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I

(Legislative acts)

DIRECTIVES

COUNCIL DIRECTIVE (EU) 2015/2060**of 10 November 2015****repealing Directive 2003/48/EC on taxation of savings income in the form of interest payments**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 115 thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Parliament,

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

Acting in accordance with a special legislative procedure,

Whereas:

- (1) Building on the consensus reached at the European Council of 20 June 2000 that relevant information should be exchanged for tax purposes on as wide a basis as possible, Council Directive 2003/48/EC ⁽¹⁾ has been applied in the Member States since 1 July 2005 with the aim of enabling savings income in the form of interest payments made in one Member State to beneficial owners who are individuals resident in another Member State to be made subject to effective taxation in accordance with the laws of the latter Member State, thus eliminating distortions in capital movements between Member States, which would be incompatible with the internal market.
- (2) The worldwide aspect of the challenges posed by cross-border tax fraud and evasion is a major concern at a global level and within the Union. Unreported and untaxed income considerably reduces national tax revenues. On 22 May 2013, the European Council welcomed ongoing efforts made in the G8, G20 and the Organisation for Economic Cooperation and Development (OECD) to develop a global standard.
- (3) Council Directive 2011/16/EU ⁽²⁾ provides for the mandatory automatic exchange of certain information between Member States. It also provides for the step-by-step extension of its scope into new categories of income and capital, for the purpose of combating cross-border tax fraud and evasion.

⁽¹⁾ Council Directive 2003/48/EC of 3 June 2003 on taxation of savings income in the form of interest payments (OJ L 157, 26.6.2003, p. 38).

⁽²⁾ Council Directive 2011/16/EU of 15 February 2011 on administrative cooperation in the field of taxation and repealing Directive 77/799/EEC (OJ L 64, 11.3.2011, p. 1).

- (4) On 9 December 2014, the Council adopted Directive 2014/107/EU ⁽¹⁾ which amended Directive 2011/16/EU to extend the mandatory automatic exchange of information to a wider range of income in accordance with the Global Standard released by the OECD Council in July 2014 and ensured a coherent, consistent and comprehensive Union-wide approach to the automatic exchange of financial account information in the internal market.
- (5) Directive 2014/107/EU is generally broader in scope than Directive 2003/48/EC and provides that in cases of overlap of scope, Directive 2014/107/EU is to prevail. There are still residual cases in which only Directive 2003/48/EC applies. Those residual cases are the consequence of slight differences in approach between the two Directives and of different specific exemptions. In those limited instances, the application of Directive 2003/48/EC would result in dual reporting standards within the Union. The minor benefits of retaining such dual reporting would be outweighed by the costs.
- (6) On 21 March 2014, the European Council invited the Council to ensure that relevant Union law is fully aligned with the new single Global Standard of automatic exchange of information developed by the OECD. In addition, when adopting Directive 2014/107/EU, the Council invited the Commission to present a proposal to repeal Directive 2003/48/EC and to coordinate the repeal of that Directive with the date of application set down in Directive 2014/107/EU, having regard to the derogation provided therein for Austria. Therefore, Directive 2003/48/EC should continue to apply to Austria for an additional one-year period. In the light of the position taken by the Council, the repeal of Directive 2003/48/EC is needed in order to avoid dual reporting obligations and to save costs both for tax authorities and economic operators.
- (7) Under Council Directive 2014/48/EU ⁽²⁾, Member States are to adopt and publish, by 1 January 2016, the laws, regulations and administrative provisions necessary to comply with that Directive. Member States are to apply those provisions as of 1 January 2017. With the repeal of Directive 2003/48/EC, Directive 2014/48/EU would no longer have to be transposed.
- (8) To ensure the seamless continuation of automatic reporting of financial account information, the repeal of Directive 2003/48/EC should apply on the same day as the date of application of the measures set down in Directive 2014/107/EU.
- (9) Notwithstanding the repeal of Directive 2003/48/EC, information gathered by paying agents, economic operators and by Member States before the date of the repeal should be processed and transferred as originally envisaged, and obligations arising before that date should be met.
- (10) In relation to withholding tax levied under the transitional period referred to in Directive 2003/48/EC, in order to protect the acquired rights of beneficial owners, Member States should continue to give credit or refunds as originally envisaged and should issue certificates on request to enable beneficial owners to ensure that withholding tax is not levied.
- (11) Account should be taken of the fact that, in view of structural differences, Austria has been allowed a derogation under Directive 2014/107/EU which allows it to delay the application of that Directive by one year until 1 January 2017. However, on the adoption of Directive 2014/107/EU, Austria announced that it would not make full use of the derogation. Instead, Austria is to exchange information by September 2017, albeit on a limited set of accounts, while retaining the derogation in other cases. Therefore, specific provision should be made to ensure that Austria, and the paying agents and economic operators established therein, continue to apply the provisions of Directive 2003/48/EC during the period of derogation, except for those accounts to which Directive 2014/107/EU applies.
- (12) This Directive respects the fundamental rights and observes the principles which are recognised in particular by the Charter of Fundamental Rights of the European Union, including the right to the protection of personal data, and nothing in this Directive shall reduce or eliminate those rights.

⁽¹⁾ Council Directive 2014/107/EU of 9 December 2014 amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation (OJ L 359, 16.12.2014, p. 1).

⁽²⁾ Council Directive 2014/48/EU of 24 March 2014 amending Directive 2003/48/EC on taxation of savings income in the form of interest payments (OJ L 111, 15.4.2014, p. 50).

- (13) Since the objective of this Directive, namely the repeal of Directive 2003/48/EC with the temporary exceptions necessary to protect the acquired rights and to take account of the derogation allowed to Austria under Directive 2014/107/EU, cannot be sufficiently achieved by the Member States but can rather, by reason of the uniformity and effectiveness required, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.
- (14) Directive 2003/48/EC should therefore be repealed,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Subject to paragraphs 2 and 3, Directive 2003/48/EC is repealed with effect from 1 January 2016.
2. Without prejudice to paragraph 3, the following obligations of Directive 2003/48/EC, as amended by Council Directive 2006/98/EC ⁽¹⁾, shall continue to apply:
 - (a) the obligations of Member States and economic operators established therein under the second subparagraph of Article 4(2) of Directive 2003/48/EC shall continue to apply until 5 October 2016 or until those obligations have been fulfilled;
 - (b) the obligations of paying agents under Article 8 of Directive 2003/48/EC and of Member States of paying agents under Article 9 of Directive 2003/48/EC shall continue to apply until 5 October 2016 or until those obligations have been fulfilled;
 - (c) the obligations of Member States of residence for tax purposes of the beneficial owners under Article 13(2) of Directive 2003/48/EC shall continue to apply until 31 December 2016;
 - (d) the obligations of Member States of residence for tax purposes of the beneficial owners under Article 14 of Directive 2003/48/EC, with regard to withholding tax levied during 2016 and previous years, shall continue to apply until those obligations have been fulfilled.
3. Directive 2003/48/EC, as amended by Directive 2006/98/EC, shall continue to apply with regard to Austria until 31 December 2016, with the exception of the following obligations:
 - (a) the obligations of Austria and the underlying obligations of the paying agents and economic operators established therein under Article 12 of Directive 2003/48/EC, which shall continue to apply until 30 June 2017 or until those obligations have been fulfilled;
 - (b) the obligations of Austria and economic operators established therein under the second subparagraph of Article 4(2) of Directive 2003/48/EC, which shall continue to apply until 30 June 2017 or until those obligations have been fulfilled;
 - (c) any obligations of Austria and the underlying obligations of the paying agents established therein arising directly or indirectly from the procedures referred to in Article 13 of Directive 2003/48/EC, which shall continue to apply until 30 June 2017 or until those obligations have been fulfilled.

Notwithstanding the first subparagraph, Directive 2003/48/EC, as amended by Directive 2006/98/EC, shall not apply after 1 October 2016 to interest payments with regard to accounts for which the reporting and due diligence obligations included in Annexes I and II to Directive 2011/16/EU have been fulfilled and for which Austria has communicated by automatic exchange the information referred to in Article 8(3a) of Directive 2011/16/EU within the deadline laid down in point (b) of Article 8(6) of Directive 2011/16/EU.

⁽¹⁾ Council Directive 2006/98/EC of 20 November 2006 adapting certain Directives in the field of taxation, by reason of the accession of Bulgaria and Romania (OJ L 363, 20.12.2006, p. 129).

Article 2

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

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 10 November 2015.

For the Council
The President
P. GRAMEGNA

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2061

of 4 November 2015

entering a name in the register of protected designations of origin and protected geographical indications (Oberlausitzer Biokarpfen (PGI))

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Germany's application to register the name 'Oberlausitzer Biokarpfen' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Oberlausitzer Biokarpfen' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Oberlausitzer Biokarpfen' (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.7. — Fresh fish, molluscs and crustaceans and products derived therefrom, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.

