certificate lack clarity, leading to different application in the Member States and ultimately jeopardizing the introduction of a harmonized licence system for train drivers in the Union.

(3) On 7 May 2012 the European Railway Agency submitted advice to the European Commission regarding the amendment of Annexes II, IV and VI of Directive 2007/59/EC. The bodies represented in the European Social Dialogue Committee were consulted in accordance with Article 31 of that Directive.

(4) Transitional measures should be provided for train drivers who have obtained or will obtain their licence in accordance with Directive 2007/59/EC before the date of application of this Directive.

(5) Directive 2007/59/EC should therefore be amended accordingly.

(6) The measures provided for in this Directive are in accordance with the opinion of the Committee that assists the Commission pursuant to Article 32(1) of Directive 2007/59/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 2007/59/EC is amended as follows:

(1) Annex II is amended as follows:

In point '1.2. Vision', the seventh indent is replaced by the following:

'— vision for both eyes: effective,';

(2) Annex IV is replaced by the text in Annex I to this Directive;

(3) Annex VI is amended as set out in Annex II to this Directive.

([1]) OJ L 315, 3.12.2007, p. 51.

Article 2

Train drivers who have obtained or will obtain their licence in accordance with Directive 2007/59/EC before the date of application referred to in Article 3(1) of this Directive shall be considered to comply with its requirements.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 July 2015 at the latest. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 1 January 2016.

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

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

3. The obligations for transposition and implementation of this Directive shall not apply to the Republic of Cyprus and the Republic of Malta for as long as no railway system is established within their territories.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 24 June 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX I

'ANNEX IV

GENERAL PROFESSIONAL KNOWLEDGE AND REQUIREMENTS REGARDING THE LICENCE

The objective of the "general training" is to provide "general" competence on all aspects that are relevant to the train driver's profession. The general training in this respect will focus on basic knowledge and principles that are applicable independently of the type and nature of rolling stock or infrastructure. It can be organised without practical exercises.

Competence with regard to specific types of rolling stock or with regard to safety and operating rules and techniques for a particular infrastructure is not part of "general" competence. Training to provide specific rolling stock or infrastructure competence relates to the train driver's certificate and is specified in Annexes V and VI.

The general training covers subjects (1) to (7) listed below. The order in which they are listed is not an order of priority.

The verbs used in the list indicate the nature of the competence expected to be achieved by the trainee. Their meaning is described in the following table:

Nature of competence	Description
to know, to describe	describes the acquisition of knowledge (data, facts) that is needed to understand relationships
to understand, to identify	describes the identification and memorisation of context, task performance and problem solving in a defined framework

(1) A driver's work, the work environment, the driver's role and responsibility in the process of rail operation, the professional and personal demands of the driver's duties

(a) to know the general thrust of legislation and rules applicable to rail operation and safety (requirements and procedures regarding the certification of train drivers, dangerous goods, environmental protection, fire protection, etc.),

(b) to understand the specific requirements and professional and personal demands (working mainly on one's own, shift work over 24 hour cycle, individual protection and security, reading and updating documents, etc.),

(c) to understand behaviours which are compatible with safety-critical responsibilities (medication, alcohol, drugs and other psychoactive substances, illness, stress, fatigue, etc.),

(d) to identify the reference and operating documents (e.g. rule book, route book, driver's manual, etc.),

(e) to identify the responsibilities and functions of persons involved,

(f) to understand the importance of being precise in carrying out duties and in working methods,

(g) to understand occupational health and safety (e.g. code of behaviour on and near tracks, code of behaviour for getting on and off the traction unit safely, ergonomics, staff safety rules, personal protective equipment, etc.),

(h) to know behavioural skills and principles (stress management, extreme situations, etc.),

(i) to know the principles of environmental protection (sustainable driving, etc.).

(2) Railway technologies, including safety principles behind operational regulations

(a) to know the principles, regulations and provisions regarding safety in rail operation,

(b) to identify the responsibilities and functions of persons involved.

(3) Basic principles of railway infrastructure

(a) to know systematic and structural principles and parameters,

(b) to know the general characteristics of tracks, stations, marshalling yards,

(c) to know railway structures (bridges, tunnels, points, etc.),

(d) to know operating modes (single track, double track operation, etc.),

(e) to know signalling and train control systems,

(f) to know safety installations (hot-axle box detectors, smoke detectors in tunnels, etc.),

(g) to know traction power supply (catenary, third rail, etc.).

(4) Basic principles of operational communication

(a) to know the significance of communication and the means and procedures for communicating,

(b) to identify persons the driver needs to contact and their role and responsibility (staff of the infrastructure manager, working duties of other train staff, etc.),

(c) to identify situations/causes that require communication to be initiated,

(d) to understand communication methods.

(5) Trains, their composition and the technical requirements for traction units, wagons, coaches and other rolling stock

(a) to know the generic types of traction (electric, diesel, steam, etc.),

(b) to describe the layout of a vehicle (bogies, bodies, driving cab, protection systems, etc.),

(c) to know the content and systems of labelling,

(d) to know the documentation on train composition,

(e) to understand braking systems and performance calculation,

(f) to identify train speed,

(g) to identify maximum load and forces at the coupler,

(h) to know the operation and purpose of the train management system.

(6) Hazards involved in railway operations in general

(a) to understand the principles governing traffic safety,

(b) to know the risks related to railway operation and the various means to be used to mitigate them,

(c) to know safety-relevant incidents and understand the required behaviour/reaction,

(d) to know the procedures applicable to accidents involving persons (e.g. evacuation).

(7) Basic principles of physics

(a) to understand forces at the wheel,

(b) to identify factors influencing accelerating and braking performance (weather conditions, braking equipment, reduced adhesion, sanding, etc.),

(c) to understand principles of electricity (circuits, measuring voltage, etc.).'

ANNEX II

Point 8 of Annex VI is replaced by the following:

'8. LANGUAGE TESTS

Drivers who have to communicate with the infrastructure manager on critical safety issues must have language skills in the language indicated by the infrastructure manager concerned. Their language skills must be such that they can communicate actively and effectively in routine, adverse and emergency situations.

They must be able to use the messages and communication method specified in the "Operations and traffic management" TSI. Drivers must be able to understand (both listening and reading) and to communicate (both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe ([1]).

([1]) *Common European Framework of Reference for Languages: Learning, Teaching, Assessment*, 2001 (Cambridge University Press for the English version ISBN 0-521-00531-0). Also available on the Cedefop website: http://europass.cedefop.europa.eu/en/resources/european-language-levels-cefr'

DECISIONS

COUNCIL DECISION

of 23 June 2014

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

(2014/390/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 173 and 195 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ([1]), and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Protocol 31 to the Agreement on the European Economic Area, ('the EEA Agreement') contains provisions and arrangements concerning cooperation in specific fields outside the four freedoms.

(2) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) No 1287/2013 of the European Parliament and of the Council ([2]).

(3) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2014.

(4) The position of the Union within the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on behalf of the Union within the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 23 June 2014.

For the Council
The President
C. ASHTON

([1]) OJ L 305, 30.11.1994, p. 6.
([2]) Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014-20) and repealing Decision No 1639/2006/EC (OJ L 347, 20.12.2013, p. 33).

DRAFT

DECISION OF THE EEA JOINT COMMITTEE No …/2014

of

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

(1) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014-20) and repealing Decision No 1639/2006/EC ([1]).

(2) Protocol 31 to the EEA Agreement should therefore be amended accordingly, in order to allow for this extended cooperation to take place from 1 January 2014,

HAS ADOPTED THIS DECISION:

Article 1

The following is added in paragraph 5 of Article 7 of Protocol 31 to the EEA Agreement:

'— **32013 R 1287:** Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014-20) and repealing Decision No 1639/2006/EC (OJ L 347, 20.12.2013, p. 33).

Liechtenstein and Norway shall be exempted from the participation in, and the financial contribution to, this programme.'.

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA Agreement (*).

It shall apply from 1 January 2014.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels,

For the EEA Joint Committee
The President
The Secretaries
to the EEA Joint Committee

([1]) OJ L 347, 20.12.2013, p. 33.
(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COMMISSION DECISION

of 23 June 2014

establishing the ecological criteria for the award of the EU Ecolabel for bed mattresses

(notified under document C(2014) 4083)

(Text with EEA relevance)

(2014/391/EU)

THE EUROPEAN COMMISSION,

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

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

After consulting the European Union Eco-labelling Board,

Whereas:

(1) Under Regulation (EC) No 66/2010, the EU Ecolabel may be awarded to products which have a reduced environmental impact during their entire life cycle.

(2) Regulation (EC) No 66/2010 provides that specific EU Ecolabel criteria are to be established according to product groups.

(3) Commission Decision 2009/598/EC ([2]) has established the ecological criteria and the related assessment and verification requirements for bed mattresses, which are valid until 30 June 2014.

(4) In order to better reflect the state of the art of the market for this product group and take into account the innovation of the last years, it is considered appropriate to modify the scope of the product group and to establish a revised set of ecological criteria.

(5) The revised criteria, as well as the related assessment and verification requirements should be valid for four years from the date of adoption of this Decision, taking into account the innovation cycle for this product group. These criteria aim at using of materials produced in a more sustainable way (considering a life cycle analysis approach), limiting the use of hazardous compounds, the levels of hazardous residues and the contribution of mattresses to indoor air pollution and promoting a durable and high-quality product that is easy to repair and disassembly.

(6) Decision 2009/598/EC should therefore be replaced by this Decision.

(7) A transitional period should be allowed for producers whose products have been awarded the EU Ecolabel for bed mattresses on the basis of the criteria set out in Decision 2009/598/EC, so that they have sufficient time to adapt their products to comply with the revised criteria and requirements.

(8) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010,

HAS ADOPTED THIS DECISION:

Article 1

1. The product group 'bed mattresses' shall comprise products consisting of a cloth cover that is filled with materials and that can be placed on an existing supporting bed structure or designed for free standing in order to provide a surface to sleep or rest upon for indoor use.

([1]) OJ L 27, 30.1.2010, p. 1.
([2]) Commission Decision 2009/598/EC of 9 July 2009 on establishing the ecological criteria for the award of the Community Ecolabel for bed mattresses (OJ L 203, 5.8.2009, p. 65).

2. The product group shall not include wooden and upholstered bed bases, inflatable mattresses and water mattresses, as well as mattresses classified under Council Directive 93/42/EEC ([1]).

Article 2

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

(1) 'Cot mattress' means a mattress with the length shorter than 1 400 mm;

(2) 'Eliminable substance' means a substance that shows 80 % degradation of dissolved organic carbon within 28 days using one of the following test methods: OECD 303A/B, ISO 11733;

(3) 'Inherently biodegradable substance' means a substance that shows 70 % degradation of dissolved organic carbon within 28 days or 60 % of theoretical maximum oxygen depletion or carbon dioxide generation within 28 days using one of the following test methods: ISO 14593, OECD 302 A, ISO 9887, OECD 302 B, ISO 9888, OECD 302 C;

(4) 'Readily biodegradable substance' means a substance that shows 70 % degradation of dissolved organic carbon within 28 days or 60 % of theoretical maximum oxygen depletion or carbon dioxide generation within 28 days using one of the following test methods: OECD 301 A, ISO 7827, OECD 301 B, ISO 9439, OECD 301 C, OECD 301 D, ISO 10708, OECD 301 E, OECD 301 F, ISO 9408;

(5) 'Semi-volatile organic compound (SVOC)' means any organic compound eluting in a gas chromatographic column between n-hexadecane (excluded) and n-docosane (included) and with a boiling point approximately higher than 287 °C, where the measurement is carried out using a capillary column coated with 5 % phenyl/95 % methyl-polysiloxane;

(6) 'Very volatile organic compound (VVOC)' means any organic compound eluting in a gas chromatographic column before n-hexane and with a boiling point approximately lower than 68 °C, where the measurement is carried out using a capillary column coated with 5 % phenyl/95 % methyl-polysiloxane;

(7) 'Volatile organic compound (VOC)' means any organic compound eluting in a gas chromatographic column between, and including, n-hexane and n-hexadecane with a boiling point in the range of approximately 68 °C to 287 °C, where the measurement is carried out using a capillary column coated with 5 % phenyl/95 % methyl-polysiloxane.

Article 3

In order to be awarded the EU Ecolabel under Regulation (EC) No 66/2010, a product shall fall within the product group 'bed mattresses' as defined in Article 1 of this Decision and shall comply with the criteria as well as the related assessment and verification requirements set out in the Annex.

Article 4

The criteria for the product group 'bed mattresses', as well as the related assessment and verification requirements, shall be valid for four years from the date of adoption of this Decision.

Article 5

For administrative purposes, the code number assigned to the product group 'bed mattresses' shall be '014'.

