

Official Journal of the European Union

L 320



English edition

Legislation

Volume 61

17 December 2018

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2018/1990 of 11 December 2018 establishing the forms referred to in Council Regulation (EU) 2016/1104 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships** 1
- ★ **Commission Implementing Regulation (EU) 2018/1991 of 13 December 2018 authorising the placing on the market of berries of *Lonicera caerulea* L. as a traditional food from a third country under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470 ⁽¹⁾** 22
- ★ **Commission Implementing Regulation (EU) 2018/1992 of 14 December 2018 amending Implementing Regulation (EU) No 1191/2014 as regards the reporting of data referred to in Article 19 of Regulation (EU) No 517/2014 in respect of hydrofluorocarbons placed on the market in the United Kingdom and in the Union of 27 Member States** 25

DECISIONS

- ★ **Council Implementing Decision (EU) 2018/1993 of 11 December 2018 on the EU Integrated Political Crisis Response Arrangements** 28
- ★ **Council Implementing Decision (EU) 2018/1994 of 11 December 2018 authorising Croatia to introduce a special measure derogating from point (a) of Article 26(1) and Article 168 of Directive 2006/112/EC on the common system of value added tax** 35
- ★ **Commission Implementing Decision (EU) 2018/1995 of 13 December 2018 approving the plan for the eradication of African swine fever in feral pigs in certain areas of Romania (notified under document C(2018) 8448) ⁽¹⁾** 38

⁽¹⁾ Text with EEA relevance.

EN

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

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

★ Commission Decision (EU) 2018/1996 of 14 December 2018 laying down internal rules concerning the provision of information to data subjects and the restriction of certain of their rights in the context of the processing of personal data for the purpose of trade defence and trade policy investigations	40
---	-----------

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

★ Regulation No 99 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of gas-discharge light sources for use in approved lamps of power-driven vehicles [2018/1997]	45
★ Regulation No 128 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of light emitting diode (LED) light sources for use in approved lamp units on power-driven vehicles and their trailers [2018/1998]	63

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1990

of 11 December 2018

establishing the forms referred to in Council Regulation (EU) 2016/1104 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) 2016/1104 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships ⁽¹⁾, and in particular Article 45(3)(b), Article 58(1), Article 59(2) and Article 60(2) thereof,

After consulting the Committee concerning applicable law, jurisdiction and enforcement in matters of the property consequences of registered partnerships,

Whereas:

- (1) For proper application of Regulation (EU) 2016/1104 several forms should be established.
- (2) In accordance with Council Decision (EU) 2016/954 ⁽²⁾ authorising enhanced cooperation in the area of property regimes of international couples, Regulation (EU) 2016/1104 implements enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in the matter of property regimes of international couples between Belgium, Bulgaria, the Czech Republic, Germany, Greece, Spain, France, Croatia, Italy, Cyprus, Luxembourg, Malta, Netherlands, Austria, Portugal, Slovenia, Finland and Sweden. Therefore only those Member States are taking part in the adoption of this Regulation,
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee concerning applicable law, jurisdiction and enforcement in matters of the property consequences of registered partnerships,

HAS ADOPTED THIS REGULATION:

Article 1

1. The form to be used for the attestation referred to in Article 45(3)(b) of Regulation (EU) 2016/1104 shall be as set out in Annex I.
2. The form to be used for the attestation concerning an authentic instrument referred to in Articles 58(1) and 59(2) of Regulation (EU) 2016/1104 shall be as set out in Annex II.
3. The form to be used for the attestation concerning a court settlement referred to in Article 60(2) of Regulation (EU) 2016/1104 shall be as set out in Annex III.

⁽¹⁾ OJ L 183, 8.7.2016, p. 30.

⁽²⁾ Council Decision (EU) 2016/954 of 9 June 2016 authorising enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions on the property regimes of international couples, covering both matters of matrimonial property regimes and the property consequences of registered partnerships (OJ L 159, 16.6.2016, p. 16).