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*.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 212, 27.6.2015, p. 9.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

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

Done at Brussels, 4 November 2015.

*For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission*

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2062
of 17 November 2015
amending Regulation (EU) No 37/2010 as regards the substance 'sisapronil'
(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 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and the Council ⁽¹⁾, and in particular Article 14 in conjunction with Article 17 thereof,

Having regard to the opinion of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

- (1) Article 17 of Regulation (EC) No 470/2009 requires that the maximum residue limit (hereinafter 'MRL') for pharmacologically active substances intended for use in the Union in veterinary medicinal products for food-producing animals or in biocidal products used in animal husbandry is established in a Regulation.
- (2) Table 1 of the Annex to Commission Regulation (EU) No 37/2010 ⁽²⁾ sets out the pharmacologically active substances and their classification regarding MRLs in foodstuffs of animal origin.
- (3) Sisapronil is not yet included in that table.
- (4) An application for the establishment of MRLs for sisapronil in bovine species has been submitted to the European Medicines Agency (hereinafter 'EMA').
- (5) The EMA, based on the opinion of the Committee for Medicinal Products for Veterinary Use, has recommended the establishment of an MRL for sisapronil in bovine species, applicable to muscle, fat, liver and kidney, provided that the substance is not used for animals from which milk is produced for human consumption.
- (6) According to Article 5 of Regulation (EC) No 470/2009, the EMA is to consider using MRLs established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or MRLs established for a pharmacologically active substance in one or more species for other species.
- (7) The EMA has considered that the extrapolation of the MRL for sisapronil from bovine to caprine species is appropriate.
- (8) Regulation (EU) No 37/2010 should therefore be amended accordingly.
- (9) It is appropriate to grant the stakeholders concerned a reasonable period of time to take measures that may be required to comply with the new MRL.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (OJ L 15, 20.1.2010, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 37/2010 is amended as set out in the Annex to this Regulation.

Article 2

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

It shall apply from 17 January 2016.

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

Done at Brussels, 17 November 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Table 1 of the Annex to Regulation (EU) No 37/2010, an entry for the following substance is inserted in alphabetical order:

Pharmacologically active Substance	Marker residue	Animal Species	MRL	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic Classification
'Sisapronil	Sisapronil	Bovine, caprine	100 µg/kg 2 000 µg/kg 200 µg/kg 100 µg/kg	Muscle Fat Liver Kidney	Not for use in animals from which milk is produced for human consumption	Antiparasitic agents/Agents against ectoparasites'

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2063**of 17 November 2015****on the granting of unlimited duty-free access to the Union for 2016 to certain goods originating in Norway resulting from the processing of agricultural products covered by Regulation (EU) No 510/2014 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009 ⁽¹⁾, and in particular Article 16(1)(a) thereof,

Having regard to Council Decision 2004/859/EC of 25 October 2004 concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway on Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway ⁽²⁾, and in particular Article 3 thereof,

Whereas:

- (1) Protocol 2 to the Agreement between the European Economic Community and the Kingdom of Norway of 14 May 1973 ⁽³⁾ ('the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway') and Protocol 3 to the EEA Agreement ⁽⁴⁾ determine the trade arrangements for certain agricultural and processed agricultural products between the Contracting Parties.
- (2) Protocol 3 to the EEA Agreement provides for a zero rate of duty for waters containing added sugar or other sweetening matter or flavoured, classified under CN code 2202 10 00, and other non-alcoholic beverages, not containing products of headings 0401 to 0404 or fat obtained from products of headings 0401 to 0404, classified under CN code 2202 90 10.
- (3) The zero rate of duty for those waters and those other beverages has temporarily, for an unlimited period of time, been suspended for Norway by the Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Norway concerning Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway ⁽⁵⁾ (hereinafter referred to as 'the Agreement in the form of an Exchange of Letters') approved by Decision 2004/859/EC. In accordance with the Agreement in the form of an Exchange of Letters, duty-free imports of goods with CN codes 2202 10 00 and ex 2202 90 10 that originate in Norway are to be allowed only within the limits of a duty-free quota. A duty is to be paid for imports that exceed the quota allocation.
- (4) Furthermore, the Agreement in the form of an Exchange of Letters requires that the products in question be granted unlimited duty-free access to the Union if the tariff quota has not been exhausted by 31 October of the previous year. According to data provided to the Commission, the annual quota for 2015 for the waters and beverages in question opened by Commission Implementing Regulation (EU) No 1130/2014 ⁽⁶⁾ had not been exhausted by 31 October 2015. Therefore, the products in question should be granted unlimited duty free access to the Union from 1 January to 31 December 2016.
- (5) Therefore the temporary suspension of the duty free regime applied under Protocol 2 to the bilateral Free Trade Agreement between the European Economic Community and the Kingdom of Norway shall not be applied for year 2016.

⁽¹⁾ OJ L 150, 20.5.2014, p. 1.

⁽²⁾ OJ L 370, 17.12.2004, p. 70.

⁽³⁾ OJ L 171, 27.6.1973, p. 2.

⁽⁴⁾ OJ L 1, 3.1.1994, p. 3.

⁽⁵⁾ OJ L 370, 17.12.2004, p. 72.

⁽⁶⁾ Commission Implementing Regulation (EU) No 1130/2014 of 22 October 2014 opening a tariff quota for the year 2015 for the importation into the European Union of certain goods originating in Norway resulting from the processing of agricultural products covered by Regulation (EU) No 510/2014 of the European Parliament and of the Council (OJ L 305, 24.10.2014, p. 104).

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 2016, the goods classified under CN codes 2202 10 00 (waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured) and ex 2202 90 11, ex 2202 90 15 and ex 2202 90 19 (other non-alcoholic beverages containing sugar (sucrose or invert sugar) — TARIC subdivisions 11 and 19) originating in Norway shall be granted unlimited duty free access to the Union.

2. The rules of origin applicable to the goods referred to in paragraph 1 shall be those set out in Protocol 3 to the Agreement between the European Economic Community and the Kingdom of Norway of 14 May 1973.

Article 2

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 from 1 January 2016.

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

Done at Brussels, 17 November 2015.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2064**of 17 November 2015****amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code as regards solar glass intended to be processed under the processing under customs control procedure****(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 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, and in particular Article 247 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2454/93 ⁽²⁾ provides for a possibility for certain goods to be processed under the processing under customs control procedure without an examination of the economic conditions referred to in Article 133(e) of Regulation (EEC) No 2913/92. For those goods, the economic conditions are deemed to be fulfilled in accordance with Article 552 of Regulation (EEC) No 2454/93. Those goods are covered by Part A of Annex 76 to Regulation (EEC) No 2454/93.
- (2) Order number 11 of Part A of Annex 76 to Regulation (EEC) No 2454/93 covers certain components, parts, assemblies or materials which may be processed into information technology products.
- (3) Solar glass may be processed under processing under customs control into solar panels. The processing operation is covered by order number 11 of Part A of Annex 76 to Regulation (EEC) No 2454/93.
- (4) Solar glass originating in the People's Republic of China intended to be placed under processing under customs control would be, if it were declared for release for free circulation, subject to a definitive anti-dumping duty in accordance with Commission Implementing Regulation (EU) No 470/2014 ⁽³⁾ or to a definitive countervailing duty in accordance with Commission Implementing Regulation (EU) No 471/2014 ⁽⁴⁾.
- (5) The processing of solar glass originating in the People's Republic of China under processing under customs control may adversely affect the essential interests of Union producers of solar glass. Therefore, the use of processing under customs control should be possible only after the Customs Code Committee has examined the economic conditions in accordance with Article 552(2) of Regulation (EEC) No 2454/93 and concluded that those conditions are fulfilled.
- (6) Regulation (EEC) No 2454/93 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) No 470/2014 of 13 May 2014 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of solar glass originating in the People's Republic of China (OJ L 142, 14.5.2014, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) No 471/2014 of 13 May 2014 imposing definitive countervailing duties on imports of solar glass originating in the People's Republic of China (OJ L 142, 14.5.2014, p. 23).

HAS ADOPTED THIS REGULATION:

Article 1

In Part A of Annex 76 to Regulation (EEC) No 2454/93, the text in column 1 of order number 11 is replaced by the following:

'Any electronic type of components, parts, assemblies (including subassemblies), or materials (whether or not electronic), which are vital to the electronic working performance of the processed product, with the exception of solar glass which would be subject to a provisional or definitive antidumping duty or to a provisional or definitive countervailing duty if it were declared for release for free circulation.'