Article 6

Decision 2009/598/EC is repealed.

([1]) Council Directive 93/42/EEC of 14 June 1993 concerning medical devices (OJ L 169, 12.7.1993, p. 1).

Article 7

1. By derogation from Article 6, applications for the EU Ecolabel for products falling within the product group 'bed mattresses' submitted before the date of adoption of this Decision shall be evaluated in accordance with the conditions laid down in Decision 2009/598/EC.

2. Applications for the EU Ecolabel for products falling within the product group 'bed mattresses' submitted within two months from the date of adoption of this Decision may be based either on the criteria set out in Decision 2009/598/EC or on the criteria set out in this Decision.

Those applications shall be evaluated in accordance with the criteria on which they are based.

3. EU Ecolabel licenses awarded in accordance with the criteria set out in Decision 2009/598/EC may be used for 12 months from the date of adoption of this Decision.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 23 June 2014.

For the Commission
Janez POTOČNIK
Member of the Commission

ANNEX

FRAMEWORK

Assessment and verification requirements

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

Where the applicant is required to provide declarations, documentation, analyses, test reports, or other evidence to show compliance with the criteria, these may originate from the applicant and/or his supplier(s) and/or their suppliers, etc., as appropriate.

Competent bodies shall preferentially recognise tests which are accredited according to ISO 17025 and verifications performed by bodies which are accredited under the EN 45011 standard or an equivalent international standard.

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

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

As pre-requisite, the product must meet all respective legal requirements of the country (countries) in which the product is intended to be placed on the market. The applicant shall declare the product's compliance with this requirement.

EU ECOLABEL CRITERIA

Criteria for awarding the EU Ecolabel to bed mattresses:

1. Latex foam
2. Polyurethane (PUR) foam
3. Wire and springs
4. Coconut fibres
5. Textiles (fabrics and fibres used as mattress cover and/or filling materials)
6. Glues and adhesives
7. Flame retardants
8. Biocides
9. Plasticizers
10. Excluded or limited substances and mixtures
11. Emission of specified volatile organic compounds (SVOCs, VOCs, VVOCs) from the mattress
12. Technical performance
13. Design for disassembly and recovery of materials
14. Information appearing on the EU Ecolabel
15. Additional information to consumers

The Ecolabel criteria reflect the best environmental performing products on the market of bed mattresses.

Whilst the use of chemical products and release of pollutants is part of the production process, the use of hazardous substances are excluded whenever possible or limited to the minimum necessary to provide an adequate function and at the same time strict quality and safety standards to the mattress. For this purpose, derogation conditions for specific substances/groups of substances are granted in exceptional circumstances, in order not to shift the environmental burden to other life cycle phases or impacts and only when there are no viable alternatives existing on the market.

Criterion 1. Latex foam

Note: The following requirements need to be met only if latex foam contributes to more than 5 % of the total weight of the mattress.

1.1. *Restricted substances*

The concentrations in the latex foam of the substances listed below shall not exceed the following values:

Group of substances	Substance	Limit value (ppm)	Assessment and verification conditions
Chlorophenols	mono- and di-chlorinated phenols (salts and esters)	1	A
	Other chlorophenols	0,1	A
Heavy metal	As (Arsenic)	0,5	B
	Cd (Cadmium)	0,1	B
	Co (Cobalt)	0,5	B
	Cr (Chromium), total	1	B
	Cu (Copper)	2	B
	Hg (Mercury)	0,02	B
	Ni (Nickel)	1	B
	Pb (Lead)	0,5	B
	Sb (Antimony)	0,5	B
Pesticides (*)	Aldrin	0,04	C
	o,p-DDE	0,04	C
	p,p-DDE	0,04	C
	o,p-DDD	0,04	C
	p,p-DDD	0,04	C
	o,p-DDT	0,04	C
	p,p-DDT	0,04	C
	Diazinone	0,04	C
	Dichlorfenthion	0,04	C
	Dichlorvos	0,04	C
	Dieldrin	0,04	C

Group of substances	Substance	Limit value (ppm)	Assessment and verification conditions
	Endrin	0,04	C
	Heptachlor	0,04	C
	Heptachlorepoxide	0,04	C
	Hexachlorobenzene	0,04	C
	Hexachlorocyclohexane	0,04	C
	α-Hexachlorocyclohexane	0,04	C
	β-Hexachlorcyclohexane	0,04	C
	γ-Hexachlorocyclohexane (Lindane)	0,04	C
	δ-Hexachlorocyclohexane	0,04	C
	Malathion	0,04	C
	Methoxichlor	0,04	C
	Mirex	0,04	C
	Parathion-ethyl	0,04	C
	Parathion-methyl	0,04	C
Other specific substances that are restricted	Butadiene	1	D

(*) Only for foams composed of natural latex for at least 20 % by weight.

Assessment and verification:

A. For clorophenols the applicant shall provide a report presenting the results of the following test procedure. 5 g of sample shall be milled and clorophenols shall be extracted in the form of phenol (PCP), sodium salt (SPP) or esters. The extracts shall be analysed by means of gas chromatography (GC). Detection shall be made with mass spectrometer or electron capture detector (ECD).

B. For heavy metals the applicant shall provide a report presenting the results of the following test procedure. Milled sample material is eluted in accordance with DIN 38414-S4 or equivalent in a ratio of 1:10. The resultant filtrate shall be passed through a 0,45 μm membrane filter (if necessary by pressure filtration). The solution obtained shall be examined for the content of heavy metals by inductively coupled plasma optical emission spectrometry (ICP-OES), also known as inductively coupled plasma atomic emission spectrometry (ICP-AES), or by atomic absorption spectrometry using a hydride or cold vapour process.

C. For pesticides the applicant shall provide a report presenting the results of the following test procedure: 2 g of sample is extracted in an ultrasonic bath with a hexane/dichloromethane mixture (85/15). The extract is cleaned up by acetonitrile agitation or by adsorption chromatography over florisil. Measurement and quantification are determined by gas chromatography with detection on an electron capture detector or by coupled gas chromatography/mass spectrometry. The testing on pesticides is requested for latex foams with a content of at least 20 % natural latex.

D. For butadiene the applicant shall provide a report presenting the results of the following test procedure. Following milling and weighing of the latex foam, headspace sampling shall be performed. Butadiene content shall be determined by gas chromatography with detection by flame ionisation.

1.2. *Emission of specified volatile organic compounds (SVOCs, VOCs, VVOCs)*

The room concentrations of the substances reported below, calculated through the test chamber method, shall not exceed the following values after a period of 24 hours.

Substance	Limit value (mg/m^3)
1,1,1 — trichloroethane	0,2
4-Phenylcyclohexene	0,02
Carbon Disulphide	0,02
Formaldehyde	0,005
Nitrosamines (*)	0,0005
Styrene	0,01
Tetrachloroethylene	0,15
Toluene	0,1
Trichlorethylene	0,05
Vinyl chloride	0,0001
Vinyl cyclohexene	0,002
Aromatic hydrocarbons (total)	0,3
VOCs (total)	0,5

(*) N-nitrosodimethylamine (NDMA), N-nitrosodiethylamine (NDEA), N-nitrosomethylethylamine (NMEA), N-nitrosodi-i-propylamine (NDIPA), N-nitrosodi-n-propylamine (NDPA), N-nitrosodi-n-butylamine (NDBA), N-nitrosopyrrolidinone (NPYR), N-nitrosopiperidine (NPIP), N-nitrosomorpholine (NMOR).

Assessment and verification: the applicant shall provide a report presenting the results of the following test procedure. A test chamber analysis shall be performed in accordance with the standard ISO 16000-9. The wrapped sample shall be stored at room temperature at least for 24 hours. After this period the sample shall be unwrapped and immediately transferred into the test chamber. The sample shall be placed on a sample holder, which allows air access from all sides. The climatic factors shall be adjusted according to ISO 16000-9. For comparison of test results, the area specific ventilation rate (q = n/l) shall be 1. The ventilation rate shall be between 0,5 and 1. The air sampling shall be done 24 ± 1 h after loading of the chamber during 1 hour on DNPH cartridges for the analysis of formaldehyde and other aldehydes and on Tenax TA for the analysis of other volatile organic compounds. Sampling duration for other compounds may be longer but shall be completed before 30 hours.

The analysis of formaldehyde and other aldehydes shall comply with the standard ISO 16000-3. Unless specified differently, the analysis of other volatile organic compounds shall comply with the standard ISO 16000-6.

Testing following the standard CEN/TS 16516 shall be considered equivalent to those of the ISO 16000 series of standards.

The analysis of nitrosamines shall be done by means of gas chromatography in combination with a thermal energy analysis detector (GC-TEA), in accordance with the BGI 505-23 method (formerly: ZH 1/120.23) or equivalent.

1.3. *Dyes*

Should dyes be used, criterion 5.5 shall be respected.

Assessment and verification: the applicant shall provide either a declaration of non-use of dyes from the manufacturer of the foam or, in case of use, a declaration of compliance with this criterion, together with supporting documentation.

Criterion 2. Polyurethane (PUR) foam

Note: The following requirements need to be met only if PUR foam contributes to more than 5 % of the total weight of the mattress.

2.1. *Restricted substances*

The concentrations in the PUR foam of the substances listed below shall not exceed the following values:

Group of substances	Substance (acronym, CAS number, element symbol)	Limit value	Assessment and verification conditions
Biocides	Substances restricted according to criterion 8.1	Not added intentionally	A
Heavy Metals	As (Arsenic)	0,2 ppm	B
	Cd (Cadmium)	0,1 ppm	B
	Co (Cobalt)	0,5 ppm	B
	Cr (Chromium), total	1,0 ppm	B
	Cr VI (Chromium VI)	0,01 ppm	B
	Cu (Copper)	2,0 ppm	B
	Hg (Mercury)	0,02 ppm	B
	Ni (Nickel)	1,0 ppm	B
	Pb (Lead)	0,2 ppm	B
	Sb (Antimony)	0,5 ppm	B
	Se (Selenium)	0,5 ppm	B

Group of substances	Substance (acronym, CAS number, element symbol)	Limit value	Assessment and verification conditions
Plasticizers	Di-iso-nonylphthalate (DINP, 28553-12-0)	0,01 % w/w (sum)	C
	Di-n-octylphthalate (DNOP, 117-84-0)		
	Di (2-ethylhexyl)-phthalate (DEHP, 117-81-7)		
	Di-iso-decylphthalate (DIDP, 26761-40-0)		
	Butylbenzylphthalate (BBP, 85-68-7)		
	Dibutylphthalate (DBP, 84-74-2)		
	Phthalates	Not added intentionally	A
TDA and MDA	2,4 Toluenediamine (2,4-TDA, 95-80-7)	5,0 ppm	D
	4,4'-Diaminodiphenylmethane	5,0 ppm	D
	(4,4'-MDA, 101-77-9)		
Tinorganic substances	Tributyltin (TBT)	50 ppb	E
	Dibutyltin (DBT)	100 ppb	E
	Monobutyltin (MBT)	100 ppb	E
	Tetrabutyltin (TeBT)	—	—
	Monooctyltin (MOT)	—	—
	Dioctyltin (DOT)	—	—
	Tricyclohexyltin (TcyT)	—	—
	Triphenyltin (TPhT)	—	—
	Sum	500 ppb	E
Other specific susbstances that are restricted	Chlorinated or brominated dioxines or furans	Not added intentionally	A
	Chlorinated hydrocarbons (1,1,2,2-Tetrachloroethane, Pentachloroethane, 1,1,2-Trichloroethane, 1,1-Dichloroethylene)	Not added intentionally	A

Group of substances	Substance (acronym, CAS number, element symbol)	Limit value	Assessment and verification conditions
	Chlorinated phenols (PCP, TeCP, 87-86-5)	Not added intentionally	A
	Hexachlorocyclohexane (58-89-9)	Not added intentionally	A
	Monomethyldibromo–Diphenylmethane (99688-47-8)	Not added intentionally	A
	Monomethyldichloro-Diphenylmethane (81161-70-8)	Not added intentionally	A
	Nitrites	Not added intentionally	A
	Polybrominated Biphenyls (PBB, 59536-65-1)	Not added intentionally	A
	Pentabromodiphenyl Ether (PeBDE, 32534-81-9)	Not added intentionally	A
	Octabromodiphenyl Ether (OBDE, 32536-52-0)	Not added intentionally	A
	Polychlorinated Biphenyls (PCB, 1336-36-3)	Not added intentionally	A
	Polychlorinated Terphenyls (PCT, 61788-33-8)	Not added intentionally	A
	Tris(2,3-dibromopropyl) phosphate (TRIS, 126-72-7)	Not added intentionally	A
	Trimethylphosphate (512-56-1)	Not added intentionally	A
	Tris-(aziridinyl)-phosphinoxide (TEPA, 545-55-1)	Not added intentionally	A
	Tris(2-chloroethyl)-phosphate (TCEP, 115-96-8)	Not added intentionally	A
	Dimethyl methylphosphonate (DMMP, 756-79-6)	Not added intentionally	A

Assessment and verification:

A. For biocides, phthalates and other specific substances that are restricted the applicant shall provide a declaration supported by declarations from manufacturers of the foam confirming that the listed substances have not been added intentionally to the foam formulation.