Article 2

This Regulation shall enter into force on 29 January 2019.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 11 December 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX I

ATTESTATION	
CONCERNING a decision in a matter of PROPERTY CONSEQUENCES OF REGISTERED PARTNERSHIPS	
(Article 45(3)(b) of Council Regulation (EU) 2016/1104 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of property consequences of registered partnerships ⁽¹⁾)	
1.	Member State of origin (*)
	<input type="checkbox"/> Belgium <input type="checkbox"/> Bulgaria <input type="checkbox"/> Czech Republic <input type="checkbox"/> Germany <input type="checkbox"/> Greece <input type="checkbox"/> Spain <input type="checkbox"/> France <input type="checkbox"/> Croatia <input type="checkbox"/> Italy <input type="checkbox"/> Cyprus <input type="checkbox"/> Luxembourg <input type="checkbox"/> Malta <input type="checkbox"/> Netherlands <input type="checkbox"/> Austria <input type="checkbox"/> Portugal <input type="checkbox"/> Slovenia <input type="checkbox"/> Finland <input type="checkbox"/> Sweden
2.	Court or competent authority issuing the attestation
2.1.	Name and designation of court or authority (*):
2.2.	Address
2.2.1.	Street and number/PO box (*):

2.2.2.	Place and postcode (*):
2.3.	Telephone (*):
2.4.	Fax
2.5.	Email:
2.6.	Other relevant information (please specify):

3.	Court ⁽²⁾ which gave the decision (to be completed ONLY if different from the authority referred to in section 2)
3.1.	Name and designation of court (*):
3.2.	Address

⁽¹⁾ OJ L 183, 8.7.2016., p. 30.

(*) Mandatory information.

⁽²⁾ In accordance with Article 3(2) of Council Regulation (EU) 2016/1104, the term 'court' includes under certain conditions, in addition to judicial authorities, other authorities and legal professionals with competence in matters of property consequences of registered partnerships which exercise judicial functions or act pursuant to a delegation of power by a judicial authority or act under the control of a judicial authority. The list of these other authorities and legal professionals is published in the *Official Journal of the European Union*.

- 3.2.1. Street and number/PO box (*):
-
- 3.2.2. Place and postcode (*):
- 3.3. Telephone (*):
- 3.4. Fax:
- 3.5. Email:

4. **Decision**

4.1. Date (dd/mm/yyyy) of the decision (*):

4.2. Reference number of the decision (*):

4.3. Parties to the decision

4.3.1. **Party A**

4.3.1.1. Surname and given name(s) (*):

.....

4.3.1.2. Date (dd/mm/yyyy) and place of birth:

4.3.1.3. Identification number ⁽¹⁾

4.3.1.3.1. Identity number:

4.3.1.3.2. Social security number:

4.3.1.3.3. Other (please specify):

4.3.1.4. Address

4.3.1.4.1. Street and number/PO box:

.....

4.3.1.4.2. Place and postcode:

4.3.1.4.3. Country

- Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
 Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
 Sweden

Other (please specify ISO-code):

4.3.1.5. Email:

4.3.1.6. Role in the proceedings (*)

(*) Mandatory information.

(¹) Please indicate the most relevant number if applicable.

4.3.1.6.1. Claimant

4.3.1.6.2. Defendant

4.3.1.6.3. Other (please specify):

4.3.2. **Party B**

4.3.2.1. Surname and given name(s) (*):

.....

4.3.2.2. Date (dd/mm/yyyy) and place of birth:

4.3.2.3. Identification number (1)

4.3.2.3.1. Identity number:

4.3.2.3.2. Social security number:

4.3.2.3.3. Other (please specify):

4.3.2.4. Address

4.3.2.4.1. Street and number/PO box:

.....

.....

4.3.2.4.2. Place and postcode:

4.3.2.4.3. Country

Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy

Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland

Sweden

Other (please specify ISO-code):

4.3.2.5. Email:

4.3.2.6. Role in the proceedings (*)

4.3.2.6.1. Claimant

4.3.2.6.2. Defendant

4.3.2.6.3. Other (please specify):

4.4. The decision was given in default of appearance (*)

4.4.1. Yes (please indicate the date (dd/mm/yyyy) on which the document instituting the proceedings or the equivalent document was served on the person concerned):

4.4.2. No

(*) Mandatory information.