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, 17 November 2015.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2065**of 17 November 2015****establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 ⁽¹⁾, and in particular Article 10(13) thereof,

Whereas:

- (1) The format of the notification pursuant to Article 10(10) of Regulation (EU) No 517/2014 should be harmonised, specifying the essential information required, to allow the authentication of a certificate or attestation complying with the minimum requirements and the conditions for mutual recognition that have been established.
- (2) The Commission has updated minimum requirements and conditions for mutual recognition by adopting Commission Implementing Regulation (EU) 2015/2067 ⁽²⁾ and Commission Implementing Regulation (EU) 2015/2066 ⁽³⁾.
- (3) Commission Regulation (EC) No 308/2008 ⁽⁴⁾ should therefore be repealed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 24 of Regulation (EU) No 517/2014,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall use for the notifications referred to in Article 10(10) of Regulation (EU) No 517/2014 the following forms:

- (1) for stationary refrigeration, air-conditioning and heat pump equipment, and refrigeration units of refrigerated trucks and trailers, the notification form laid down in Annex I to this Regulation;
- (2) for stationary fire protection systems and fire extinguishers the notification form laid down in Annex II to this Regulation;
- (3) for electrical switchgear the notification form laid down in Annex III to this Regulation;

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ Commission Implementing Regulation (EU) 2015/2067 of 17 November 2015 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and the Council, minimum requirements and the conditions for mutual recognition for the certification of natural persons as regards stationary refrigeration, air conditioning and heat pump equipment, and refrigeration units of refrigerated trucks and trailers, containing fluorinated greenhouse gases and for the certification of companies as regards stationary refrigeration, air conditioning and heat pump equipment, containing fluorinated greenhouse gases (see page 28 of this Official Journal).

⁽³⁾ Commission Implementing Regulation (EU) 2015/2066 of 17 November 2015 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of natural persons carrying out installation, servicing, maintenance, repair or decommissioning of electrical switchgear containing fluorinated greenhouse gases or recovery of fluorinated greenhouse gases from stationary electrical switchgear (see page 22 of this Official Journal).

⁽⁴⁾ Commission Regulation (EC) No 308/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States (OJ L 92, 3.4.2008, p. 28).

- (4) for equipment containing fluorinated greenhouse gas-based solvents the notification form laid down in Annex IV to this Regulation;
- (5) for air-conditioning systems in motor vehicles the notification form laid down in Annex V to this Regulation.

Article 2

Regulation (EC) No 308/2008 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VI.

Article 3

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

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

Done at Brussels, 17 November 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

STATIONARY REFRIGERATION, AIR CONDITIONING AND HEAT PUMP EQUIPMENT AND REFRIGERATION UNITS OF REFRIGERATED TRUCKS AND TRAILERS

NOTIFICATION

FOR THE ESTABLISHMENT OR ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND CERTIFICATION REQUIREMENTS FOR COMPANIES AND NATURAL PERSONS INVOLVED IN ACTIVITIES COVERED BY ARTICLE 10(1) OF REGULATION (EU) No 517/2014 ON FLUORINATED GREENHOUSE GASES

GENERAL INFORMATION

(a) Member State	
(b) Notifying Authority	
(c) Date of Notification	

Part A — Natural persons

The following certification system(s) for **natural persons** involved in the *installation, repair, maintenance, servicing, decommissioning or leakage checking* of stationary refrigeration, air conditioning and heat pump equipment, and refrigeration units of refrigerated trucks and trailers, which contain fluorinated greenhouse gases or the *recovery* of those gases from such equipment, satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 4 and 10 of Commission Implementing Regulation (EU) 2015/2067 ⁽¹⁾.

Certificate Title	Category (I, II, III and/or IV)	Certification Body for natural persons (name and contact details)
		[...]

Part B — Companies

The following certification system(s) for **companies** involved in the *installation, repair, maintenance, servicing or decommissioning* of stationary refrigeration, air conditioning and heat pump equipment, which contain fluorinated greenhouse gases satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 6 and 10 of Implementing Regulation (EU) 2015/2067.

Certificate Title	Company Certification Body (name and contact details)
	[...]

⁽¹⁾ Commission Implementing Regulation (EU) 2015/2067 of 17 November 2015 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and the Council, minimum requirements and the conditions for mutual recognition for the certification of natural persons as regards stationary refrigeration, air conditioning and heat pump equipment, and refrigeration units of refrigerated trucks and trailers, containing fluorinated greenhouse gases and for the certification of companies as regards stationary refrigeration, air conditioning and heat pump equipment, containing fluorinated greenhouse gases (OJ L 301, 18.11.2015, p. 28).

ANNEX II

STATIONARY FIRE PROTECTION EQUIPMENT

NOTIFICATION

FOR THE ESTABLISHMENT/ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND CERTIFICATION REQUIREMENTS FOR COMPANIES AND NATURAL PERSONS INVOLVED IN ACTIVITIES COVERED BY ARTICLE 10(1) OF REGULATION (EU) No 517/2014 ON FLUORINATED GREENHOUSE GASES

GENERAL INFORMATION

(a) Member State	
(b) Notifying Authority	
(c) Date of Notification	

Part A — Natural persons

The following certification system(s) for **natural persons** involved in the *installation, repair, maintenance, servicing, decommissioning or leakage checking* of stationary fire protection equipment which contain fluorinated greenhouse gases or the *recovery* of those gases from stationary fire protection equipment, satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 5 and 13 of Commission Regulation (EC) No 304/2008 ⁽¹⁾.

Certificate Title	Certification Body for natural persons (name and contact details)
	[...]

Part B — Companies

The following certification system(s) for **companies** involved in the *installation, repair, maintenance, servicing or decommissioning* of stationary fire protection equipment which contain fluorinated greenhouse gases, satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 8 and 13 of Regulation (EC) No 304/2008.

Certificate Title	Company Certification Body (name and contact details)
	[...]

⁽¹⁾ Commission Regulation (EC) No 304/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary fire protection systems and fire extinguishers containing certain fluorinated greenhouse gases (OJ L 92, 3.4.2008, p. 12).

ANNEX III

ELECTRICAL SWITCHGEAR

NOTIFICATION

FOR THE ESTABLISHMENT/ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND CERTIFICATION REQUIREMENTS FOR NATURAL PERSONS INVOLVED IN ACTIVITIES COVERED BY ARTICLE 10(1) OF REGULATION (EU) No 517/2014 ON FLUORINATED GREENHOUSE GASES

GENERAL INFORMATION

(a) Member State	
(b) Notifying Authority	
(c) Date of Notification	

The following certification system(s) for **natural persons** carrying out *installation, repair, maintenance, servicing or decommissioning* of electrical switchgear containing fluorinated greenhouse gases or *recovery* of fluorinated greenhouse gases from stationary electrical switchgear, satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 3 and 7 of Commission Implementing Regulation (EU) 2015/2066 ⁽¹⁾.

Certificate Title	Certification Body for natural persons (name and contact details)
	[...]

⁽¹⁾ Commission Implementing Regulation (EU) 2015/2066 of 17 November 2015 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of natural persons carrying out installation, servicing, maintenance, repair or decommissioning of electrical switchgear containing fluorinated greenhouse gases or recovery of fluorinated greenhouse gases from stationary electrical switchgear (OJ L 301, 18.11.2015, p. 22).

ANNEX IV

EQUIPMENT CONTAINING FLUORINATED GREENHOUSE GAS-BASED SOLVENTS

NOTIFICATION

FOR THE ESTABLISHMENT/ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND CERTIFICATION REQUIREMENTS FOR NATURAL PERSONS INVOLVED IN ACTIVITIES COVERED BY ARTICLE 10(1) OF REGULATION (EU) No 517/2014 ON FLUORINATED GREENHOUSE GASES

GENERAL INFORMATION

(a) Member State	
(b) Notifying Authority	
(c) Date of Notification	

The following certification system(s) for **natural persons** involved in the *recovery* of fluorinated greenhouse gas-based solvents from equipment, satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 3 and 7 of Commission Regulation (EC) No 306/2008 ⁽¹⁾.

Certificate Title	Certification Body for natural persons (name and contact details)
	[...]

⁽¹⁾ Commission Regulation (EC) No 306/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gas-based solvents from equipment (OJ L 92, 3.4.2008, p. 21).

ANNEX V

AIR-CONDITIONING SYSTEMS IN MOTOR VEHICLES

NOTIFICATION

FOR THE ESTABLISHMENT/ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND QUALIFICATION REQUIREMENTS FOR NATURAL PERSONS INVOLVED IN ACTIVITIES COVERED BY ARTICLE 10(1) OF REGULATION (EU) No 517/2014 ON FLUORINATED GREENHOUSE GASES

GENERAL INFORMATION

(a) Member State	
(b) Notifying Authority	
(c) Date of Notification	

The following training programme(s) for **natural persons** involved in the *recovery* of fluorinated greenhouse gases from air-conditioning systems in motor vehicles, satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 2(1) and 5 of Commission Regulation (EC) No 307/2008 ⁽¹⁾.

Attestation Title	Attestation Body for natural persons (name and contact details)
	[...]

⁽¹⁾ Commission Regulation (EC) No 307/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements for training programmes and the conditions for mutual recognition of training attestations for personnel as regards air-conditioning systems in certain motor vehicles containing certain fluorinated greenhouse gases (OJ L 92, 3.4.2008, p. 25).