B. For heavy metals the applicant shall provide a report presenting the results of the following test procedure. Milled sample material is eluted in accordance with DIN 38414-S4 or equivalent in a ratio of 1:10. The resultant filtrate shall be passed through a 0,45 μm membrane filter (if necessary by pressure filtration). The solution obtained shall be examined for the content of heavy metals by atomic emission spectrometry with inductively coupled plasma (ICP-AES or ICP-OES) or by atomic absorption spectrometry using a hydride or cold vapour process.

C. For the total amount of plasticizers the applicant shall provide a report presenting the results of the following test procedure. The sample shall be a composite of 6 pieces to be taken from beneath each samples face (to a maximum of 2 cm from the surface). Extraction shall be performed with dichloromethane using validated method and followed by analysis with gas chromatography–mass spectrometry (GC/MS) or high-performance liquid chromatography (HPLC/UV).

D. For TDA and MDA the applicant shall provide a report presenting the results of the following test procedure. The sample shall be a composite of 6 pieces to be taken from beneath each samples face (to a maximum of 2 cm from the surface). Extraction shall be performed with 1 % aqueous acetic acid solution. Four repeat extractions of the same foam sample shall be performed maintaining the sample weight to volume ratio of 1:5 in each case. The extracts shall be combined, made up to a known volume, filtered and analysed by high-performance liquid chromatography (HPLC-UV) or HPLC-MS. If HPLC-UV is performed and interference is suspected, reanalysis with high performance liquid chromatography–mass spectrometry (HPLC-MS) shall be performed.

E. For tinorganic substances the applicant shall provide a report presenting the results of the following test procedure. The sample shall be a composite of 6 pieces to be taken from beneath each sample face (to a maximum of 2 cm from the surface). Extraction shall be performed for 1 hour in an ultrasonic bath at room temperature. The extracting agent shall be a mixture composed as it follows: 1 750 ml methanol + 300 ml acetic acid + 250 ml buffer (pH 4,5). The buffer shall be a solution of 164 g of sodium acetate in 1 200 ml of water and 165 ml acetic acid, to be diluted with water to a volume of 2 000 ml. After extraction the alkyl tin species shall be derivatized by adding sodium tetraethylborate solution in tetrahydrofuran (THF). The derivative shall be extracted with n-hexane and the sample shall be submitted to a second extraction procedure. Both hexane extracts shall be combined and further used to determine the organotin compounds by gas chromatography with mass selective detection in SIM modus.

2.2. *Emission of specified volatile organic compounds (SVOCs, VOCs, VVOCs)*

The room concentrations of the substances reported below, calculated through the test chamber method, shall not exceed the following values after a period of 72 hours.

Substance (CAS number)	Limit value (mg/m^3)
Formaldehyde (50-00-0)	0,005
Toluene (108-88-3)	0,1
Styrene (100-42-5)	0,005
Each detectable compound classified as categories C1A or C1B according to the Regulation (EC) No 1272/2008 of the European Parliament and of the Council [1]	0,005
Sum of all detectable compound classified as categories C1A or C1B according to Regulation (EC) No 1272/2008	0,04
Aromatic hydrocarbons	0,5
VOCs (total)	0,5

[1] Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

Assessment and verification: the applicant shall provide a report presenting the results of the following test procedure. The foam sample is placed on the bottom of an emission test chamber and is conditioned for 3 days at 23 °C and 50 % relative humidity, applying an air exchange rate n of 0,5 per hour and a chamber loading L of 0,4 m^2/m^3 (= total exposed surface of sample in relation to chamber dimensions without sealing edges and back) in accordance with ISO 16000-9 and ISO 16000-11. Sampling shall be done 72 ± 2 h after loading of the chamber during 1 hour on Tenax TA and DNPH cartridges for respectively VOC and formaldehyde analysis. The emissions of VOC are being trapped on Tenax TA sorbent tubes and subsequently analysed by means of thermo-desorption-GC-MS in accordance to ISO 16000-6. Results are semi-quantitatively expressed as toluene equivalents. All specified individual components are reported from a concentration limit ≥ 1 $\mu g/m^3$. Total VOC value is the sum of all components with a concentration ≥ 1 $\mu g/m^3$ and eluting within the retention time window from n-hexane (C6) to n-hexadecane (C16), both included. The

sum of all detectable compounds classified as categories C1A or C1B according to Regulation (EC) No 1272/2008 is the sum of all these substances with a concentration ≥ 1 µg/m³. In case the test results exceed the standard limits, substance specific quantification needs to be performed. Formaldehyde can be determined by collection of the sampled air onto DNPH cartridge and subsequent analysis by HPLC/UV in accordance to ISO 16000-3.

Testing following the standard CEN/TS 16516 shall be considered equivalent to those of the ISO 16000 series of standards.

Note:

— Chamber volume shall be 0,5 or 1 m³.

— 1 sample (25 cm × 20 cm × 15 cm) shall be used in a test chamber of 0,5 m³ standing vertically on one 20 cm × 15 cm side.

— 2 samples (25 cm × 20 cm × 15 cm) shall be used in a 1 m³ test chamber standing vertically on one 20 cm × 15 cm side; in this case both samples shall be placed in the test chamber with 15 cm distance in between.

2.3. *Dyes*

Should dyes be used, criterion 5.5 shall be respected.

Assessment and verification: the applicant shall provide either a declaration of non-use of dyes from the manufacturer of the foam or, in case of use, a declaration of compliance with this criterion, together with supporting documentation.

2.4. *Total chlorine content of isocyanates*

Should mixed isomers of toluene diisocyanate (TDI) be used in the production of the PUR foam, the total chlorine content of these isocyanates shall not exceed 0,07 % by weight.

Assessment and verification: the applicant shall provide either a declaration of non-use from the manufacturer of the foam or the results of the test methods carried-out in accordance with ASTM D4661-93 or equivalent.

2.5. *Blowing agents*

Halogenated organic compounds shall not be used as blowing agents or as auxiliary blowing agents.

Assessment and verification: the applicant shall provide a declaration of non-use from the manufacturer of the foam.

Criterion 3. Wire and springs

Note: The following requirements need to be met only if wire and springs contribute to more than 5 % of the total weight of the mattress.

3.1. *Degreasing*

If degreasing and/or cleaning of wire and/or springs is carried out with organic solvents, use shall be made of a closed cleaning/degreasing system.

Assessment and verification: the applicant shall provide a corresponding declaration from the manufacturer of wire and/or springs.

3.2. *Galvanisation*

The surface of springs shall not be covered with a galvanic metallic layer.

Assessment and verification: the applicant shall provide a corresponding declaration from the manufacturer of wire and/or springs.

Criterion 4. Coconut fibres

Note: The following requirement needs to be met only if coconut fibre contribute to more than 5 % of the total weight of the mattress.

Criteria for latex foam shall be considered if coconut fibre material is rubberised using latex.

Assessment and verification: the applicant shall either provide a declaration of non-use of rubberised coconut fibres, or the test reports required in criterion 1 for latex foam.

Criterion 5. Textiles (fabrics and fibres used as mattress cover and/or filling materials)

Notes:

(1) All the requirements (5.1 to 5.11) shall be respected for the mattress cover (i.e. ticking).

(2) Filling materials (i.e. padding) shall respect requirement 5.1. Where wool is used as filling material, requirements 5.1, 5.2 and 5.8 shall be respected.

(3) All textiles which have been awarded the EU Ecolabel, as established in Commission Decision 2014/350/EU [1], are considered being automatically compliant with requirements 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.10 and 5.11. Nevertheless, in order to allow mattresses to be awarded the EU Ecolabel, it shall be demonstrated that also criterion 5.9 is satisfied for the mattress cover.

5.1. *General requirements on hazardous substances (including flame retardants, biocides and plasticizers) (Applicability: all textiles)*

All textiles: criteria 7 (flame retardants), 8 (biocides), 9 (plasticizers) and 10 (hazardous substances) shall be respected by all textiles.

Assessment and verification: the applicant shall provide a declaration of compliance with this criterion, together with the supporting documentation required in the respective criterion (7, 8, 9 and 10).

5.2. *Auxiliaries used in preparations and formulations (Applicability: covers made of any fibres and filling materials made of wool)*

All covers: The following substances shall not be used in any preparations or formulations used for the production of all mattress covers. Limit values for the presence of Alkylophenols and APEOs on the cover shall be respected.

Filling materials made of wool: Alkylophenols and APEOs shall not be used in any preparations or formulations used for the production of filling materials made of wool and limit values for their presence in the filling material shall be respected.

Substance (CAS number/Acronym)	Limit value (mg/kg)	Assessment and verification conditions
Alkylphenols: — Nonylphenol, mixed isomers (25154-52-3) — 4-Nonylphenol (104-40-5) — 4-Nonylphenol, branched (84852-15-3) — Octylphenol (27193-28-8) — 4-Octylphenol (1806-26-4) — 4-tert-Octylphenol (140-66-9)	25 (sum)	A
Alkylphenolethoxylates (APEOs) and their derivatives — Polyoxyethylated octyl phenol (9002-93-1) — Polyoxyethylated nonyl phenol (9016-45-9) — Polyoxyethylated p-nonyl phenol (26027-38-3)		

[1] Commission Decision 2014/350/EU of 5 June 2014 establishing the ecological criteria for the award of the EU Ecolabel for textile products (OJ L 174, 13.6.2014, p. 45).

Substance (CAS number/Acronym)	Limit value (mg/kg)	Assessment and verification conditions
bis(hydrogenated tallow alkyl) dimethyl ammonium chloride (DTDMAC)	Not used	B
distearyl dimethyl ammonium chloride (DSDMAC)		
di(hardened tallow) dimethyl ammonium chloride (DHTDMAC)		
ethylene diamine tetra acetate (EDTA)		
diethylene triamine penta acetate (DTPA)		
4-(1,1,3,3-tetramethylbutyl)phenol		
1-Methyl-2-pyrrolidone		
Nitrilotriacetic acid (NTA)		

Assessment and verification:

A. The applicant shall provide a report presenting the results of the final product testing which shall be performed through solvent extraction followed by liquid chromatography–mass spectrometry (LC-MS).

B. The applicant shall provide a declaration of non-use from the supplier supported by safety data sheets for all production stages.

5.3. *Surfactants, fabric softeners and complexing agents in wet processes (Applicability: covers made of any fibres)*

All surfactants, softeners and complexing agents: At least 95 % by weight of surfactants, softeners and complexing agents shall comply with one of the following conditions:

(a) they shall be readily biodegradable under aerobic conditions;

(b) they shall be inherently biodegradable or eliminable in wastewater treatment plants.

Non-ionic and cationic surfactants: All non-ionic and cationic surfactants shall also be readily biodegradable under anaerobic conditions.

The latest revision of the Detergents Ingredients Database should be used as a reference point for biodegradability:

http://ec.europa.eu/environment/ecolabel/documents/did_list/didlist_part_a_en.pdf

Assessment and verification: the applicant shall provide appropriate documentation through safety data sheets and declarations from suppliers.

For all surfactants, softeners and complexing agents, this shall be supported by results of appropriate OECD or ISO tests for:

— Readily biodegradability (OECD 301 A, ISO 7827, OECD 301 B, ISO 9439, OECD 301 C, OECD 301 D, ISO 10708, OECD 301 E, OECD 301 F, ISO 9408)

— Inherently biodegradability (ISO 14593, OECD 302 A, ISO 9887, OECD 302 B, ISO 9888, OECD 302 C)

— Eliminability (OECD 303A/B, ISO 11733)

For non-ionic and cationic surfactants, this shall be supported by results of appropriate OECD or ISO tests (ISO 11734, ECETOC No 28 (June 1988), OECD 311).

5.4. *Bleaching of pulp, yarns, fabrics and end products (Applicability: covers made of any fibres)*

Chlorine agents shall not be used for the bleaching of any yarns, fabrics or end-products with the exception of man-made cellulose fibres.

Pulp used to manufacture man-made cellulose fibres (e.g. viscose) shall be bleached without the use of elemental chlorine. The resulting total amount of chlorine and organically bound chlorine in the finished fibres (OX) shall not exceed 150 ppm or in the wastewater from pulp manufacturing (AOX) shall not exceed 0,170 kg/ADt pulp.