(1) Please indicate the most relevant number if applicable.

4.5. Is registration in a public register sought?

4.5.1. Yes

4.5.2. No

4.6. If YES under point 4.5.1., the decision is no longer subject to ordinary appeal, including any appeal to the Court of last instance:

4.6.1. Yes

4.6.2. No

5. Enforceability of the decision

5.1. Is attestation sought for the purpose of enforcement of the decision in another Member State? (*)

5.1.1. Yes

5.1.2. No

5.1.3. Don't know

5.2. If YES under point 5.1.1., the decision is enforceable in the Member State of origin without any further conditions having to be met (*)

5.2.1. Yes (please specify the enforceable obligation(s)):

.....
.....
.....
.....
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.....
.....

5.2.2. Yes, but limited to part(s) of the decision (please specify the enforceable obligation(s)):

.....
.....
.....
.....
.....
.....
.....
.....

5.2.3. The obligation(s) is (are) enforceable against the following person(s):

5.2.3.1. Party A

(*) Mandatory information.

5.2.3.2. Party B

5.2.3.3. Other (please specify):

6. Interest

6.1. Is recovery of interest sought? (*)

6.1.1. Yes

6.1.2. No

6.2. If YES under point 6.1.1 (*)

6.2.1. Interest

6.2.1.1. Not specified in the decision

6.2.1.2. Yes, specified in the decision as follows

6.2.1.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) (1)

6.2.1.2.2. Final Amount:

6.2.1.2.3. Method to calculate the interest

6.2.1.2.3.1. Rate: %

6.2.1.2.3.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)

6.2.2. Statutory interest to be calculated in accordance with (please specify relevant statute):
.....
.....
.....

6.2.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) (1)

6.2.2.2. Method to calculate the interest

6.2.2.2.1. Rate: %

6.2.2.2.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)

6.2.2.2.2.1. First date of the respective semester in which the debtor is overdue

6.2.2.2.2.2. Other event (please specify):

(*) Mandatory information.
(1) Add the number of periods necessary if more than one period.

6.2.3. Capitalisation of interest (please specify):

.....

.....

.....

.....

.....

.....

.....

6.2.4. Currency

euro (EUR) lev (BGN)

Czech koruna (CZK) kuna (HRK)

krona (SEK) Other (please specify (ISO code)):

7. **Costs or expenses**

7.1. Parties having benefited from complete or partial legal aid

7.1.1. Party A

7.1.2. Party B

7.1.3. Other Party (please specify):

7.2. Parties having benefited from exemption from costs or expenses

7.2.1. Party A

7.2.2. Party B

7.2.3. Other Party (please specify):

7.3. Is recovery of costs or expenses sought? (*)

7.3.1. Yes (1)

7.3.2. No

7.4. If YES under point 7.3.1., the following person(s) against whom enforcement is sought has/have been ordered to bear the costs or expenses (*)

7.4.1. Party A

7.4.2. Party B

7.4.3. Other Party (please specify):

7.4.4. If more than one person has to bear the costs or expenses, may the whole amount be collected from any of them?

(*) Mandatory information.

(1) This point also covers situations where the costs or expenses are awarded in a separate decision.

7.4.4.1. Yes

7.4.4.2. No

7.5. If YES under point 7.3.1., the costs or expenses for which recovery is sought are as follows (in the event that the costs or expenses may be recovered from several persons, insert the breakdown for each person separately) (*)

7.5.1. The costs or expenses have been fixed in the decision by way of a total amount (please specify the amount):

7.5.2. The costs or expenses have been fixed in the decision by way of a percentage of total costs (please specify percentage of total): %.

7.5.3. Liability for the costs or expenses has been determined in the decision and the exact amounts are as follows:

7.5.3.1. Court fees:

7.5.3.2. Lawyers' fees:

7.5.3.3. Cost of service of documents:

7.5.3.4. Other (please specify):

7.5.4. Other (please specify):
.....
.....

7.6. If YES under point 7.3.1. (*)

7.6.1. Interest on costs or expenses

7.6.1.1. Not specified in the decision

7.6.1.2. Yes, specified in the decision as follows

7.6.1.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) (1)

7.6.1.2.2. Final amount:

7.6.1.2.3. Method to calculate the interest

7.6.1.2.3.1. Rate: %

7.6.1.2.3.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)

7.6.2. Statutory interest to be calculated in accordance with (please specify relevant statute):
.....
.....
.....

(*) Mandatory information.