ANNEX VI

Correlation table

Regulation (EC) No 308/2008	This Regulation
Article 1	Article 1
—	Article 2
Article 2	Article 3
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
Annex IV	Annex IV
Annex V	Annex V
—	Annex VI

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2066**of 17 November 2015****establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of natural persons carrying out installation, servicing, maintenance, repair or decommissioning of electrical switchgear containing fluorinated greenhouse gases or recovery of fluorinated greenhouse gases from stationary electrical switchgear****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 ⁽¹⁾, and in particular Article 10(12) thereof,

Whereas:

- (1) Regulation (EU) No 517/2014 includes obligations concerning the certification of natural persons with regards to electrical switchgear containing fluorinated greenhouse gases. In addition to recovery, their certification covers installation, servicing, maintenance, repair and decommissioning. Regulation (EU) No 517/2014 also includes requirements for the content of the certification programmes containing information on relevant technologies to replace or to reduce the use of fluorinated greenhouse gases and the safe handling of such technologies.
- (2) It is therefore necessary for the purposes of the application of Article 10 of Regulation (EU) No 517/2014 to update the minimum requirements as to the scope of activities as well as the skills and knowledge to be covered, specifying the modalities of the certification and the conditions for mutual recognition.
- (3) To take existing qualification and certification schemes into account, in particular those that have been adopted on the basis of Regulation (EC) No 842/2006 of the European Parliament and of the Council ⁽²⁾ which has since been repealed, and the requirements laid down in Commission Regulation (EC) No 305/2008 ⁽³⁾, those requirements should be incorporated into this Regulation to the extent possible.
- (4) Regulation (EC) No 305/2008 should therefore be repealed.
- (5) In order for the Member States to have time to adapt their certification programmes to cover activities related to installation, servicing, maintenance, repair and decommissioning of electrical switchgear containing fluorinated greenhouse gases, as well as recovery from switchgear other than high voltage switchgear referred to in Regulation (EC) No 305/2008, it is appropriate that the requirement to hold a certificate in accordance with this Regulation should apply as of 1 July 2017 to the activities related to installation, servicing, maintenance, repair and decommissioning of electrical switchgear containing fluorinated greenhouse gases.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 24 of Regulation (EU) No 517/2014,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter and scope**

This Regulation establishes minimum requirements for the certification of natural persons carrying out installation, servicing, maintenance, repair, decommissioning of electrical switchgear containing fluorinated greenhouse gases or

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases (OJ L 161, 14.6.2006, p. 1).

⁽³⁾ Commission Regulation (EC) No 305/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gases from high-voltage switchgear (OJ L 92, 3.4.2008, p. 17).

recovery of fluorinated greenhouse gases from stationary electrical switchgear, as well as the conditions for mutual recognition of certificates issued in accordance with those requirements.

Article 2

Certification of natural persons

1. Natural persons carrying out the activities referred to in Article 1 shall hold a certificate as referred to in Article 3.
2. Natural persons undertaking one of the activities referred to in Article 1 shall not be subject to the requirement laid down in paragraph 1 of this Article provided they meet the following conditions:
 - (a) they are enrolled in a training course for the purpose of obtaining a certificate covering the relevant activity; and
 - (b) they carry out the activity under the supervision of a person holding a certificate covering that activity and who is fully responsible for the correct execution of the activity.

The derogation provided for in the first subparagraph shall apply for the duration of periods spent carrying out the activities referred to in Article 1 not exceeding 12 months in total.

3. This Regulation shall not apply to any manufacturing and repairing activity undertaken at manufacturer's sites for electrical switchgear.

Article 3

Issuance of certificates to natural persons

1. A certification body as referred to in Article 4 shall issue a certificate to natural persons who have passed a theoretical and practical examination organised by an evaluation body as referred to in Article 5, covering the minimum skills and knowledge set out in Annex I.
2. The certificate shall contain at least the following:
 - (a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any;
 - (b) the activities which the holder of the certificate is entitled to perform;
 - (c) issuing date and issuer's signature.
3. Holders of certificates issued pursuant to Regulation (EC) No 305/2008 shall be deemed qualified to carry out all activities referred to in Article 1 and a certification body referred to in Article 4 may issue a certificate to the holder of this qualification without repeating examination.

Article 4

Certification body

1. A certification body shall be provided for in national law or designated by the competent authority of a Member State or other entities entitled to do so, as being allowed to issue certificates to natural persons involved in the activity referred to in Article 1.

The certification body shall be impartial in carrying out its activities.

2. The certification body shall establish and apply procedures for the issuance, suspending and withdrawing of certificates.
3. The certification body shall maintain records that allow verifying the status of a certified person. The records shall demonstrate that the certification process has been effectively fulfilled. Records shall be kept for a minimum period of 5 years.

*Article 5***Evaluation body**

1. An evaluation body designated by the competent authority of a Member State or other entities entitled to do so, shall organise examinations for the natural persons referred to in Article 1. A certification body as referred to in Article 4 may also qualify as an evaluation body.

The evaluation body shall be impartial in carrying out its activities.

2. Examinations shall be planned and structured in a manner which ensures that the minimum skills and knowledge set out in Annex I are covered.

3. The evaluation body shall adopt reporting procedures and keep records to enable the documentation of the individual and overall results of the evaluation.

4. The evaluation body shall ensure that examiners assigned to a test have due knowledge of the relevant examination methods and examination documents as well as appropriate competence in the field to be examined. It shall also ensure that the necessary equipment, tools and materials are available for the practical tests.

*Article 6***Notification**

1. By 1 January 2017, Member States shall notify the Commission of the names and contact details of certification bodies for natural persons covered by Article 4 and of the titles of certificates for natural persons complying with the requirements of Article 3, using the format established by Commission Implementing Regulation (EU) 2015/2065 ⁽¹⁾.

2. Member States shall update the notification submitted pursuant to paragraph 1 with any relevant new information and shall submit it to the Commission without delay.

*Article 7***Conditions for mutual recognition**

1. Mutual recognition of certificates issued in other Member States shall apply to certificates issued in accordance with Article 3.

2. Member States may require holders of certificates issued in another Member State to provide a translation of the certificate in another official language of the Union.

*Article 8***Repeal**

Regulation (EC) No 305/2008 is repealed.

References to the repealed Regulation (EC) No 305/2008 shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex II.

*Article 9***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*.

However, Article 2(1) shall apply as of 1 July 2017 to natural persons undertaking installation, servicing, maintenance, repair and decommissioning of electrical switchgear containing fluorinated greenhouse gases and recovery of fluorinated greenhouse gases from stationary electrical switchgear, other than high voltage switchgear referred to in Regulation (EC) No 305/2008.

⁽¹⁾ Commission Implementing Regulation (EU) 2015/2065 of 17 November 2015 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States (see page 14 of this Official Journal).

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

Done at Brussels, 17 November 2015.

For The Commission

The President

Jean-Claude JUNCKER

ANNEX I

Minimum requirements as to the skills and knowledge to be covered by the evaluation bodies

The examination referred to in Articles 3(1) and 5(2) shall comprise the following:

- (a) a theoretical test with one or more questions testing that skill or knowledge, as indicated in the column 'Test type' by (T);
- (b) a practical test where the applicant shall perform the corresponding task with the relevant material, tools and equipment, as indicated in the column 'Test type' by (P).

No	Minimum knowledge and skills	Test type
1	Basic knowledge of relevant environmental issues (climate change, Global Warming Potential), the relevant provisions of Regulation (EU) No 517/2014 and of the relevant implementing acts	T
2	Physical, chemical and environmental characteristics of SF ₆	T
3	Use of SF ₆ in electric power equipment (insulation, arc quenching)	T
4	SF ₆ quality, according to the relevant industrial standards	T
5	Understanding of the design of electric power equipment	T
6	Checking the SF ₆ quality	P
7	Recovery of SF ₆ and SF ₆ mixtures and purification of SF ₆	P
8	Storage and transportation of SF ₆	T
9	Operation of SF ₆ recovery equipment	P
10	Operation of tight drilling systems, if necessary	P
11	Reuse of SF ₆ and different reuse categories	T
12	Working on open SF ₆ compartments	P
13	Neutralising SF ₆ by-products	T
14	Monitoring of SF ₆ and appropriate data recording obligations under national or Union legislation, or international agreements	T
15	Reduction of leakages and leak checks	T
16	Basic knowledge of relevant technologies to replace or to reduce the use of fluorinated greenhouse gases and their safety handling	T

ANNEX II

Correlation table

Regulation (EC) No 305/2008	This Regulation
Article 1	Article 1
Article 2	—
Article 3	Article 2
Article 4	Article 3
Article 5	Article 4
Article 6	Article 5
Article 7	Article 6
Article 8	Article 7
—	Article 8
Article 9	Article 9
Annex	Annex I
—	Annex II