Assessment and verification: the applicant shall provide a declaration of non-use of chlorinated bleaching agents from the supplier.

For man-made cellulose fibres, the applicant shall provide a test report showing compliance with either the OX or the AOX requirement, using the appropriate test method:

— OX: ISO 11480 (controlled combustion and microcoulometry)

— AOX: ISO 9562

5.5. *Dyes (Applicability: covers made of any fibres)*

The following restrictions apply to dyes.

The use of dyes in textiles shall be also compliant with criterion 10 on hazardous substances and thus the related derogation conditions shall apply. Derogation conditions relate to the handling of dyes in the dye house, the dyeing process and colour removal from wastewater from dye houses.

<table>
<tr><th>Group of substances</th><th colspan="2">Criterion</th><th>Assessment and verification</th></tr>
<tr><td>(i) Halogenated carriers</td><td colspan="2">Where disperse dyes are used, halogenated dyeing accelerants (carriers) shall not be used to dye polyester, acrylic or polyamide fibres and fabrics made of these fibres or polyester-wool blends (Examples of carriers include: 1,2-dichlorobenzene, 1,2,4-trichlorobenzene, chlorophenoxyethanol).</td><td>A</td></tr>
<tr><td>(ii) Azo dyes</td><td colspan="2">Azo dyes that may cleave to aromatic amines that are known to be carcinogenic shall not be used in acrylic, cotton, polyamide and wool fibres and fabrics made of these fibres. The limit value for the content of each arylamine in the final product shall be 30 mg/kg.</td><td>B</td></tr>
<tr><td></td><td>Arylamine</td><td>CAS number</td><td></td></tr>
<tr><td></td><td>4-aminodiphenyl</td><td>92-67-1</td><td></td></tr>
<tr><td></td><td>Benzidine</td><td>92-87-5</td><td></td></tr>
<tr><td></td><td>4-chloro-o-toluidine</td><td>95-69-2</td><td></td></tr>
<tr><td></td><td>2-naphtylamine</td><td>91-59-8</td><td></td></tr>
<tr><td></td><td>o-amino-azotoluene</td><td>97-56-3</td><td></td></tr>
<tr><td></td><td>2-amino-4-nitrotoluene</td><td>99-55-8</td><td></td></tr>
<tr><td></td><td>p-chloroaniline</td><td>106-47-8</td><td></td></tr>
<tr><td></td><td>2,4-diaminoanisol</td><td>615-05-4</td><td></td></tr>
</table>

Group of substances	Criterion		Assessment and verification
	4,4′-diaminodiphenylmethane	101-77-9	
	3,3′-dichlorobenzidine	91-94-1	
	3,3′-dimethoxybenzidine	119-90-4	
	3,3′-dimethylbenzidine	119-93-7	
	3,3′-dimethyl-4,4′-diaminodiphenylmethane	838-88-0	
	p-cresidine	120-71-8	
	4,4′-methylene-bis-(2-chloroaniline)	101-14-4	
	4,4′-oxydianiline	101-80-4	
	4,4′-thiodianiline	139-65-1	
	o-toluidine	95-53-4	
	2,4-diaminotoluene	95-80-7	
	2,4,5-trimethylaniline	137-17-7	
	o-anisidine (2-Methoxyanilin)	90-04-0	
	2,4-Xylidine	95-68-1	
	2,6-Xylidine	87-62-7	
	4-aminoazobenzene	60-09-3	
	An indicative list of azodyes that may cleave to arylamines is provided in the following.		
	Disperse dyes that may cleave to aromatic amines		
	Disperse Orange 60	Disperse Yellow 7	
	Disperse Orange 149	Disperse Yellow 23	
	Disperse Red 151	Disperse Yellow 56	
	Disperse Red 221	Disperse Yellow 218	
	Basic dyes that may cleave to aromatic amines		
	Basic Brown 4	Basic Red 114	
	Basic Red 42	Basic Yellow 82	
	Basic Red 76	Basic Yellow 103	
	Basic Red 111		

Group of substances	Criterion			Assessment and verification
	Acid dyes that may cleave to aromatic amines			
	CI Acid Black 29	CI Acid Red 24	CI Acid Red 128	
	CI Acid Black 94	CI Acid Red 26	CI Acid Red 115	
	CI Acid Black 131	CI Acid Red 26:1	CI Acid Red 128	
	CI Acid Black 132	CI Acid Red 26:2	CI Acid Red 135	
	CI Acid Black 209	CI Acid Red 35	CI Acid Red 148	
	CI Acid Black 232	CI Acid Red 48	CI Acid Red 150	
	CI Acid Brown 415	CI Acid Red 73	CI Acid Red 158	
	CI Acid Orange 17	CI Acid Red 85	CI Acid Red 167	
	CI Acid Orange 24	CI Acid Red 104	CI Acid Red 170	
	CI Acid Orange 45	CI Acid Red 114	CI Acid Red 264	
	CI Acid Red 4	CI Acid Red 115	CI Acid Red 265	
	CI Acid Red 5	CI Acid Red 116	CI Acid Red 420	
	CI Acid Red 8	CI Acid Red 119:1	CI Acid Violet 12	
	Direct dyes that may cleave to aromatic amines			
	Direct Black 4	Basic Brown 4	Direct Red 13	
	Direct Black 29	Direct Brown 6	Direct Red 17	
	Direct Black 38	Direct Brown 25	Direct Red 21	
	Direct Black 154	Direct Brown 27	Direct Red 24	
	Direct Blue 1	Direct Brown 31	Direct Red 26	
	Direct Blue 2	Direct Brown 33	Direct Red 22	
	Direct Blue 3	Direct Brown 51	Direct Red 28	
	Direct Blue 6	Direct Brown 59	Direct Red 37	
	Direct Blue 8	Direct Brown 74	Direct Red 39	
	Direct Blue 9	Direct Brown 79	Direct Red 44	
	Direct Blue 10	Direct Brown 95	Direct Red 46	
	Direct Blue 14	Direct Brown 101	Direct Red 62	
	Direct Blue 15	Direct Brown 154	Direct Red 67	

Group of substances	Criterion			Assessment and verification
	Direct Blue 21	Direct Brown 222	Direct Red 72	
	Direct Blue 22	Direct Brown 223	Direct Red 126	
	Direct Blue 25	Direct Green 1	Direct Red 168	
	Direct Blue 35	Direct Green 6	Direct Red 216	
	Direct Blue 76	Direct Green 8	Direct Red 264	
	Direct Blue 116	Direct Green 8.1	Direct Violet 1	
	Direct Blue 151	Direct Green 85	Direct Violet 4	
	Direct Blue 160	Direct Orange 1	Direct Violet 12	
	Direct Blue 173	Direct Orange 6	Direct Violet 13	
	Direct Blue 192	Direct Orange 7	Direct Violet 14	
	Direct Blue 201	Direct Orange 8	Direct Violet 21	
	Direct Blue 215	Direct Orange 10	Direct Violet 22	
	Direct Blue 295	Direct Orange 108	Direct Yellow 1	
	Direct Blue 306	Direct Red 1	Direct Yellow 24	
	Direct Brown 1	Direct Red 2	Direct Yellow 48	
	Direct Brown 1:2	Direct Red 7		
	Direct Brown 2	Direct Red 10		
(iii) CMR dyes	Dyes that are carcinogenic, mutagenic or toxic to reproduction shall not be used in all fibres and fabrics.			A
	Dyes that are carcinogenic, mutagenic or toxic to reproduction	CAS number		
	C.I. Acid Red 26	3761-53-3		
	C.I. Basic Red 9	569-61-9		
	C.I. Basic Violet 14	632-99-5		
	C.I. Direct Black 38	1937-37-7		
	C.I. Direct Blue 6	2602-46-2		
	C.I. Direct Red 28	573-58-0		
	C.I. Disperse Blue 1	2475-45-8		
	C.I. Disperse Orange 11	82-28-0		
	C.I. Disperse Yellow 3	2832-40-8		

<table>
<tr><th>Group of substances</th><th colspan="2">Criterion</th><th>Assessment and verification</th></tr>
<tr><td>(iv) Potentially sensitising dyes</td><td colspan="2">Dyes that are potentially sensitising shall not be used in acrylic, polyamide and polyester fibres and fabrics made of these fibres.</td><td>A</td></tr>
<tr><td></td><td>Disperse dyes that are potentially sensitising</td><td>CAS number</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Blue 1</td><td>2475-45-8</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Blue 3</td><td>2475-46-9</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Blue 7</td><td>3179-90-6</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Blue 26</td><td>3860-63-7</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Blue 35</td><td>12222-75-2</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Blue 102</td><td>12222-97-8</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Blue 106</td><td>12223-01-7</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Blue 124</td><td>61951-51-7</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Brown 1</td><td>23355-64-8</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Orange 1</td><td>2581-69-3</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Orange 3</td><td>730-40-5</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Orange 37</td><td>12223-33-5</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Orange 76</td><td>13301-61-6</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Red 1</td><td>2872-52-8</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Red 11</td><td>2872-48-2</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Red 17</td><td>3179-89-3</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Yellow 1</td><td>119-15-3</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Yellow 3</td><td>2832-40-8</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Yellow 9</td><td>6373-73-5</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Yellow 39</td><td>12236-29-2</td><td></td></tr>
<tr><td></td><td>C.I. Disperse Yellow 49</td><td>54824-37-2</td><td></td></tr>
<tr><td>(v) Chrome mordant dyes</td><td colspan="2">Chrome mordant dyes shall not be used in polyamide and wool fibres and fabrics made of these fibres.</td><td>A</td></tr>
<tr><td>(vi) Metal complex dyes</td><td colspan="2">Metal complex dyes based on copper, chromium and nickel shall only be permitted for dyeing wool, polyamide or blends of these fibres with man-made cellulose fibres (e.g. viscose).</td><td>A</td></tr>
</table>

Assessment and verification:

A. The applicant shall provide a declaration of non-use from the supplier supported by safety data sheets.

B. The applicant shall provide a report presenting the results of the final product testing. Content of azo dyes in the final product shall be tested according to EN 14362-1 and 14362-3. Limit value is 30 mg/kg for each arylamine. (*Note:* false positives may be possible with respect to the presence of 4-aminoazobenzene, and confirmation is therefore recommended).

5.6. *Extractable metals (Applicability: covers made of any fibres)*

The following limit values shall apply:

Metal	Limit values (mg/kg)	
	Covers for cot mattresses	All other products
Antimony (Sb)	30,0	30,0
Arsenic (As)	0,2	1,0
Cadmium (Cd)	0,1	0,1
Chromium (Cr):		
— Textiles dyed with metal complex dyes	1,0	2,0
— All other textiles	0,5	1,0
Cobalt (Co)		
— Textiles dyed with metal complex dyes	1,0	4,0
— All other textiles	1,0	1,0
Copper (Cu)	25,0	50,0
Lead (Pb)	0,2	1,0
Nickel (Ni):		
— Textiles dyed with metal complex dyes	1,0	1,0
— All other textiles	0,5	1,0
Mercury (Hg)	0,02	0,02

Assessment and verification: the applicant shall provide a report presenting the results of the final product testing as verification for the limit values. The tests shall be extraction according to ISO 105-E04 (acid sweat solution) and detection with inductively coupled plasma mass spectrometry (ICP-MS) or inductively coupled plasma optical emission spectrometry (ICP-OES, also referred to as ICP-AES).

5.7. *Water, stain and oil repellents (Applicability: covers made of any fibres)*

Fluorinated water, stain and oil repellent treatment shall not be used. This shall include perfluorinated and polyfluorinated carbon treatments.

Non-fluorinated treatments shall be readily biodegradable and non-bioaccumulative in the aquatic environment including aquatic sediment. They shall additionally comply with criterion 10 on hazardous substances.

Assessment and verification: the applicant shall provide a declaration of non-use from the supplier supported by safety data sheets and compliance with criterion 10 shall be demonstrated accordingly.

5.8. *Wastewater discharges from wet processing (Applicability: covers made of any fibres and filling materials made of wool)*

Wastewater discharges to the environment shall not exceed 20 g COD/kg textile processing. This requirement shall apply to weaving, dyeing, printing and finishing processes used to manufacture the product(s). The requirement shall be measured downstream of on-site wastewater treatment plant or off-site wastewater treatment plant receiving wastewater from those processing sites.