(1) Add the number of periods necessary if more than one period.

7.6.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) ⁽¹⁾

7.6.2.2. Method to calculate the interest

7.6.2.2.1. Rate: %

7.6.2.2.2. Rate: % over reference rate (ECB/reference rate of national
central bank)
in force on: (date (dd/mm/yyyy) or event)

7.6.3. Capitalisation of interest (please specify):
.....
.....
.....

7.6.4. Currency

<input type="checkbox"/> euro (EUR)	<input type="checkbox"/> lev (BGN)
<input type="checkbox"/> Czech koruna (CZK)	<input type="checkbox"/> kuna (HRK)
<input type="checkbox"/> krona (SEK)	<input type="checkbox"/> Other (please specify (ISO code)):

If additional sheets have been attached, state the total number of pages (*)

Done at (*): on (*): (dd/mm/yyyy)

Signature and/or stamp of the court or competent authority issuing the attestation (*):
.....
.....
.....
.....

⁽¹⁾ Add the number of periods necessary if more than one period.
^(*) Mandatory information.

ANNEX II

<p>ATTESTATION</p> <p>CONCERNING an authentic instrument in a matter of PROPERTY CONSEQUENCES OF REGISTERED PARTNERSHIPS</p> <p>(Articles 58(1) and 59(2) of Council Regulation (EU) 2016/1104 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of property consequences of registered partnerships ⁽¹⁾)</p>	
1.	<p>Member State of origin (*)</p> <p><input type="checkbox"/> Belgium <input type="checkbox"/> Bulgaria <input type="checkbox"/> Czech Republic <input type="checkbox"/> Germany <input type="checkbox"/> Greece <input type="checkbox"/> Spain <input type="checkbox"/> France <input type="checkbox"/> Croatia <input type="checkbox"/> Italy <input type="checkbox"/> Cyprus <input type="checkbox"/> Luxembourg <input type="checkbox"/> Malta <input type="checkbox"/> Netherlands <input type="checkbox"/> Austria <input type="checkbox"/> Portugal <input type="checkbox"/> Slovenia <input type="checkbox"/> Finland <input type="checkbox"/> Sweden</p>
2.	<p>Authority having established the authentic instrument and issuing the attestation</p> <p>2.1. Name and designation of authority (*):</p> <p>2.2. Address</p> <p>2.2.1. Street and number/PO box (*):</p> <p>.....</p> <p>.....</p> <p>2.2.2. Place and postcode (*):</p> <p>2.3. Telephone (*):</p> <p>2.4. Fax</p> <p>2.5. Email:</p> <p>2.6. Other relevant information (please specify):</p> <p>.....</p> <p>.....</p>
3.	<p>Authentic instrument</p> <p>3.1. Date (dd/mm/yyyy) on which the authentic instrument was drawn up (*):</p> <p>3.2. Reference number of the authentic instrument:</p> <p>3.3. Date (dd/mm/yyyy) on which the authentic instrument was</p> <p>3.3.1. registered at the register in the Member State of origin OR</p> <p>3.3.2. deposited at the register in the Member State of origin</p>

(1) OJ L 183, 8.7.2016, p. 30.

(*) Mandatory information.

(3.3.1 or 3.3.2 to be completed ONLY if different from the date indicated in point 3.1. and if the date of registration/deposit at the register determines the legal effect of the instrument)

3.3.3. Reference number in the register:

3.4. Parties to the authentic instrument ⁽¹⁾

3.4.1. **Party A**

3.4.1.1. Surname and given name(s) (*):

.....

3.4.1.2. Date (dd/mm/yyyy) and place of birth:

3.4.1.3. Identification number ⁽²⁾

3.4.1.3.1. Identity number:

3.4.1.3.2. Social security number:

3.4.1.3.3. Other (please specify):

3.4.1.4. Address

3.4.1.4.1. Street and number/PO box:

.....