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2067**of 17 November 2015**

establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of natural persons as regards stationary refrigeration, air conditioning and heat pump equipment, and refrigeration units of refrigerated trucks and trailers, containing fluorinated greenhouse gases and for the certification of companies as regards stationary refrigeration, air conditioning and heat pump equipment, containing fluorinated greenhouse gases

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 ⁽¹⁾, and in particular Article 10(12) thereof,

Whereas:

- (1) Regulation (EU) No 517/2014 includes obligations concerning the certification of companies and natural persons. In contrast to Regulation (EC) No 842/2006 of the European Parliament and of the Council ⁽²⁾, the equipment covered also includes, with regard to the certification of natural persons, refrigeration units of refrigerated trucks and trailers. Regulation (EU) No 517/2014 also includes requirements for the content of the certification programmes, containing information on relevant technologies to replace or to reduce the use of fluorinated greenhouse gases and on the safe handling of those technologies.
- (2) It is therefore necessary for the purposes of the application of Article 10 of Regulation (EU) No 517/2014 to update the minimum requirements as to the scope of activities as well as the skills and knowledge to be covered, specifying the modalities of the certification and the conditions for mutual recognition.
- (3) To take existing qualification and certification schemes into account, in particular those that have been adopted on the basis of Regulation (EC) No 842/2006 which has since been repealed, and the requirements laid down in Commission Regulation (EC) No 303/2008 ⁽³⁾, those requirements should be incorporated into this Regulation to the extent possible.
- (4) Regulation (EC) No 303/2008 should therefore be repealed.
- (5) In order for the Member States to have time to adapt their certification programmes for natural persons to cover activities related to refrigeration units of refrigerated trucks and trailers, it is appropriate that the requirement to hold a certificate in accordance with this Regulation should apply as of 1 July 2017 with regards to activities related to refrigeration units of refrigerated trucks and trailers.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 24 of Regulation (EU) No 517/2014,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject Matter**

This Regulation establishes minimum requirements for the certification of natural persons carrying out the activities referred to in Article 2(1) in relation to refrigeration units of refrigerated trucks and trailers, stationary refrigeration, air

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases (OJ L 161, 14.6.2006, p. 1).

⁽³⁾ Commission Regulation (EC) No 303/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases (OJ L 92, 3.4.2008, p. 3).

conditioning and heat pump equipment containing fluorinated greenhouse gases and certification of companies carrying out the activities referred to in Article 2(2) in relation to stationary refrigeration, air conditioning and heat pump equipment containing fluorinated greenhouse gases as well as the conditions for mutual recognition of certificates issued in accordance with those requirements.

Article 2

Scope

1. This Regulation shall apply to natural persons carrying out the following activities:
 - (a) leakage checking of equipment containing fluorinated greenhouse gases in quantities of 5 tonnes of CO₂ equivalent or more and not contained in foams, unless such equipment is hermetically sealed, is labelled as such and contains fluorinated greenhouse gases in quantities of less than 10 tonnes of CO₂ equivalent,
 - (b) recovery,
 - (c) installation,
 - (d) repair, maintenance or servicing,
 - (e) decommissioning.
2. It shall also apply to companies carrying out the following activities in relation to stationary refrigeration, air conditioning and heat pump equipment for other parties:
 - (a) installation,
 - (b) repair, maintenance or servicing,
 - (c) decommissioning.
3. This Regulation shall not apply to any manufacturing and repairing activity undertaken at manufacturer's sites for the equipment referred to in Article 1.

Article 3

Certification of natural persons

1. Natural persons carrying out the activities referred to in Article 2(1) shall hold a certificate as referred to in Article 4 for the corresponding category as set out in paragraph 2 of this Article.
2. Certificates attesting that the holder fulfils the requirements to undertake one or more of the activities referred to in Article 2(1) shall be granted for the following categories of natural persons:
 - (a) Category I certificate holders may carry out all the activities provided for in Article 2(1),
 - (b) Category II certificate holders may carry out the activities provided for in point (a) of Article 2(1) provided that it does not entail breaking into the refrigeration circuit containing fluorinated greenhouse gases. Category II certificate holders may carry out the activities in points (b), (c), (d) and (e) of Article 2(1) in relation to equipment referred to in Article 1 containing less than 3 kilograms of fluorinated greenhouse gases, or, if hermetically sealed systems which are labelled as such are concerned, containing less than 6 kilograms of fluorinated greenhouse gases,
 - (c) Category III certificate holders may carry out the activity provided for in point (b) of Article 2(1) in relation to equipment referred to in Article 1 containing less than 3 kilograms of fluorinated greenhouse gases, or, if hermetically sealed systems which are labelled as such are concerned, containing less than 6 kilograms of fluorinated greenhouse gases,
 - (d) Category IV certificate holders may carry out the activity provided for in point (a) of Article 2(1) provided that it does not entail breaking into the refrigeration circuit containing fluorinated greenhouse gases.

3. Paragraph 1 shall not apply to natural persons undertaking:
 - (a) brazing, soldering or welding of parts of a system or piece of equipment in the context of one of the activities referred to in Article 2(1), which hold the qualification required under national legislation to undertake such activities, provided that they are supervised by a person holding a certificate covering the relevant activity who is fully responsible for the correct execution of the activity,
 - (b) recovery of fluorinated greenhouse gases from equipment covered by Directive 2012/19/EU of the European Parliament and of the Council ⁽¹⁾ with a fluorinated greenhouse charge of less than 3 kilograms and less than 5 tonnes of CO₂ equivalent, in premises covered by a permit in accordance with Article 9(1) and (2) of that Directive, provided that they are employed by the company holding the permit and have completed a training course on the minimum skills and knowledge corresponding to Category III as set out in Annex I to this Regulation verified by an attestation of competence issued by the permit holder.
4. Natural persons undertaking one of the activities referred to in Article 2(1) shall not be subject to the requirement laid down in paragraph 1 of this Article provided they meet the following conditions:
 - (a) they are enrolled in a training course for the purpose of obtaining a certificate covering the relevant activity, and
 - (b) they carry out the activity under the supervision of a person holding a certificate covering that activity who is fully responsible for the correct execution of the activity.

The derogation provided for in the first subparagraph shall apply for the duration of periods spent carrying out the activities referred to in Article 2(1) not exceeding 24 months in total.

Article 4

Certificates for natural persons

1. A certification body as referred to in Article 7 shall issue a certificate to natural persons who have passed a theoretical and practical examination organised by an evaluation body as referred to in Article 8, covering the minimum skills and knowledge set out in Annex I, for the category concerned.
2. The certificate shall contain at least the following:
 - (a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any,
 - (b) the category of natural persons certification as specified in Article 3(2) and the associated activities which the holder of the certificate is entitled to perform, where relevant specifying the type of equipment concerned,
 - (c) issuing date and issuer's signature.
3. Where an existing examination-based certification system covers the minimum skills and knowledge set out in Annex I for a particular category and meets the requirements of Articles 7 and 8, but the related attestation does not contain the elements laid down in paragraph 2 of this Article, a certification body referred to in Article 7 may issue a certificate to the holder of this qualification for the corresponding category without repeating examination.
4. Where an existing examination-based certification system for natural persons undertaking one or more of the activities provided for in Article 2(1) with regards to refrigeration units of refrigerated trucks and trailers meets the requirements of Articles 7 and 8 and partially covers the minimum skills of a particular category as set out in Annex I, certification bodies may issue a certificate for the corresponding category provided that the applicant passes a supplementary examination of the skills and knowledge not covered by the existing certification by an evaluation body referred to in Article 8.

⁽¹⁾ Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE) (OJ L 197, 24.7.2012, p. 38).

*Article 5***Certification of companies**

Companies referred to in Article 2(2) shall hold a certificate as referred to in Article 6.

*Article 6***Company certificates**

1. A certification body as referred to in Article 7 shall issue a certificate to a company for one or more of the activities referred to in Article 2(2) provided that it fulfils the following requirements:
 - (a) employment of natural persons certified in accordance with Article 3, for the activities requiring certification, in a sufficient number to cover the expected volume of activities,
 - (b) proof that the necessary tools and procedures are available to the natural persons engaged in activities for which certification is required.
2. The certificate shall contain at least the following:
 - (a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any,
 - (b) the activities which the holder of the certificate is entitled to perform, also specifying the maximum charge size, expressed in kilograms, of the equipment concerned,
 - (c) issuing date and issuer's signature.

*Article 7***Certification body**

1. A certification body shall be provided for in national law or designated by the competent authority of a Member State or other entities entitled to do so, as being allowed to issue certificates to natural persons or companies involved in one or more of the activities referred to in Article 2.

The certification body shall be independent and impartial in carrying out its activities.

2. The certification body shall establish and apply procedures for the issuance, suspending and withdrawing of certificates.
3. The certification body shall maintain records that allow verifying the status of a certified person or company. The records shall demonstrate that the certification process has been effectively fulfilled. Records shall be kept for a minimum period of 5 years.