If the effluent is treated on site and discharged directly to surface waters, it shall also meet the following requirements:

(i) pH between 6 and 9 (unless the pH of the receiving water is outside this range)

(ii) Temperature of less than 35 °C (unless the temperature of the receiving water is above this value)

If colour removal is required by a derogation condition in criterion 10(a) then the following spectral absorption coefficients shall be met:

(i) 7 m^{-1} at 436 nm (yellow sector)

(ii) 5 m^{-1} at 525 nm (red sector)

(iii) 3 m^{-1} at 620 nm (blue sector).

Assessment and verification: the applicant shall provide detailed documentation and test reports, using ISO 6060 for determination of COD and ISO 7887 for determination of colour, and showing compliance with this criterion on the basis of monthly averages for the six months preceding the application, together with a declaration of compliance. The data shall demonstrate compliance by the production site or, if the effluent is treated off-site, by the wastewater treatment operator.

5.9. *Mechanical resistance (Applicability: covers made of any fibre)*

Mattress cover shall achieve satisfactory mechanical properties, which are defined by the following testing standards:

Property	Requirement	Test method
Tear strength	Woven fabrics ≥ 15 N Nonwoven fabrics ≥ 20 N Knitted fabrics: not applicable	ISO 13937-2 (woven fabrics) ISO 9073-4 (nonwoven)
Seam slippage	Woven fabrics ≥ 16 picks: maximum 6 mm Woven fabrics < 16 picks: maximum 10 mm Knitted fabrics and nonwovens: not applicable	ISO 13936-2 (under a load of 60 N for all woven fabrics)
Tensile strength	Woven fabrics ≥ 350 N Knitted fabrics and nonwovens: not applicable	ISO 13934-1

Assessment and verification: the applicant shall provide reports describing the results of the tests performed according to ISO 13937-2 or ISO 9073-4 for tear strength, ISO 13936-2 (under a load of 60 N) for seam slippage and ISO 13934-1 for tensile strength.

5.10. *Durability of flame retardant function (Applicability: covers made of any fibre)*

Removable and washable covers shall retain their functionality after 50 wash and tumble dry cycles at a minimum of 75 °C. Covers that are not intended to be removed and washed shall retain their functionality after a soak test.

Assessment and verification: the applicant shall provide reports from tests carried out according to the following standards, as appropriate:

— ISO 6330 in combination with ISO 12138 for domestic wash cycles and ISO 10528 for industrial laundry cycles in case of removable and washable covers.

— BS 5651 or equivalent in case the cover is not intended to be removed and washed.

5.11. *Dimensional change (Applicability: removable covers made of any fibres)*

For mattress covers that are removable and washable, the dimensional changes after washing and drying at either domestic or industrial washing temperatures and conditions shall not exceed:

— Woven fabrics: ± 3 %

— Nonwoven fabrics: ± 5 %

This criterion does not apply to fabrics that are not promoted as 'washable'.

Assessment and verification: the applicant shall provide test reports referring to appropriate standards. ISO 6330 in combination with EN 25077 shall be used as test method. Unless the cover states otherwise, the default conditions shall be washing 3A (60 °C), drying C (flat drying) and ironing according to the composition of the fabric.

Criterion 6. Glues and adhesives

Glues containing organic solvents shall not be used. Glues and adhesives used for assembling the product shall be also compliant with criterion 10 on hazardous substances.

Assessment and verification: the applicant shall provide a declaration of non-use or a declaration from suppliers together with supporting documentation and compliance with criterion 10 shall be demonstrated accordingly.

Criterion 7. Flame retardants

The following flame retardants shall not be added intentionally to the product, any article of it and any homogeneous part of it:

Name	CAS number	Acronym
Decabromodiphenlyether	1163-19-5	decaBDE
Hexabromocyclododecane	25637-99-4	HBCD/HBCDD
Octabromodiphenylether	32536-52-0	octaBDE
Pentabromodiphenylether	32534-81-9	pentaBDE
Polybrominated biphenyls	59536-65-1	PBBs
Short chain chlorinated paraffins (C10-C13)	85535-84-8	SCCP
Tris-(2,3-dibromopropyl)-phosphate	126-72-7	TRIS
Tris(2-chloroethyl)phosphate	115-96-8	TCEP
Tris-(aziridinyl)-phosphinoxide	545-55-1	TEPA

The use of any flame retardant shall be compliant with criterion 10 on hazardous substances.

Assessment and verification: the applicant shall provide and shall make suppliers to provide a declaration of non-use confirming that the listed flame retardants have not been included in the product, any article of it and any homogeneous part of it. A list of substances added to enhance the flame retarding properties shall be also provided, including concentrations and related H statements/R phrases, and compliance with criterion 10 shall be demonstrated accordingly.

Criterion 8. Biocides

8.1. *Production*

The use of any biocidal active substance in the product shall have to be authorised under Regulation (EU) No 528/2012 of the European Parliament and of the Council [1] (list available at: http://ec.europa.eu/environment/biocides/annexi_and_ia.htm) and shall be compliant with criterion 10 on hazardous substances.

Assessment and verification: the applicant shall provide either declarations of non-use or evidence that the use of biocides is authorised under Regulation (EU) No 528/2012. A list of biocidal products added to the product shall be also provided, including concentrations and related H statements/R phrases, and compliance with criterion 10 shall be demonstrated accordingly.

8.2. *Transportation*

Chlorophenols (their salts and esters), polychlorinated biphenyl (PCB), organo-tin compounds (including TBT, TPhT, DBT and DOT) and diemthyl fumarate (DMFu) shall not be used during the transportation or storage of the product, any article of it and any homogeneous part of it.

Assessment and verification: the applicant shall provide and shall make suppliers to provide a declaration of non-use, as appropriate, confirming that the listed substances have not been used during the transportation or storage of the product, any article and any homogeneous part of it. A list of biocidal products added to the product shall be also provided, including concentrations and related H statements/R phrases, and compliance with criterion 10 shall be demonstrated accordingly.

Criterion 9. Plasticizers

The following plasticizers shall not be added intentionally to the product, any article of it and to any homogeneous part of it:

Name	CAS number	Acronym
Di-iso-nonylphtalate (*)	28553-12-0; 68515-48-0	DINP
Di-n-octylphthalate	117-84-0	DNOP
Di(2-ethylhexyl)-phthalate	117-81-7	DEHP
Diisodecylphthalate (*)	26761-40-0; 68515-49-1	DIDP
Butylbenzylphthalate	85-68-7	BBP
Dibutylphthalate	84-74-2	DBP
Di-iso-butylphthalate	84-69-5	DIBP
Di-C6-8-branched alkylphthalates	71888-89-6	DIHP
Di-C7-11-branched alkylphthalates	68515-42-4	DHNUP
Di-n-hexylphthalate	84-75-3	DHP
Di-(2-methoxyethyl)-phthalate	117-82-8	DMEP

(*) only for cot mattresses.

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

The sum of the prohibited plasticizers shall be lower than 0,10 % by weight. The use of any plasticizer shall be compliant with criterion 10 on hazardous substances.

Assessment and verification: the applicant shall provide and shall make suppliers to provide a declaration of non-use confirming that the listed substances have not been used in the product, any article of it and any homogeneous part of it. Safety data sheets for the formulation of polymers may be requested to confirm that the listed substances have not been included in the product. A list of plasticizers added to the product shall be provided, including concentrations and related H statements/R phrases, and compliance with criterion 10 shall be demonstrated accordingly. Additional verification for the total content of phthalates may be required in accordance with ISO 14389 when quality of information is considered insufficient.

Criterion 10. Excluded or limited substances and mixtures

(a) *Hazardous substances and mixtures*

The EU Ecolabel may not be awarded if the product or any article of it, as defined in Article 3(3) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council ([1]), or any homogenous part of it contains a substance or mixture meeting the criteria for classification with the hazard statements or risk phrases specified in the table below, in accordance with Regulation (EC) No 1272/2008 or Council Directive 67/548/EEC ([2]), or contains a substance or mixture referred to in Article 57 of Regulation (EC) No 1907/2006, unless specific derogation has been granted.

The most recent classification rules adopted by the Union shall take precedence over the listed hazard classifications and risk phrases. Applicants shall therefore ensure that any classifications are based on the most recent classification rules.

The hazard statements and the risk phrases in the table below generally refer to substances. However, if information on substances cannot be obtained, the classification rules for mixtures apply.

The use of substances or mixtures which change their properties upon processing (e.g. become no longer bioavailable or undergo chemical modification) so that the identified hazards no longer apply are exempted from the above requirements. This shall include for instance modified polymers and monomers or additives which become covalently bonded within plastic coatings.

Hazard Statement ([a])	Risk Phrase ([b])
H300 Fatal if swallowed	R28
H301 Toxic if swallowed	R25
H304 May be fatal if swallowed and enters airways	R65
H310 Fatal in contact with skin	R27
H311 Toxic in contact with skin	R24
H330 Fatal if inhaled	R23/26
H331 Toxic if inhaled	R23
H340 May cause genetic defects	R46
H341 Suspected of causing genetic defects	R68

([1]) Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

([2]) Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ 196, 16.8.1967, p. 1).

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

Hazard Statement [a]	Risk Phrase [b]
EUH070 Toxic by eye contact	R39-41
H317 (Sub-category 1A): May cause allergic skin reaction (trigger concentration ≥ 0,1 % w/w) [c]	R43
H317 (Sub-category 1B): May cause allergic skin reaction (trigger concentration ≥ 1,0 % w/w) [c]	
H334: May cause allergy or asthma symptoms or breathing difficulties if inhaled	R42

Notes

[a] According to Regulation (EC) No 1272/2008.
[b] According to Directive 67/548/EEC and Directives 2006/121/EC and 1999/45/EC.
[c] According to Commission Regulation (EU) No 286/2011 of 10 March 2011 amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (OJ L 83, 30.3.2011, p. 1).

In accordance with Article 6(7) of Regulation (EC) No 66/2010 the following substances are specifically derogated from the requirements set out in criterion 10(a) and in accordance with the derogation conditions set out below. For each substance all derogation conditions shall be met for the specified hazard classifications.

Substances/Groups of substances	Derogated classification	Derogation conditions
Antimony Trioxide — ATO	H351	ATO shall be used as catalyst in polyester or as flame retardant synergist in textiles for backcoatings. Emissions to air in the workplace where ATO is applied shall meet an eight hour occupational exposure limit value of 0,5 mg/m³.
Nickel	H317, H351, H372	Nickel shall be contained in stainless steel.
Dyestuff for dyeing and non-pigment printing in textiles	H301, H311, H331, H317, H334	Dust free dye formulations or automatic dosing and dispensing of dyes shall be used by dye houses and printers to minimise worker exposure.
	H411, H412, H413	The use of reactive, direct, vat, sulphur dyes with these classifications shall meet at least one of the following conditions: — High affinity dyes are used; — Colour matching instrumentation is used; — Standard Operating Procedures for the dyeing process are used; — Colour removal is used in wastewater treatment (see criterion 5.8). — Solution dyeing processes are used; — Digital inkjet printing processes are used; The use of solution dyeing and/or digital printing are exempted from these conditions.

Substances/Groups of substances	Derogated classification	Derogation conditions
Flame retardants used in textiles	H317 (1B), H373, H411, H412, H413	The product shall be designed in order to meet fire protection requirements in ISO, EN, Member State or public sector procurement standards and regulations. The product shall meet the requirements for durability of function (see criterion 5.10)
Optical brighteners	H411, H412, H413	Optical brighteners shall only be applied as additives during the production of acrylic, polyamide and polyester fibres.
Water, dirt and stain repellents	H413	The repellent and its degradation products shall be readily biodegradable and non-bioaccumulative in the aquatic environment, including aquatic sediment.
Auxiliaries used in textiles (comprising: Carriers, Levelling agents, Dispersing agents, Surfactants, Thickeners, Binders)	H301, H371, H373, H334, H411, H412, H413, EUH070	Recipes shall be formulated using automatic dosing systems and processes shall follow Standard Operating Procedures.
	H311, H331, H317 (1B)	Residual auxiliaries classified accordingly shall not be present at concentrations of greater than 1,0 % w/w on the final product.
Glues and adhesives	H304, H341, H362, H371, H373, H400, H410, H411, H412, H413, EUH059, EUH029, EUH031, EUH032, EUH070, H317, H334	Glue and adhesives shall respect conditions set in criterion 6.

Assessment and verification: the applicant shall provide the bill of materials of the product, including a list with all articles and homogeneous part of it.

The applicant shall screen the presence of substances and mixtures that may be classified with the hazard statements or risk phrases reported above in the criterion. The applicant shall provide a declaration of compliance with requirement 10(a) for the product, any article of it or any homogenous part of it.

Applicants shall select the appropriate forms of verification. The main forms of verification are foreseen as follows:

— Articles manufactured according to a specific chemical formulation (e.g. latex and PUR foams): Safety Data Sheets shall be provided for the final article or for the substances and mixtures composing the final article above a cut-off limit of 0,10 % w/w.