3.4.1.4.2. Place and postcode:

3.4.1.4.3. Country

Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
 Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
 Sweden

Other (please specify ISO-code):

3.4.2. **Party B**

3.4.2.1. Surname and given name(s) (*):

3.4.2.2. Date (dd/mm/yyyy) and place of birth:

3.4.2.3. Identification number ⁽²⁾

3.4.2.3.1. Identity number:

3.4.2.3.2. Social security number:

3.4.2.3.3. Other (please specify):

3.4.2.4. Address

⁽¹⁾ If the authentic instrument concerns more than two parties, please attach an additional sheet.

(*) Mandatory information.

⁽²⁾ Please indicate the most relevant number if applicable.

3.4.2.4.1. Street and number/PO box:

.....

.....

3.4.2.4.2. Place and postcode:

3.4.2.4.3. Country

- Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
- Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
- Sweden

Other (please specify ISO-code):

4. Acceptance of the authentic instrument (Article 58 of Council Regulation (EU) 2016/1104)

4.1. Is acceptance of the authentic instrument sought? (*)

4.1.1. Yes

4.1.2. No

4.2. Authenticity of the instrument (*) if YES under point 4.1.1.)

4.2.1. Under the law of the Member State of origin, the authentic instrument has specific evidentiary effects compared to other written documents (*).

4.2.1.1. The specific evidentiary effects concern the following elements (*):

4.2.1.1.1. the date the authentic instrument was drawn up

4.2.1.1.2. the place where the authentic instrument was drawn up

4.2.1.1.3. the origin of the signatures from the parties of the authentic instrument

4.2.1.1.4. the content of the declarations of the parties

4.2.1.1.5. the facts that the authority declares as having been verified in its presence

4.2.1.1.6. the actions which the authority declares to have carried out

4.2.1.1.7. other (please specify):

.....

.....

.....

4.2.2. Under the law of the Member State of origin, the authentic instrument loses its specific evidentiary effects on the basis of (please indicate if relevant):

4.2.2.1. a judicial decision given in

4.2.2.1.1. an ordinary judicial procedure

4.2.2.1.2. a special judicial procedure provided by the law for this purpose (please indicate the name and/or the relevant legal references):

.....

(*) Mandatory information.

- 4.2.2.2. Other (please specify):
- 4.2.3. To the knowledge of the authority, the authentic instrument has not been challenged in the Member State of origin as to its authenticity (*).
- 4.3. **Legal acts and relationships recorded in the authentic instrument ((* if YES under point 4.1.1.)**
- 4.3.1. To the knowledge of the authority, the authentic instrument (*):
- 4.3.1.1. is not challenged as to the legal acts and/or legal relationships recorded
- 4.3.1.2. is being challenged as to the legal acts and/or legal relationships recorded on specific points not covered by this attestation (please specify):
- 4.3.2. Other relevant information (please specify):

5. **Other information**

- 5.1. In the Member State of origin, the authentic instrument is a valid document for the purposes of recording a right in immovable or movable property in its registers (¹).
- 5.1.1. Yes (please specify):
- 5.1.2. No

6. **Enforceability of the authentic instrument** (Article 59 of Council Regulation (EU) 2016/1104)

- 6.1. Is enforcement of the authentic instrument sought? (*)
- 6.1.1. Yes

(*) Mandatory information.

(¹) The recording in a register of a right in immovable or movable property is subject to the law of the Member State in which the register is kept.

6.1.2. No

6.2. If YES under point 6.1.1., is the authentic instrument enforceable in the Member State of origin without any further conditions having to be met? (*)

6.2.1. Yes (please specify the enforceable obligation(s)):
.....
.....
.....
.....

6.2.2. Yes, but limited to part(s) of the authentic instrument (please specify the enforceable obligation(s)):
.....
.....
.....