*Article 8***Evaluation Body**

1. An evaluation body designated by the competent authority of a Member State or other entities entitled to do so shall organise examinations for the natural persons referred to in Article 2(1). A certification body as referred to in Article 7 may also qualify as an evaluation body. The evaluation body shall be independent and impartial in carrying out its activities.
2. Examinations shall be planned and structured in a manner which ensures that the minimum skills and knowledge set out in Annex I are covered.
3. The evaluation body shall adopt reporting procedures and keep records to enable the documentation of the individual and overall results of the evaluation.
4. The evaluation body shall ensure that examiners assigned to a test have due knowledge of the relevant examination methods and examination documents as well as an appropriate competence in the field to be examined. It shall also ensure that the necessary equipment, tools and materials are available for the practical tests.

*Article 9***Notification**

1. By 1 January 2017, Member States shall notify the Commission of the names and contact details of certification bodies for natural persons and companies covered by Article 7 and of the titles of certificates for natural persons complying with the requirements of Article 4 and companies complying with the requirements of Article 6, using the format established by Commission Implementing Regulation (EU) 2015/2065 ⁽¹⁾.
2. Member States shall update the notification submitted pursuant to paragraph 1, with relevant new information, and submit it to the Commission without delay.

*Article 10***Conditions for mutual recognition**

1. Mutual recognition of certificates issued in other Member States shall only apply to certificates issued in accordance with Article 4 for natural persons and Article 6 for companies.
2. Member States may require holders of certificates issued in another Member State to provide a translation of the certificate in another official language of the Union.

*Article 11***Repeal**

Regulation (EC) No 303/2008 is repealed.

References to the repealed Regulation (EC) No 303/2008 shall be construed as references to this Regulation and read in accordance with the correlation table in Annex II.

*Article 12***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*.

However, Article 3(1) shall apply as of 1 July 2017 to natural persons undertaking one or more of the activities provided for in Article 2(1) with regards to refrigeration units of refrigerated trucks and trailers.

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

Done at Brussels, 17 November 2015.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ Commission Implementing Regulation (EU) 2015/2065 of 17 November 2015 establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States (see page 14 of this Official Journal).

ANNEX I

Minimum requirements as to the skills and knowledge to be covered by the evaluation bodies

1. The examination for each of the Categories referred to in Article 3(2) shall comprise the following:
 - (a) a theoretical test with one or more questions testing that skill or knowledge, as indicated in the Category columns by (T),
 - (b) a practical test where the applicant shall perform the corresponding task with the relevant material, tools and equipment, as indicated in the Category columns by (P).
2. The examination shall cover each of the skill and knowledge groups 1, 2, 3, 4, 5, 10 and 11.
3. The examination shall cover at least one of the skill and knowledge groups 6, 7, 8 and 9. The candidate shall not know in advance of the examination which of these four components will be examined.
4. If there is one single box in the categories columns that corresponds to several boxes (several skills and knowledge) in the skills and knowledge column it means that not necessarily all skills and knowledge have to be tested during the examination.

SKILLS AND KNOWLEDGE		CATEGORIES			
		I	II	III	IV
1	Basic thermodynamics				
1.01	Know the basic ISO standard units as for temperature, pressure, mass, density, energy	T	T	—	T
1.02	Understand basic theory of refrigeration systems: basic thermodynamics (key terms, parameters and processes such as Superheat, High Side, Heat of Compression, Enthalpy, Refrigeration Effect, Low Side, Sub-cooling), properties and thermodynamic transformations of refrigerants including identification of zeotropic blends and fluid states	T	T	—	—
1.03	Use relevant tables and diagrams and interpret them in the context of indirect leakage checking (including checking of the good operation of the system): log p/h diagram, saturation tables of a refrigerant, diagram of a single compression refrigeration cycle	T	T	—	—
1.04	Describe the function of the main components in the system (compressor, evaporator, condenser, thermostatic expansion valves) and the thermodynamic transformations of the refrigerant	T	T	—	—
1.05	Know the basic operation of the following components used in a refrigeration system and their role and importance for refrigerant leakage prevention and identification: (a) valves (ball valves, diaphragms, globe valves, relief valves), (b) temperature and pressure controls, (c) sight glasses and moisture indicators, (d) defrost controls, (e) system protectors, (f) measuring devices as manifold thermometer, (g) oil control systems, (h) receivers, (i) liquid and oil separators		—	—	—
1.06	Know about the specific behaviour, physical parameters, solutions, systems, deviances of alternative refrigerants in the refrigeration cycle and components for their use	T	T	T	T
2	Environmental impact of refrigerants and corresponding environmental regulations				
2.01	Have a basic knowledge of the EU and international climate change policy, including the United Nations Framework Convention on Climate Change	T	T	T	T

SKILLS AND KNOWLEDGE		CATEGORIES			
		I	II	III	IV
2.02	Have a basic knowledge of the concept of Global Warming Potential (GWP), the use of fluorinated greenhouse gases and other substances as refrigerants, the impact of the emissions of fluorinated greenhouse gases on the climate (order of magnitude of their GWP) and relevant provisions of Regulation (EU) No 517/2014 and of the relevant implementing acts	T	T	T	T
3	Checks before putting in operation, after a long period of non-use, after maintenance or repair intervention, or during operation				
3.01	Carry out a pressure test to check the strength of the system	P	P	—	—
3.02	Carry out a pressure test to check the tightness of the system				
3.03	Use a vacuum pump				
3.04	Evacuate the system to remove air and moisture according to standard practice				
3.05	Fill in the data in the equipment records and fill in a report about one or more tests and checks carried out during the examination	T	T	—	—
4	Checks for leakage				
4.01	Know potential leakage points of refrigeration, air conditioning and heat pump equipment	T	T	—	T
4.02	Check equipment records prior to a check for leakage and identify the relevant information on any repeating issues or problem areas to pay special attention to	T	T	—	T
4.03	Make a visual and manual inspection of the whole system in accordance with Commission Regulation (EC) No 1516/2007 ⁽¹⁾	P	P	—	P
4.04	Carry out a check for leakage of the system using an indirect method in accordance with Regulation (EC) No 1516/2007 and the instruction manual of the system	P	P	—	P
4.05	Use portable measuring devices such as manometer sets, thermometers and multi-meters for measuring Volt/Amp/Ohm in the context of indirect methods for leakage checking, and interpret the measured parameters	P	P	—	P
4.06	Carry out a check for leakage of the system using one of the direct methods referred to in Regulation (EC) No 1516/2007	P	—	—	—
4.07	Carry out a check for leakage of the system using one of the direct methods which does not entail breaking into the refrigeration circuit, referred to in Regulation (EC) No 1516/2007	—	P	—	P
4.08	Use an appropriate electronic leak detection device	P	P	—	P
4.09	Fill in the data in the equipment records	T	T	—	T

⁽¹⁾ Commission Regulation (EC) No 1516/2007 of 19 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases (OJ L 335, 20.12.2007, p. 10).

		CATEGORIES			
		I	II	III	IV
SKILLS AND KNOWLEDGE					
5	Environment-friendly handling of the system and refrigerant during installation, maintenance, servicing or recovery				
5.01	Connect and disconnect gauges and lines with minimal emissions	P	P	—	—
5.02	Empty and fill a refrigerant cylinder in both liquid and vapour state	P	P	P	—
5.03	Use a recovery set to recover refrigerant and connect and disconnect recovery set with minimal emissions	P	P	P	—
5.04	Drain F-gas contaminated oil out of a system	P	P	P	—
5.05	Identify refrigerant state (liquid, vapour) and condition (subcooled, saturated or superheated) prior to charging, to ensure correct method and volume of charge. Fill the system with refrigerant (both in the liquid and vapour phase) without loss of refrigerant	P	P	—	—
5.06	Choose the correct type of scales and use them to weigh the refrigerant	P	P	P	—
5.07	Fill in the equipment records with all relevant information concerning the refrigerant recovered or added	T	T	—	—
5.08	Know requirements and procedures for handling, reusing, reclaiming, storage and transportation of contaminated refrigerant and oils	T	T	T	—
6	Component: installation, putting into operation and maintenance of reciprocating, screw and scroll compressors, single and two-stage				
6.01	Explain the basic functioning of a compressor (including capacity control and lubricating system) and risks of refrigerant leakage or release associated to it	T	T	—	—
6.02	Install a compressor properly, including control and safety equipment, so that no leak or major release occurs once the system is put into operation	P	P	—	—
6.03	Adjust the safety and control switches	P	—	—	—
6.04	Adjust the suction and discharge valves		—	—	—
6.05	Check the oil return system		—	—	—
6.06	Start up and shut down a compressor and check the good working conditions of the compressor, including by making measurements during operation of compressor	P	P	—	—
6.07	Write a report about the condition of the compressor which identifies any problems in the functioning of the compressor that could damage the system and eventually lead to refrigerant leakage or release should no action be taken	T	T	—	—