— Homogenous parts and any associated treatments or impurities (e.g. plastic and metal parts): Safety Data Sheets shall be provided for the materials composing that part of the product and for substances and mixtures used in the formulation and treatment of the materials remaining in the final part above a cut-off limit of 0,10 % w/w.

— Chemical recipes used to impart a specific function to the product or to textile components of the product (e.g. glues and adhesives, flame retardants, biocides, plasticizers, dyes): Safety Data Sheets shall be provided for substances and mixtures used in the assembly of the final product or substances and mixtures applied to textile components during production, dyeing, printing and finishing processes and remaining in the textile components.

The declaration shall include related documentation, such as declarations of compliance signed by the suppliers, on the non-classification of the substances, mixtures or materials with any of the hazard classes associated to the hazard statements or risk phrases referred in the list above in accordance with Regulation (EC) No 1272/2008, as far as this can be determined, as a minimum, from the information meeting the requirements listed in Annex VII to Regulation (EC) No 1907/2006.

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

The following technical information shall be provided to support the declaration of classification or non-classification for each substance and mixture:

(i) For substances that have not been registered under Regulation (EC) No 1907/2006 or which do not yet have a harmonised CLP classification: information meeting the requirements listed in Annex VII to that Regulation;

(ii) For substances that have been registered under Regulation (EC) No 1907/2006 and which do not meet the requirements for CLP classification: information based on the REACH registration dossier confirming the non-classified status of the substance;

(iii) For substances that have a harmonised classification or are self-classified: Safety Data Sheets where available. If these are not available or the substance is self-classified then information shall be provided relevant to the substances hazard classification according to Annex II to Regulation (EC) No 1907/2006;

(iv) In the case of mixtures: Safety Data Sheets where available. If these are not available then calculation of the mixture classification shall be provided according to the rules under Regulation (EC) No 1272/2008 together with information relevant to the mixtures hazard classification according to Annex II to Regulation (EC) No 1907/2006.

Safety Data Sheets (SDS) shall be completed in accordance with the guidance in Section 10, 11 and 12 of Annex II to Regulation (EC) No 1907/2006 (Requirements for the Compilation of Safety Data Sheets). Incomplete SDS shall require supplementing with information from declarations by chemical suppliers.

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

Where substances used are derogated, then the declaration shall specifically identify those derogated substances and provide supporting evidence showing how the derogation conditions are met.

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

No derogation from the exclusion in Article 6(6) of Regulation (EC) No 66/2010 shall be given concerning substances identified as substances of very high concern and included in the list provided for in Article 59(1) of Regulation (EC) No 1907/2006, present in mixtures, in an article or in any homogeneous part of the product in concentrations > 0,10 % by weight.

Assessment and verification: reference to the latest list of substances of very high concern shall be made on the date of application. The applicant shall provide a declaration of compliance with requirement 10(b), together with related documentation, including declarations of compliance signed by the material suppliers and copies of relevant Safety Data Sheets for substances or mixtures in accordance with Annex II to Regulation (EC) No 1907/2006. Concentration limits shall be specified in the safety data sheets in accordance with Article 31 of Regulation (EC) No 1907/2006 for substances and mixtures.

Criterion 11. Emission of specified volatile organic compounds (SVOCs, VOCs, VVOCs) from the mattress

The contribution of mattresses to the VOC content of the indoor air shall not exceed the final values reported below, for a period of 7 days or, alternatively, 28 days.

Values are calculated with the emission test chamber method and with reference to the European Reference Room, by analogy with the procedure specified in the 'Health-related Evaluation Procedure for Volatile Organic Compounds Emissions from Building Products' developed by the AgBB (2012 version available at http://www.umweltbundesamt.de/sites/default/files/medien/377/dokumente/agbb_evaluation_scheme_2012.pdf)

Substance	Final value 7th day	Final value 28th day
Formaldehyde	< 0,06 mg/m³	< 0,06 mg/m³
Other aldehydes	< 0,06 mg/m³	< 0,06 mg/m³
VOCs (total)	< 0,5 mg/m³	< 0,2 mg/m³
SVOCs (total)	< 0,1 mg/m³	< 0,04 mg/m³
Each detectable compound classified as categories C1A or C1B according to the Regulation (EC) No 1272/2008	< 0,001 mg/m³	< 0,001 mg/m³

Assessment and verification: the applicant shall perform a test chamber analysis in accordance with the standard EN ISO 16000-9. The analysis of formaldehyde and other aldehydes shall comply with the standard ISO 16000-3; the analysis of VOCs and SVOCs shall comply with the standard ISO 16000-6. Testing following the standard CEN/TS 16516 shall be considered equivalent to those of the ISO 16000 series of standards.

Test results shall be calculated for an area specific ventilation rate 'q' = 0,5 m^3/m^2h, corresponding to a loading factor 'L' of 1 m^2/m^3 and an air change rate 'n' of 0,5 per hour. In all these cases, the total surface of all surfaces (upside, downside and edges) of the mattress determine the area used for calculation of the loading factor. The test shall be performed on an entire mattress. Should this not be possible for any reason, any of the following alternative procedures of testing may be applied:

1. Performing the test on a representative sample of the mattress (i.e. one half, one quarter or one eighth); cut edges shall be closed airtight by appropriate means. In order to provide a conservative estimation of the concentration values expected from the entire mattress, concentrations registered with the sample shall be scaled-up by volume (i.e. emissions shall be multiplied by a factor 2, 4 or 8);

2. Performing the test for each separate element forming part of the mattress. In order to provide a conservative estimation of the concentration values expected from the entire mattress, contributions registered with single components shall be combined using this formula $C_M = \Sigma\ \omega_i \cdot C_i$; where:

   — 'C_M' ($\mu g \cdot m^{-3}$) is the overall contribution from the entire mattress;

   — 'C_i' ($\mu g \cdot m^{-3} \cdot kg_i^{-1}$) is the contribution per unit of mass given by each element 'i' forming part of the mattress;

   — 'ω_i' (kg_i) is the weight of the element 'i' in the entire mattress.

   The emissions of all elements of the mattress shall be summed up without taking into account any adsorption or barrier effects (worst-case approach).

Criterion 12. Technical performance

12.1. *Quality*

The mattress shall be designed in a way that a quality product meeting the needs of the consumer is placed on the market.

Assessment and verification: the applicant shall provide a report describing the approach followed and the actions taken in order to ensure the quality of the product, the fulfilment of specific functional characteristics and the respect of thermo-hygrometric wellness requirements. The following aspects should be taken into consideration: research and development, selection of materials, internal testing and verification procedures for demonstrating the fulfilment of functional characteristics and the respect of thermo-hygrometric wellness requirements.

12.2. *Durability*

Mattresses shall present the following functional characteristics:

— Loss of height < 15 %

— Loss of firmness < 20 %

Assessment and verification: the applicant shall provide a test report describing the results obtained following the test method EN 1957. The losses of height and firmness refer to the difference between the measurements made initially (at 100 cycles) and after the completion (30 000 cycles) of the durability test.

12.3. *Warranty*

A list of recommendations on how to use, maintain and dispose the mattress shall be reported in the warranty documentation. The warranty for the mattress shall be valid for a period of at least 10 years. This prescription shall not be required for cot mattresses.

Assessment and verification: the applicant shall provide documentation attesting the implementation of the warranty scheme.

Criterion 13. Design for disassembly and recovery of materials

The manufacturer shall demonstrate that the mattress can be dismantled for the following purposes:

— undertaking repairs and replacements of worn-out parts,

— upgrading older or obsolete parts,

— separating parts and materials for the potential recycle of them.

Assessment and verification: a report shall be submitted with the application detailing the dismantling of the mattress and the possible disposal of each part. For instance, the following actions could facilitate the dismantling of the mattress: preferring sewing to the application of glue; using removable covers; using single and recyclable materials for each homogeneous part.

Criterion 14. Information appearing on the EU Ecolabel

The EU Ecolabel can be applied both on the packaging and on the product. If the optional label with text box is used, it shall contain the following text:

— 'High-quality long-lasting product'

— 'Hazardous substances restricted'

— 'Indoor air pollution reduced'

The following text shall moreover appear:

'For more information on why this product has been awarded the EU Ecolabel, please visit http://ec.europa.eu/environment/ecolabel/'

Assessment and verification: the applicant shall provide a declaration of compliance and visual evidence.

Criterion 15. Additional information to consumers

The applicant shall provide consumers in written or audiovisual form with a list of recommendations on how to use, maintain and dispose the mattress.

Assessment and verification: the applicant shall provide a declaration of compliance and visual evidence.

COMMISSION IMPLEMENTING DECISION

of 24 June 2014

on setting-up the Central European Research Infrastructure Consortium (CERIC-ERIC)

(2014/392/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC) [1] and in particular point (a) of Article 6(1) thereof,

Whereas:

(1) The Czech Republic, the Italian Republic, the Republic of Austria, Romania, the Republic of Serbia and the Republic of Slovenia submitted an application to the Commission requesting to set-up the Central European Research Infrastructure Consortium as a European Research Infrastructure Consortium ('CERIC-ERIC').

(2) The Italian Republic has been chosen by the Czech Republic, the Republic of Austria, Romania, the Republic of Serbia and the Republic of Slovenia as the Host Member State of CERIC-ERIC.

(3) Each CERIC-ERIC member should contribute in kind by operating, making available and continuously upgrading one Partner Facility for a total investment value exceeding EUR 100 million and a total annual operation cost exceeding EUR 10 million.

(4) The Italian Republic has provided a host contribution of EUR 5,5 million to the establishment and strengthening of CERIC-ERIC integrated operations, while considering further contributions to upgrade and strengthen CERIC-ERIC integration and operation, including training, technology transfer and communication.

(5) Through the integration of national multidisciplinary analytical, synthesis and sample preparation capabilities of the Members in a unique distributed research infrastructure, CERIC-ERIC should contribute to the European Research Area.

(6) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 20 of Regulation (EC) No 723/2009,

HAS ADOPTED THIS DECISION:

Article 1

1. The Central European Research Infrastructure Consortium as a European Research Infrastructure Consortium (CERIC-ERIC) is hereby established.

2. The Statutes of CERIC-ERIC are set out in the Annex. These Statutes shall be kept up to date and made publicly available on the website of CERIC-ERIC and at its statutory seat.

3. The essential elements of the Statutes of CERIC-ERIC for which amendments require approval by the Commission in accordance with Article 11(1) of Regulation (EC) No 723/2009 are provided for in Articles 1, 5, 8, 9, 18, 19, 21, 24, 26 and 27.

[1] OJ L 206, 8.8.2009, p. 1.

Article 2

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

Done at Brussels, 24 June 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

STATUTES OF CERIC-ERIC

PREAMBLE

The Governments of the Czech Republic, the Italian Republic, the Republic of Austria, Romania, the Republic of Serbia and the Republic of Slovenia, hereinafter referred to as 'the Members',

CONSIDERING the interests of each Member in research areas relevant to and based on the use of synchrotron light and other microscopic probes for analytical and modification techniques, notably for materials preparation and characterisation, structural investigations and imaging in Life Sciences, Nanoscience and Nanotechnology, Cultural Heritage, Environment and Materials Sciences in general, as well as facilities having sample preparation capabilities;

CONSIDERING that these research activities and techniques are a strong potential basis for scientific and technological development of the Members involved, and that an international approach at pan-European level could be a specific asset to speed-up the growth, helping to strengthen the competitiveness of the Central European Area and its contribution to the European Research Area, also by improving the quality and capability in education, technology and in the attraction of other socioeconomic returns;

RECOGNISING the already existing collaborations between several of the Research Institutions operating in the Members, and the very positive results of these collaborations;

TAKING INTO ACCOUNT the presence of top-level instrumentation and facilities in the mentioned research areas, in the Members referred to above and in other countries of the Central European Area;

CONSIDERING that it would be of interest for each of these countries and for the construction of the European Research and Innovation Area to increase and strengthen the quality and integration of their capabilities into a common European Distributed Research Infrastructure, overcoming fragmentation and fully exploiting the Members' capabilities to outreach and attract users at world level, and to connect with capabilities and resources at international level;

RECOGNISING that offering an integrated and wider set of services, by further developing and pooling the complementary capacities of these facilities and opening them to the international scientific communities by peer reviewed access, will further strengthen their Regional and European significance through the beneficial competitive impact through a common high level evaluation, benchmarking and management, on the socioeconomic and educational development of the entire Region, and through the prevention of brain drain and contribution to possible further industrial developments;

CONSIDERING the Regulation (EC) No 723/2009 which provides a common legal framework for European Research Infrastructure Consortia (ERIC), hereinafter referred to as the Regulation;

RECOGNISING that the Regulation represents an appropriate legal framework for a strengthened cooperative undertaking;

CONSIDERING that, based on the Memorandum of Understanding 'For the Establishment of an European Research Infrastructure Consortium (ERIC) of Analytical Research Infrastructures — Central European Research Infrastructure Consortium — "CERIC-ERIC"' signed on the occasion of the meeting of the Salzburg Group of the Research Ministers on 26 June 2011, the interested Members have agreed on setting up of a Working Group with the task of carrying out all the preparatory activities needed for the establishment of an ERIC;

HAVING EXAMINED the report produced by this Working Group which, inter alia, confirms that the Regulation represents the most appropriate legal framework for their cooperative undertaking;

CONSIDERING the support given to the CERIC-ERIC concept by the 'Salzburg Group' of the Central European Research Ministers in the meeting of Bregenz, 26 June 2011, and the declaration committing the Members to propose the start of CERIC-ERIC, signed in Vienna on 31 August 2012;

CONSIDERING the support given to the CERIC-ERIC concept by the 'Trieste Declaration' adopted at the Central European Initiative's (CEI) Ministerial Meeting on Science and Technology in 2011, reconfirmed in the meeting of 19 September 2012;

WHEREAS the members request the European Commission to set up CERIC-ERIC as a European Research Infrastructure Consortium (ERIC) legal entity,

HAVE AGREED AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

Article 1

Establishment, Name and Statutory Seat

1. There shall be a distributed European Research Infrastructure called 'the Central European Research Infrastructure Consortium', hereinafter referred to as 'CERIC-ERIC'.