6.2.3. The obligation(s) is(are) enforceable against the following person(s) (*):

6.2.3.1. Party A

6.2.3.2. Party B

6.2.3.3. Other (please specify):
.....
.....

7. **Interest**

7.1. Is recovery of interest sought? (*)

7.1.1. Yes

7.1.2. No

7.2. If YES under point 7.1.1. (*)

7.2.1. Interest

7.2.1.1. Not specified in the authentic instrument

7.2.1.2. Yes, specified in the authentic instrument as follows

7.2.1.2.1. Interest due from: (date (dd/mm/yyyy) or event)

to: (date (dd/mm/yyyy) or event) (1)

(*) Mandatory information.

(1) Add the number of periods necessary if more than one period.

7.2.1.2.2. Final amount:

7.2.1.2.3. Method to calculate the interest

7.2.1.2.3.1. Rate: %

7.2.1.2.3.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)

7.2.2. Statutory interest to be calculated in accordance with (specify relevant statute):
.....
.....

7.2.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) ⁽¹⁾

7.2.2.2. Method to calculate the interest

7.2.2.2.1. Rate: %

7.2.2.2.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)

7.2.3. Capitalisation of interest (please specify):
.....
.....
.....
.....

7.2.4. Currency

<input type="checkbox"/> euro (EUR)	<input type="checkbox"/> lev (BGN)
<input type="checkbox"/> Czech koruna (CZK)	<input type="checkbox"/> kuna (HRK)
<input type="checkbox"/> krona (SEK)	<input type="checkbox"/> Other (please specify (ISO code)):

If additional sheets have been added, state the total number of pages (*)

Done at (*): **on (*)**: **(dd/mm/yyyy)**

Signature and/or stamp of the court or competent authority issuing the attestation (*):

.....

⁽¹⁾ Add the number of periods necessary if more than one period.
^(*) Mandatory information.

ANNEX III

ATTESTATION	
CONCERNING a court settlement in a matter of PROPERTY CONSEQUENCES OF REGISTERED PARTNERSHIPS	
(Article 60(2) of Council Regulation (EU) 2016/1104 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of property consequences of registered partnerships ⁽¹⁾)	
1.	<p>Member State of origin (*)</p> <p><input type="checkbox"/> Belgium <input type="checkbox"/> Bulgaria <input type="checkbox"/> Czech Republic <input type="checkbox"/> Germany <input type="checkbox"/> Greece <input type="checkbox"/> Spain <input type="checkbox"/> France <input type="checkbox"/> Croatia <input type="checkbox"/> Italy <input type="checkbox"/> Cyprus <input type="checkbox"/> Luxembourg <input type="checkbox"/> Malta <input type="checkbox"/> Netherlands <input type="checkbox"/> Austria <input type="checkbox"/> Portugal <input type="checkbox"/> Slovenia <input type="checkbox"/> Finland <input type="checkbox"/> Sweden</p>
2.	<p>Court which approved the court settlement or before which the court settlement was concluded and issuing the attestation</p> <p>2.1. Name and designation of court ⁽²⁾ (*):</p> <p>2.2. Address</p> <p>2.2.1. Street and number/PO box (*):</p> <p>.....</p> <p>.....</p> <p>2.2.2. Place and postcode (*):</p> <p>2.3. Telephone (*):</p> <p>2.4. Fax</p> <p>2.5. Email:</p> <p>2.6. Other relevant information (please specify):</p> <p>.....</p> <p>.....</p>
3.	<p>Court settlement</p> <p>3.1. Date (dd/mm/yyyy) of the court settlement (*):</p> <p>3.2. Reference number of court settlement (*):</p>

⁽¹⁾ OJ L 183, 8.7.2016., p. 30.

(*) Mandatory information.

⁽²⁾ In accordance with Article 3(2) of Council Regulation (EU) 2016/1104, the term 'court' includes under certain conditions, in addition to judicial authorities, other authorities and legal professionals with competence in matters of property consequences of registered partnerships which exercise judicial functions or act pursuant to a delegation of power by a judicial authority or act under the control of a judicial authority. The list of these other authorities and legal professionals is published in the *Official Journal of the European Union*.