SKILLS AND KNOWLEDGE		CATEGORIES			
		I	II	III	IV
7	Component: installation, putting into operation and maintenance of air cooled and water cooled condensers				
7.01	Explain the basic functioning of a condenser and risks of leakage associated to it	T	T	—	—
7.02	Adjust a discharge pressure control of the condenser	P	—	—	—
7.03	Install a condenser/outdoor unit properly, including control and safety equipment, so that no leak or major release occurs when the system has been put into operation	P	P	—	—
7.04	Adjust the safety and control switches	P	—	—	—
7.05	Check the discharge and liquid lines				
7.06	Purge non-condensable gases out of the condenser using a refrigeration purging device	P	—	—	—
7.07	Start up and shut down a condenser and check the good working condition of the condenser including by making measurements during operation	P	P	—	—
7.08	Check the surface of the condenser	P	P	—	—
7.09	Write a report about the condition of the condenser which identifies any problems in the functioning that could damage the system and eventually lead to refrigerant leakage or release should no action be taken	T	T	—	—
8	Component: installation, putting into operation and maintenance of air cooled and water cooled evaporators				
8.01	Explain the basic functioning of an evaporator (including defrosting system) and risks of leakage associated to it	T	T	—	—
8.02	Adjust an evaporating pressure control of the evaporator	P	—	—	—
8.03	Install an evaporator including control and safety equipment, so that no leak or major release occurs when the system has been put into operation	P	P	—	—
8.04	Adjust the safety and control switches	P	—	—	—
8.05	Check the liquid and suction pipelines in the correct position				
8.06	Check the hot gas defrost pipeline				
8.07	Adjust evaporation pressure regulation valve				
8.08	Start up and shut down an evaporator and check the good working condition of the evaporator, including by making measurement during operation	P	P	—	—
8.09	Check the surface of the evaporator	P	P	—	—

SKILLS AND KNOWLEDGE		CATEGORIES			
		I	II	III	IV
8.10	Write a report about the condition of the evaporator which identifies any problems in the functioning that could damage the system and eventually lead to refrigerant leakage or release should no action be taken	T	T	—	—
9	Component: installation, putting into operation and servicing of Thermostatic Expansion Valves (TEV) and other components				
9.01	Explain the basic functioning of different kinds of expansion regulators (thermostatic expansion valves, capillary tubes) and risks of leakage associated to it	T	T	—	—
9.02	Install valves in the correct position	P	—	—	—
9.03	Adjust a mechanical/electronic TEV	P	—	—	—
9.04	Adjust mechanical and electronic thermostats				
9.05	Adjust a pressure-regulated valve				
9.06	Adjust mechanical and electronic pressure limiters				
9.07	Check the functioning of an oil separator	P	—	—	—
9.08	Check the condition of a filter dryer				
9.09	Write a report about the condition of these components which identifies any problems in the functioning that could damage the system and eventually lead to refrigerant leakage or release should no action be taken	T	—	—	—
10	Piping: building a leak-tight piping system in a refrigeration installation				
10.01	Weld, braze and/or solder leak-free joints on metallic tubes, pipes and components that can be used in refrigeration, air conditioning or heat pump systems	P	P	—	—
10.02	Make/check pipe and component supports	P	P	—	—
11	Information on relevant technologies to replace or to reduce the use of fluorinated greenhouse gases and their safe handling				
11.01	Know the relevant alternative technologies to replace or to reduce the use of fluorinated greenhouse gases and about their safe handling	T	T	T	T
11.02	Know relevant system designs to reduce the charge size of fluorinated greenhouse gases and to increase energy efficiency	T	T	—	—
11.03	Know relevant safety regulations and standards for the use, storage and transportation of flammable or toxic refrigerants or refrigerants requiring higher operating pressure	T	T	—	—
11.04	Understand the respective advantages and disadvantages, notably in relation to energy efficiency, of alternative refrigerants according to the intended application and to the climate conditions of the different regions	T	T	—	—

ANNEX II

Correlation table

Regulation (EC) No 303/2008	This Regulation
Article 1	Article 1
Article 2	Article 2
Article 3	—
Article 4(1) and (2)	Article 3(1) and (2)
Article 4(3)(a)	Article 3(4)
Article 4(3)(b) and (c)	Article 3(3)(a) and (b)
Article 4(4)	—
Article 5	Article 4
Article 6	—
Article 7	Article 5
Article 8	Article 6
Article 9	—
Article 10	Article 7
Article 11	Article 8
Article 12	Article 9
Article 13	Article 10
—	Article 11
Article 14	Article 12
Annex	Annex I
—	Annex II

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2068**of 17 November 2015****establishing, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council, the format of labels for products and equipment containing fluorinated greenhouse gases****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 ⁽¹⁾, and in particular Article 12(14) thereof,

Whereas:

- (1) Article 12 of Regulation (EU) No 517/2014 included certain labelling requirements for products and equipment that contain, or whose functioning relies upon, fluorinated greenhouse gases laid down in Commission Regulation (EC) No 1494/2007 ⁽²⁾ and added labelling requirements for foams and for fluorinated greenhouse gases placed on the market for specific uses.
- (2) For the sake of clarity, it is appropriate to define the exact wording of the information to be indicated on labels referred to in Article 12(1) of Regulation (EU) No 517/2014 and to set out requirements ensuring the visibility and readability of such labels with regard to their layout and placement.
- (3) To ensure that a single label is used for products containing fluorinated greenhouse gases which are also subject to Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽³⁾, in particular for the labelling of containers, including cylinders, drums and road and rail tankers, the labelling information laid down in Regulation (EU) No 517/2014 should be indicated in the section for supplemental information on the label.
- (4) Regulation (EC) No 1494/2007 should therefore be repealed.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 24 of Regulation (EU) No 517/2014,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter**

This Regulation establishes the format of the labels which shall apply to the types of products and equipment referred to in Article 12(1), (2), and (5) of Regulation (EU) No 517/2014, as well as to fluorinated greenhouse gases referred to in Article 12(6) to (12) of that Regulation.

*Article 2***Labelling format**

1. The information on a label shall stand out clearly from the background of the label and shall be of such size and spacing as to be clearly readable. Where the information required by this Regulation is added to a label already affixed to the product or equipment concerned, the font size shall not be smaller than the minimum size of other information on that label or on existing nameplates or on other product information labels.

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ Commission Regulation (EC) No 1494/2007 of 17 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the form of labels and additional labelling requirements as regards products and equipment containing certain fluorinated greenhouse gases (OJ L 332, 18.12.2007, p. 25).

⁽³⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

2. The entire label and its contents shall be designed so as to ensure that it remains securely in place on the product or equipment and shall be legible under normal operational conditions, throughout the entire period during which the product or equipment contains fluorinated greenhouse gases.
3. Products and equipment referred to in Article 12(1) of Regulation (EU) No 517/2014, shall be marked with a label containing information pursuant to Article 12(3) of Regulation (EU) No 517/2014 and include the text 'Contains fluorinated greenhouse gases'.
4. The weight of the fluorinated greenhouse gases shall be expressed in kilograms and the CO₂ equivalent shall be expressed in tonnes.
5. When equipment is pre-charged with, or when its functioning relies upon, fluorinated greenhouse gases and such gases may be added outside the manufacturing site and the resulting total quantity is not defined by the manufacturer, the label shall contain the quantity charged at the manufacturing site, or the quantity for which it is designed, and shall provide space on the label for the quantity added outside the manufacturing site as well as for the resulting total quantity of fluorinated greenhouse gases.
6. When a product containing fluorinated greenhouse gases or pre-blended polyols is also to be labeled pursuant to Regulation (EC) No 1272/2008, the information pursuant to Article 12(3), (5) to (12) of Regulation (EU) No 517/2014 shall be indicated in the section for supplemental information on the label referred to in Article 25 of Regulation (EC) No 1272/2008.
7. When the fluorinated greenhouse gases are intended to serve for certain uses according to Article 12(6) to (12) of Regulation (EU) No 517/2014, the following text shall be included in the label:
 - (a) '100 % Reclaimed' or '100 % Recycled': for reclaimed or recycled fluorinated greenhouse gases not containing any virgin fluorinated greenhouse gases. The address of the reclamation or of the recycling facility shall include its street address in the Union.
 - (b) 'Imported for destruction only': for fluorinated greenhouse gas quantities imported for destruction;
 - (c) 'For direct bulk export outside EU only': for fluorinated greenhouse gas quantities being supplied by a producer or importer to an undertaking for direct export in bulk out of the Union;
 - (d) 'For use in military equipment only': for fluorinated greenhouse gas quantities which are to be used in military equipment;
 - (e) 'For etching/cleaning in semiconductor industry only': for fluorinated greenhouse gas quantities which are to be used for etching and cleaning purposes in semiconductor industry;
 - (f) 'For feedstock use only': for fluorinated greenhouse gas quantities serving as feedstock;
 - (g) 'For MDI production only': for fluorinated greenhouse gas quantities intended for the delivery of pharmaceutical ingredients in metered-dose inhalers (MDIs).
8. Refrigeration and air conditioning equipment as well as heat pumps, which are insulated with foam blown with fluorinated greenhouse gases, shall be marked with a label containing the following text: 'Foam blown with fluorinated greenhouse gases'.
9. The labels shall be placed in accordance with Article 12(4) of Regulation (EU) No 517/2014 and, where possible, adjacent to existing nameplates or product information labels of the product or equipment that contains the fluorinated greenhouse gas.