2. CERIC-ERIC shall have its Statutory Seat in Trieste, Italy. The General Assembly shall consider every five years whether the Statutory Seat shall remain in the same country or be transferred to the territory of another Member. The Member where the Statutory Seat is located shall ensure through a Representing Entity, as set out in Article 2, the resources for the common central operational activities of CERIC-ERIC including any funding needed to this end, in accordance with Article 6.

Article 2

Representing Entity

1. Each Member may appoint one 'Representing Entity', being a public entity, including regional or private entities with a public service mission, according to paragraph 3, for the discharge of specific rights and obligations that have been delegated exclusively in direct connection with the scope and activities of CERIC-ERIC.

2. The Representing Entity shall be an Institution that can support the scientific/technical operation of CERIC-ERIC including the provision of access to one facility ('Partner Facility') of which it has ownership and which has the scientific and technical capability to contribute to the common strategic objectives, purposes and access capabilities as set out in Articles 5 and 6.

3. Each Member shall inform the General Assembly of any change of its Representing Entity, of the specific rights and obligations which have been delegated to it, of the termination of the appointment or of other relevant changes, if any. The General Assembly shall adopt internal rules specifying the scope of the activities and the role of the Representing Entities in particular as concerns the procedures for the provision of in-kind contributions.

4. Each Member or Representing Entity shall propose for approval by the General Assembly one facility as Partner Facility. The Partner Facility within the Representing Entity shall be clearly defined in order to respond adequately to the commitments deriving from the participation in the scientific and technical activities of CERIC-ERIC.

5. The Partner Facility shall be evaluated according to the procedure set out in Article 12(3)(h) and shall be the single national reference point to stimulate and support the access and the outreach to researchers and technicians as well as their international training and benchmarking.

Article 3

Accession of New Members

1. CERIC-ERIC shall be open to accession of new Members having at their disposal an excellent analytical facility or sample preparation capabilities, according to Article 5(1) and Article 5(2) that can be used to develop, and/or make available appropriate technical and scientific expertise and resources, and apply the open-access policy.

2. The accession of new Members shall be subject to approval by the General Assembly.

3. The General Assembly shall define criteria and evaluation procedures for the acceptance of a Partner Facility of a new Member.

Article 4

Observers

1. Member States of the European Union, third countries and intergovernmental organisations may become Observers in CERIC-ERIC through specific agreements subject to approval by the General Assembly as provided for in Article 12(3)(a).

2. Observers shall be:

(a) countries or intergovernmental organisations, in particular when they intend to apply for full membership while still developing appropriate Partner Facilities;

(b) countries or intergovernmental organisations involved in joint projects with specific scope and time perspective.

3. Each Observer may appoint one representative to attend the General Assembly without voting rights.

Article 5

Objectives, Tasks and Activities

1. CERIC-ERIC's objective shall be to contribute to European top-level research and technological development and demonstration programs and projects, thus representing an added value for the development of the European Research Area (ERA) and to its innovation potential, while stimulating beneficial impact on the scientific, industrial and economic development.

2. CERIC-ERIC shall further the integration of national multidisciplinary analytical, synthesis and sample preparation capabilities of Partner Facilities operating mainly in the Central European Area, into a unique, EU-level Distributed Research Infrastructure, open to researchers at world level. CERIC-ERIC shall provide, through an international access and peer review system, free open access based on merit and on available resources, and optimum use of resources and know-how available, upon proposal by the Members.

3. CERIC-ERIC may carry out limited economic activities, provided that they are closely related to its principal task and that they do not jeopardise the achievement thereof.

4. In order to achieve its objectives, CERIC-ERIC shall in particular:

(a) exploit the full scientific potential of the Central European Area in the synchrotron light and other microscopic probes for analytical and modification techniques, notably for materials preparation and characterisation, structural investigations and imaging in Life Sciences, Nanoscience and Nanotechnology, Cultural Heritage, Environment and Materials Sciences. This shall be achieved by collaborating closely with user communities, by developing and making available a suite of complementary sources and instruments, efficient service and optimum conditions for users and by outreaching activities for new potential users;

(b) offer free open access to users selected by international peer review on the basis of quality. This approach shall be implemented to sustain in the participating Members the capability of improving the value, quality and effectiveness of their research communities in an international cooperation/competition approach;

(c) make optimum use of resources and know-how by coordinating research and development of relevant technologies, by promoting and coordinating joint training of scientific and technical personnel and young researchers, and by collaborating with neighbouring communities and industry;

(d) develop a common strategy and policy for intellectual property and know-how protection and exploitation, fostering the support to industrial developments and users;

(e) ensure an efficient internal and external communication, coordinating promotion, outreach and marketing activities;

(f) apply for funding.

Article 6

Resources

1. Resources made available to CERIC-ERIC shall consist of:

(a) contributions in-kind by the Members or Representing Entities for ordinary activities of CERIC-ERIC. On consensus of the General Assembly, financial contributions by the Members or Representing Entities may also be made where the conditions and limits provided for in Article 12 are met;

(b) contributions in-kind and/or financial contributions by Members, Observers and/or other public or private entities for specific projects of CERIC-ERIC. The General Assembly shall approve specific projects and related liabilities pursuant to Article 9. Specific accounting provisions for the in-kind contributions shall apply;

(c) financial grants, supports, contributions from research and development activities. The General Assembly shall adopt rules and procedures for the use of revenue from external contracts and contributions, approved by the General Assembly in accordance with Article 12(3)(l), in particular from EU funded activities;

(d) revenues from limited economic activities. CERIC-ERIC may carry out limited economic activities such as joint development of commercial services. These services must be financially self-sustainable and cover initial investments to the extent and duration used for the services. Revenues shall be accounted for separately;

(e) other entries and financial resources. In order to develop specific activities or projects falling within the scope of Article 5, CERIC-ERIC may take out loans, subject to the General Assembly's approval with qualified majority of the Members, as set out in Article 12;

(f) gratuities and grants such as those from charities, lottery funds, no-profit entities. Subject to approval by the General Assembly, CERIC-ERIC shall be entitled to accept grants, special contributions, gifts, donations and other payments from any natural person or legal entity such as charity or a lottery fund for the tasks and activities set out in the Statutes.

2. Resources available to CERIC-ERIC shall solely be used for performing the tasks and activities set out in Article 5.

3. The capabilities of CERIC-ERIC shall be based on in-kind contributions by the Members or Representing Entities to fulfil the common scope. Such contributions, including sharing and opening access to facilities, specialised technical capacities and capabilities, and training, shall be evaluated and accounted for in order to credit their value as in-kind contributions to CERIC-ERIC.

4. In addition, instrumental and other in-kind contributed resources may include access time to instruments, seconded personnel, and any other type of resource as agreed by the Members or Representing Entities. The General Assembly shall establish a common accounting system and rules for the acceptance of in kind-contributions, and their estimates, their cost evaluation and credit assessment. The value of these in-kind contributions shall be part of the annual budget and included in the corresponding financial reports.

Article 7

Financial Year, Annual Accounts and Budgetary Principles

1. The financial year shall run from 1 January to 31 December. The annual accounts shall include the agreed value of in-kind contributions received and other revenue provided for in Article 6.

2. The annual accounts and the annual budgets shall be approved by the General Assembly. The annual accounts shall be approved within four months or, in exceptional circumstances, six months, after the end of the financial year. The annual accounts shall be accompanied by a report on budgetary and financial management of the financial year.

3. CERIC-ERIC shall be subject to the requirements of relevant national laws and regulations as regards preparation, filing, auditing and publication of the accounts.

4. CERIC-ERIC shall keep account of in-kind and financial contributions and expenses and shall ensure sound financial management aiming at achieving a balanced budget.

5. VAT, Excise Duty and other exemptions granted, based on Articles 143(1)(g) and 151(1)(b) of Council Directive 2006/112/EC ([1]) and in accordance respectively with Articles 50 and 51 of Council Implementing Regulation (EU) No 282/2011 ([2]), and on Article 12 of Council Directive 2008/118/EC ([3]), shall only apply to purchases made by CERIC-ERIC as well as to those made by each Member, in direct connection with and for the official and exclusive use of CERIC-ERIC, provided that such purchase is made solely for the non-economic activities of CERIC-ERIC in line with its activities. VAT exemptions shall be limited to purchases exceeding the value of EUR 300.

6. CERIC-ERIC shall record the costs and revenues of its economic activities separately and shall charge market prices for them, or, if these cannot be ascertained, full costs plus a reasonable margin. These activities shall not be covered by tax exemptions.

Article 8

Users' Access Policy

1. CERIC-ERIC shall offer external users free open access to the scientific utilities available at the Partner Facilities, through a common entry point and selection based on international peer-review system, using solely the criteria of scientific quality of the proposed experiments, thus developing an 'ERA open Operation mode' striving to attract the best international users. To this end CERIC-ERIC shall take every possible action to ensure 'free open access' to the scientific utilities.

2. Users requiring and accessing technical and/or scientific services on a proprietary basis and/or for training and education may also be accepted if not in conflict with the open access policy and shall pay the appropriate cost of the services.

3. The General Assembly shall establish strategies and procedures for the User Access Policy for both non-proprietary and proprietary research.

Article 9

Liability

1. CERIC-ERIC shall be liable for its debts.

2. The financial liability of the Members, or their Representing Entities, for the debts of CERIC-ERIC shall be limited to their respective annual contributions to CERIC-ERIC.

3. CERIC-ERIC shall take appropriate insurances to cover the risks specific to the construction and operation of the CERIC-ERIC infrastructure.

4. The liabilities related to specific projects carried out within CERIC-ERIC on behalf of one or more Members and/or Observers shall be established by the General Assembly. The General Assembly shall define liability on other issues which may be connected for example to the use of in-kind contributions, including those coming from Observers and external funding entities.

CHAPTER II

GOVERNANCE

Article 10

Bodies of CERIC-ERIC

CERIC-ERIC governing bodies shall be the General Assembly, the Executive Director, the Board of Directors of Partner Facilities and the International Scientific and Technical Advisory Committee (ISTAC).

([1]) Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).
([2]) Council Implementing Regulation (EU) No 282/2011 of 15 March 2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax (OJ L 77, 23.3.2011, p. 1).
([3]) Council Directive 2008/118/EC of 16 December 2008 concerning the general arrangements for excise duty and repealing Directive 92/12/EEC (OJ L 9, 14.1.2009, p. 12).

Article 11

General Assembly

1. Each Member shall be represented in the General Assembly by up to two delegates. The delegates shall be appointed by the Member for a term of three years. The term of the delegates may be renewed three months before the end of their term. Each Member shall inform without delay the Chair of the General Assembly in writing of any appointment or termination of appointment of its delegates. If one or both delegates of a Member are unable to attend a meeting and need to be represented by another authorised individual, a written notification shall be sent by the Member concerned, in accordance with the General Assembly's rules of procedure, to the Chair of the General Assembly in advance of the meeting.

2. Delegates may be accompanied by advisors and experts in accordance with the General Assembly's rules of procedure.

3. Each Member shall have a single indivisible vote and is represented when at least one delegate is present in person or by teleconference according to the General Assembly rules of procedure.