Article 3

Repeal

Regulation (EC) No 1494/2007 is repealed. Article 2(1) point (c) of Regulation (EC) No 1494/2007 continues to apply until 1 January 2017; however, to comply with this provision prior to 1 January 2017, undertakings may already apply Article 12(3) point (c) of Regulation (EU) No 517/2014.

References to Regulation (EC) No 1494/2007 shall be construed as references to this Regulation and shall be read in accordance with the correlation table in the Annex.

*Article 4***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, 17 November 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Correlation table

Regulation (EC) No 1494/2007	This Regulation
Article 1	Article 1
Article 2(1)	Article 2(3) and (4)
Article 2(2)	Article 2(8)
Article 2(3)	Article 2(5)
Article 2(4)	—
Article 3(1)	—
Article 3(2)	Article 2(1)
Article 3(3)	Article 2(2)
Article 4(1)	Article 2(9)
Article 4(2)	—
Article 5	Article 4

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2069**of 17 November 2015****approving the basic substance sodium hydrogen carbonate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011****(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 23(5) in conjunction with Article 13(2) thereof,

Whereas:

- (1) In accordance with Article 23(3) of Regulation (EC) No 1107/2009, the Commission received on 26 March 2014 an application from the Danish Environmental Protection Agency for the approval of sodium hydrogen carbonate as basic substance. That application was accompanied by the information required by the second subparagraph of Article 23(3).
- (2) The Commission asked the European Food Safety Authority (hereinafter 'the Authority') for scientific assistance. The Authority presented to the Commission a Technical Report on the substance concerned on 11 December 2014 ⁽²⁾. The Commission presented the review report ⁽³⁾ and a draft of this Regulation to the Standing Committee on Plants, Animals, Food and Feed on 28 May 2015 and finalised them for the meeting of that Committee on 9 October 2015.
- (3) The documentation provided by the applicant shows that sodium hydrogen carbonate fulfils the criteria of a foodstuff as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council ⁽⁴⁾. Moreover, it is not predominantly used for plant protection purposes but nevertheless is useful in plant protection in a product consisting of the substance and water. Consequently, it is to be considered as a basic substance.
- (4) It has appeared from the examinations made that sodium hydrogen carbonate may be expected to satisfy, in general, the requirements laid down in Article 23 of Regulation (EC) No 1107/2009, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve sodium hydrogen carbonate as a basic substance.
- (5) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions for the approval which are detailed in Annex I to this Regulation.
- (6) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁵⁾ should be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ European Food Safety Authority, 2015; Outcome of the consultation with Member States and EFSA on the basic substance application for sodium hydrogen carbonate for use in plant protection as a fungicide for the control of mildews on a range of horticultural crops, apple scab and for post-harvest control of storage diseases of various fruits. EFSA supporting publication 2015:EN-719. 30 pp.

⁽³⁾ <http://ec.europa.eu/food/plant/pesticides/eu-pesticides-database/public/?event=activesubstance.selection&language=EN>

⁽⁴⁾ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

⁽⁵⁾ 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).

HAS ADOPTED THIS REGULATION:

Article 1

Approval of a basic substance

The substance sodium hydrogen carbonate as specified in Annex I is approved as a basic substance subject to the conditions laid down in that Annex.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 3

Entry into force

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

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

Done at Brussels, 17 November 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity (1)	Date of approval	Specific provisions
Sodium hydrogen carbonate CAS no: 144-55-8	Sodium hydrogen carbonate	Food grade	8 December 2015	Sodium hydrogen carbonate shall be used in accordance with the specific conditions included in the conclusions of the review report on sodium hydrogen carbonate (SANTE/10667/2015) and in particular Appendices I and II thereof.

(1) Further details on identity, specification and manner of use of basic substance are provided in the review report.

ANNEX II

In Part C of the Annex to Implementing Regulation (EU) No 540/2011, the following entry is added:

Number	Common Name, Identification Numbers	IUPAC Name	Purity (*)	Date of approval	Specific provisions
'9	Sodium hydrogen carbonate CAS no: 144-55-8	Sodium hydrogen carbonate	Food grade	8 December 2015	Sodium hydrogen carbonate shall be used in accordance with the specific conditions included in the conclusions of the review report on sodium hydrogen carbonate (SANTE/10667/2015) and in particular Appendices I and II thereof.

(*) Further details on identity, specification and manner of use of basic substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/2070**of 17 November 2015****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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,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, 17 November 2015.

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	51,2
	MA	77,7
	MK	43,3
	ZZ	57,4
0707 00 05	AL	71,7
	TR	143,3
	ZZ	107,5
0709 93 10	MA	66,4
	TR	185,2
	ZZ	125,8
0805 20 10	CL	185,6
	MA	91,3
	TR	83,5
	ZZ	120,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	TR	64,7
	ZZ	64,7
0805 50 10	TR	97,7
	ZZ	97,7
0806 10 10	BR	291,8
	EG	234,3
	PE	275,9
	TR	174,9
	ZZ	244,2
0808 10 80	AR	151,8
	CA	158,0
	CL	84,4
	MK	29,8
	NZ	178,0
	US	150,6
	ZA	241,6
	ZZ	142,0
0808 30 90	BA	97,7
	CN	63,2
	TR	128,7
	ZZ	96,5

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL DECISION (EU) 2015/2071

of 10 November 2015

authorising Member States to ratify, in the interests of the European Union, the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organisation as regards Articles 1 to 4 of the Protocol with regard to matters relating to judicial cooperation in criminal matters

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 82(2), in conjunction with Article 218(6)(a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) The Union is promoting the ratification of international labour conventions, classified by the International Labour Organisation (ILO) as up to date, to contribute to the Union's efforts to promote human rights and decent work for all and to eradicate trafficking in human beings both inside and outside the Union. The protection of fundamental principles and rights at work is a key aspect of that promotion.
- (2) The Forced Labour Convention, 1930, of the International Labour Organisation, which the Protocol of 2014 supplements, is a fundamental ILO Convention and has a bearing on rules which make reference to core labour standards.
- (3) In so far as the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organisation ('the Protocol') covers the area of protection of victims of crime governed by Article 82(2) of the Treaty on the Functioning of the European Union (TFEU), the Union has already adopted common rules which cover this area to a large extent, in particular through Directive 2011/36/EU of the European Parliament and of the Council ⁽¹⁾ and Directive 2012/29/EU of the European Parliament and of the Council ⁽²⁾. The Protocol may affect those common rules.
- (4) Article 19(4) of the ILO Constitution, on the adoption and ratification of Conventions, similarly applies to Protocols, which are binding international agreements, subject to ratification and linked to Conventions.
- (5) The Union cannot ratify the Protocol as only States can be parties thereto.
- (6) Member States should therefore be authorised to ratify the Protocol, acting jointly in the interests of the Union, with regard to those parts falling within Union competence in accordance with Article 82(2) TFEU.
- (7) Articles 1 to 4 of the Protocol contain obligations relating to Union legislation concerning the protection of victims of crimes. As a consequence, those provisions fall within the scope of Title V of Part Three TFEU, in particular Article 82(2) thereof.

⁽¹⁾ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

⁽²⁾ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).

- (8) Article 82(2) TFEU is the only legal basis that this Decision should be based on. The Protocol, in particular Article 4 thereof, also refers to the residence status of victims of forced or compulsory labour to the extent that this is required to enable those victims to have access to appropriate and effective remedies. However, this objective, which relates to Article 79 TFEU, is merely incidental whilst the objectives relating to Article 82(2) TFEU are identifiable as the predominant aim and component.
- (9) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the TFEU, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (10) The United Kingdom and Ireland are bound by Directive 2011/36/EU and Directive 2012/29/EU, and are therefore taking part in the adoption of this Decision.
- (11) Member States should be authorised to ratify the Protocol with regard to matters relating to judicial cooperation in criminal matters contained in Articles 1 to 4 thereof. The parts of the Protocol falling within the competence conferred upon the Union, other than the parts related to judicial cooperation in criminal matters, will be subject to a Decision adopted in parallel to this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Member States are hereby authorised to ratify, for the parts, contained in Articles 1 to 4 of the Protocol, falling within the competence conferred upon the European Union under Article 82(2) TFEU, the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organisation.

Article 2

Member States should take the necessary steps to deposit their instruments of ratification of the Protocol with the Director-General of the International Labour Office as soon as possible, preferably by 31 December 2016.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 November 2015.

For the Council
The President
P. GRAMEGNA

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