4. The Chair of the ISTAC provided for in Article 15 shall attend the meetings of the General Assembly in an advisory capacity.

5. The meeting of the General Assembly shall be validly convened if two thirds of the Members are represented. If this condition is not fulfilled, a repeat meeting of the General Assembly with the same agenda shall be called as soon as possible in accordance with the rules of procedure of the General Assembly. Except for matters specified in Article 12(2) and (3), in a repeat meeting of the General Assembly the quorum shall be considered met if at least half of the Members are represented.

6. The Chair of the General Assembly shall be elected amongst the delegates by a qualified majority as set out in Article 12, for a three years term. A Vice-Chair may be appointed with the same majority upon proposal by the Chair and will have the same term as the Chair. In the case of absence of the Chair and the Vice-Chair, the General Assembly shall be chaired by its most senior delegate in length of term of appointment.

7. Decisions of the General Assembly shall be taken in accordance with Article 12.

8. The General Assembly shall meet at least once a year. The General Assembly shall also be convened at the request of at least three Members, or of the Executive Director, if it is required in the interest of CERIC-ERIC.

9. The General Assembly shall draw up its own rules of procedure in compliance with the Statutes.

10. The cost of participation to the General Assembly shall be borne by the Members or their Representing Entities.

11. Local organisation costs of the General Assembly meetings shall be considered as an in-kind contribution by the Member hosting the meeting.

Article 12

Powers and voting majorities of the General Assembly

1. The General Assembly shall be the highest governing body of CERIC-ERIC and shall decide CERIC-ERIC policy in scientific, technical and administrative matters. The General Assembly shall issue appropriate instructions to the Executive Director.

2. The General Assembly shall decide by consensus any proposal for an amendment to the Statutes in accordance with the procedure laid down in the Regulation.

3. The following matters shall require the approval by the General Assembly by a qualified majority of two thirds of Members having voting rights:

(a) accession of new Members and the status of Observers;

(b) proposals for cash contribution by Members subject to limits and conditions indicated by each Member;

(c) organisational and functional structure of CERIC-ERIC;

(d) General Assembly's rules of procedure;

(e) financial rules as well as any other rules and procedures for the implementation of provisions of the Statutes;

(f) appointment of the Chair and members of the International Scientific and Technical Advisory Committee;

(g) taking out of loans;

(h) approval or refusal of a specific Facility indicated by a Member as a Partner Facility, based on the evaluation by the ISTAC or by an ad hoc International Evaluation Committee;

(i) appointment or termination of the appointment of the Executive Director and attributions of powers;

(j) termination of the participation to CERIC-ERIC of a Member not fulfilling its obligations;

(k) winding-up of CERIC-ERIC and the settlement of assets;

(l) approval of external contracts and contributions.

4. The following matters shall require the approval by the General Assembly by a qualified majority of two thirds of the Members present and having voting rights:

(a) election of the Chair and Vice-Chair of the General Assembly;

(b) adoption of the scientific and the technical program of CERIC-ERIC;

(c) adoption of the annual ordinary activities program and budget of CERIC-ERIC;

(d) adoption of specific projects and related budgets;

(e) agreement of credited values for in-kind contributions;

(f) adoption of the Annual Activity Report;

(g) closure of annual accounts;

(h) establishment of advisory Committees or other Bodies.

5. Except where otherwise provided in the Statutes, all other decisions of the General Assembly shall be taken by a majority of the Members present and voting.

6. Each Member shall have one vote in the General Assembly, under condition that Member States of the European Union or associated countries shall hold jointly at all times the majority of the voting rights. Abstentions shall not be taken into account for achieving the majority of votes. In case of a tie, the vote of the Chair of the General Assembly shall prevail.

7. The General Assembly shall also have such other powers and perform such other functions as may be necessary for the achievement of the objectives of CERIC-ERIC.

Article 13

Executive Director

1. The Executive Director shall be appointed by the General Assembly.

2. The Executive Director shall be the executive body of CERIC-ERIC and the legal representative of CERIC-ERIC. The Executive Director shall be responsible for the day-to-day management of CERIC-ERIC and shall attend the General Assembly meetings in a consultative capacity.

3. The Executive Director shall submit to the General Assembly:

(a) the annual report on CERIC-ERIC activities;

(b) in consultation with the ISTAC and/or any other Advisory Body the proposed annual scientific and technical program of CERIC-ERIC together with a description of the contributions in kind which will be provided by each Member;

(c) the proposed budget of CERIC-ERIC for the coming financial year in accordance with the financial rules, including the accounting of the in-kind contributions for the ordinary activities and the specific projects;

(d) the accounts for the preceding financial year;

(e) any other item to be discussed and approved by the General Assembly.

Article 14

Board of Directors of Partner Facilities

1. The Board of Directors of Partner Facilities shall consist of the Directors of the Partner Facilities nominated by the Members or Representing Entities.

2. The Board of Directors of Partner Facilities shall elect its Chair amongst its members.

3. The Board of Directors of Partner Facilities shall oversee the coordination of the implementation of the strategies approved by the General Assembly. It shall maintain coherence and consistency across CERIC-ERIC and collaboration between the Members.

4. The Board of Directors of Partner Facilities shall be consulted by the Executive Director on all proposals to be submitted to the General Assembly relating to:

(a) the proposed annual scientific and technical program of CERIC-ERIC together with the contributions in kind which will be provided by each Member;

(b) the proposed budget of CERIC-ERIC for the coming financial year in accordance with the financial rules, including the accounting of the in-kind contributions for the ordinary activities and the specific projects.

5. The modalities for the operation of the Board of Directors of Partner Facilities shall be set out in rules of procedure to be adopted by the General Assembly.

Article 15

International Scientific and Technical Advisory Committee (ISTAC)

1. The General Assembly shall appoint in accordance with Article 12 the ISTAC members that shall be outstanding personalities in the fields relevant to CERIC-ERIC, whose number shall be defined by the General Assembly.

2. Unless exceptional circumstances arise, the ISTAC shall amongst its members propose a Chair to be appointed by the General Assembly.

3. The ISTAC shall provide independent advice to the General Assembly and the Executive Director on all strategic issues as well as on the scientific and technical activities carried out by CERIC-ERIC.

4. The ISTAC shall, in particular, evaluate proposals for new Partner Facilities, and the operation of existing ones, advising the General Assembly on acceptance and continuation.

5. The costs of the functioning of the ISTAC shall be borne by the Members on an equal basis, or by CERIC-ERIC budget.

Article 16

Independent Audit Expert Committee

1. An Independent Audit Expert Body shall be established by the General Assembly to certify that purchases acquired for use as in-kind contributions, that are included by the General Assembly in the Annual Budget of CERIC-ERIC, comply with the requirements set out in Article 7(5).

2. The members of the Independent Audit Expert Committee shall be appointed by the General Assembly for terms of three years non-renewable.

3. The Independent Audit Expert Committee shall be assisted by technical experts and shall provide a report of its findings at each meeting of the General Assembly.

Article 17

Audit and Impact Assessment

1. CERIC-ERIC accounts and the overall budgets and values of the in-kind contributions for its activities shall be certified by independent auditors appointed by the General Assembly. The costs of these audits shall be borne by CERIC-ERIC.

2. CERIC-ERIC shall proceed to the periodical evaluation of the quality of its scientific activities, and the assessment of its impact on the European Research Area, on the Regions hosting its Partner Facilities and at international level. This shall take into account both the performance of CERIC-ERIC as a consortium and of the single Partner Facilities.

Article 18

Human Resources Policy

1. CERIC-ERIC shall ensure equal treatment and opportunities for its personnel and shall support mobility between the Partners and in general within the Central European Area or beyond. CERIC-ERIC shall endeavour to attract junior staff such as students, researchers and technicians for training in an internationally-open environment.

2. In general, staff needed for carrying out CERIC-ERIC activities shall be seconded to CERIC-ERIC by the Members or Representing Entities, Observers or other collaborating institutions.

3. The costs related to seconded staff shall be borne by the seconding Member or Representing Entity and save exceptional cases be accounted for as part of the in-kind contribution. Secondments related to specific projects or for training purposes may also be accounted for in accordance with the specific project modalities.

4. The policy and internal rules for hiring of staff by CERIC-ERIC shall be defined by the General Assembly and based on fixed term contracts.

Article 19

Intellectual Property, Confidentiality and Data policy

1. The term 'Intellectual Property' (IP) shall be understood in accordance with Article 2 of the Convention Establishing the World Intellectual Property Organization signed on 14 July 1967.

2. The exchange and integration of intellectual property between Members or Representing Entities shall be subject to internal rules approved by the General Assembly aiming at improving the added value of IP and impact on the regional and EU economies. The internal rules shall also address terms of confidentiality of the exchanged data.

3. IP generated as a result of activities funded by CERIC-ERIC shall be the property of CERIC-ERIC.

4. CERIC-ERIC shall comply with applicable legislation on data and privacy protection.

Article 20

Technology Transfer and Relationship with Industry

CERIC-ERIC, as a distributed facility, shall act as a focal point for European industry by:

(a) providing R&D outreach and collaboration with industry, e.g. joint developments, prequalification through prototyping;

(b) enhancing the economic effect of individual Members or Representing Entities by building synergies and commonalities in the knowledge and technology transfer;

(c) underlining industry's involvement and opportunities;

(d) stimulating and supporting spin-off industries from Research.

Article 21

Procurement Policies

CERIC-ERIC Procurement Policy shall be based on the principles of transparency, non-discrimination, and competition, taking into account the need of ensuring that bids fulfil the best technical, financial and delivery requirements, while providing advanced notification to industry about required specifications for the realisation of advanced components and systems.

Article 22

Communication and Dissemination

1. CERIC-ERIC tasks and activities aim at strengthening European research and its communication and dissemination activities shall support this strategic approach.

2. CERIC-ERIC shall promote the dissemination of scientific publications and scientific-technical knowledge resulting from its activities to the scientific community, the industrial environment and the general public.

3. CERIC-ERIC shall, where appropriate, interact with relevant policy makers in order to advance its objectives.

CHAPTER III

FINAL PROVISIONS

Article 23

Working Language

The working language of CERIC-ERIC shall be English.

Article 24

Duration and Withdrawal

1. CERIC-ERIC shall be established for an initial period of 10 years and shall be automatically extended for successive 10-year periods.

2. Members may withdraw from CERIC-ERIC after an initial period of five years of membership giving in writing one year of advance notice. Any withdrawal shall take effect at the end of the financial year following that in which notice is given or at such later date as the Member may propose.

3. A withdrawing Member shall remain bound in respect of all pending obligations and undertakings towards CERIC-ERIC and third parties at the time the withdrawal has taken effect and of any compensation for damages at the charge of CERIC-ERIC due to decision or acts accruing prior to its withdrawal.

Article 25

Non-Fulfilment of Obligations

If a Member fails to fulfil its main obligations under the Statutes, it shall cease to be a member of CERIC-ERIC after a decision of the General Assembly taken by a qualified majority of two thirds of Members having voting rights. The defaulting Member shall have no voting rights in the defaulting decision.

Article 26

Conditions for Dissolution

CERIC-ERIC shall be dissolved as a result of:

(a) withdrawal of one or more Members by effect of which the requirements of the Regulation can no longer be met;

(b) the impossibility of achieving the objectives of CERIC-ERIC;

(c) a mutual agreement of the Members.

Article 27

Winding-up and Settlement of Assets

1. In case of dissolution of CERIC-ERIC, CERIC-ERIC shall remain bound in respect of all pending obligations and undertakings towards third parties.

2. The winding-up of CERIC-ERIC as a result of one of the conditions of dissolution listed in Article 26, shall require a decision of the General Assembly taken by a qualified majority of two thirds of all the Members having voting rights and notified to the European Commission according to Article 16 of the Regulation. Such decision shall at least specify:

(a) number of liquidators and rules of functioning of the liquidator board in case of plurality of liquidators;

(b) appointment of the liquidators and indication of the liquidators who shall be legal representative of the winding-up CERIC-ERIC;

(c) the criteria of the winding-up, including the possible transfer of activities to another legal entity, and the powers of the liquidators.

Article 28

Amendments of the Statutes

Proposals for amendments of the Statutes shall be adopted by the General Assembly by consensus and submitted to the Commission in accordance with Article 11 of the Regulation

Article 29

Consolidated version of the Statutes

The Statutes shall be kept up to date and made publicly available on the website of CERIC-ERIC and at its statutory seat. Any amendment to the Statutes shall be clearly indicated with a note specifying whether the amendment concerns an essential or non-essential element of the Statutes in accordance with Article 11 of the Regulation and the procedure followed for its adoption.

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