3.3. Parties to the court settlement ⁽¹⁾3.3.1. **Party A**

3.3.1.1. Surname and given name(s) (*):

3.3.1.2. Date (dd/mm/yyyy) and place of birth:

3.3.1.3. Identification number ⁽²⁾

3.3.1.3.1. Identity number:

3.3.1.3.2. Social security number:

3.3.1.3.3. Other (please specify):

3.3.1.4. Address

3.3.1.4.1. Street and number/PO box:

3.3.1.4.2. Place and postcode:

3.3.1.4.3. Country

Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
 Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
 Sweden

Other (please specify ISO-code):

3.3.1.5. Email:

3.3.1.6. Role in the proceedings (*)

3.3.1.6.1. Claimant3.3.1.6.2. Defendant3.3.1.6.3. Other (please specify):3.3.2. **Party B**

3.3.2.1. Surname and given name(s) (*):

3.3.2.2. Date (dd/mm/yyyy) and place of birth:

3.3.2.3. Identification number ⁽²⁾

⁽¹⁾ If the court settlement concerns more than two parties, please attach an additional sheet.

(*) Mandatory information.

⁽²⁾ Please indicate the most relevant number if applicable.

3.3.2.3.1. Identity number:

3.3.2.3.2. Social security number:

3.3.2.3.3. Other (please specify):

3.3.2.4. Address

3.3.2.4.1. Street and number/PO box:

3.3.2.4.2. Place and postcode:

3.3.2.4.3. Country

- Belgium
- Bulgaria
- Czech Republic
- Germany
- Greece
- Spain
- France
- Croatia
- Italy
- Cyprus
- Luxembourg
- Malta
- Netherlands
- Austria
- Portugal
- Slovenia
- Finland
- Sweden

Other (please specify ISO-code):

3.3.2.5. Email:

3.3.2.6. Role in the proceedings (*)

3.3.2.6.1. Claimant

3.3.2.6.2. Defendant

3.3.2.6.3. Other (please specify):

4. Enforceability of the court settlement

4.1. Is the court settlement enforceable in the Member State of origin without any further conditions having to be met? (*)

4.1.1. Yes (please specify the enforceable obligation(s)):

4.1.2. Yes, but limited to part(s) of the court settlement (please specify the enforceable obligation(s)):

4.2. The obligation is enforceable against the following person(s) (*)

(*) Mandatory information.

- 4.2.1. Party A
- 4.2.2. Party B
- 4.2.3. Other (please specify):
-

5. **Interest**

- 5.1. Is recovery of interest sought? (*)
- 5.1.1. Yes
- 5.1.2. No
- 5.2. If YES under point 5.1.1. (*)
- 5.2.1. Interest
- 5.2.1.1. Not specified in the court settlement
- 5.2.1.2. Yes, specified in the court settlement as follows:
- 5.2.1.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) ⁽¹⁾
- 5.2.1.2.2. Final amount:
- 5.2.1.2.3. Method to calculate the interest
- 5.2.1.2.3.1. Rate: %
- 5.2.1.2.3.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)
- 5.2.2. Statutory interest to be calculated in accordance with (specify relevant statute):
-
-
- 5.2.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) ⁽¹⁾
- 5.2.2.2. Method to calculate the interest
- 5.2.2.2.1. Rate: %
- 5.2.2.2.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)

(*) Mandatory information.

⁽¹⁾ Add the number of periods necessary if more than one period.

- 5.2.3. Capitalisation of interest (please specify):
-
-
-
-
-
- 5.2.4. Currency
- euro (EUR) lev (BGN)
- Czech koruna (CZK) kuna (HRK)
- krona (SEK) Other (please specify (ISO code)):

If additional sheets have been added, state the total number of pages (*)

Done at (*): on (*): (dd/mm/yyyy)

Signature and/or stamp of the court or competent authority issuing the attestation (*):

.....

(*) Mandatory information.

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1991**of 13 December 2018****authorising the placing on the market of berries of *Lonicera caerulea* L. as a traditional food from a third country under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 and Commission Regulation (EC) No 1852/2001 ⁽¹⁾, and in particular Article 15(4) thereof,

Whereas:

- (1) Regulation (EU) 2015/2283 provides that only novel foods authorised and included in the Union list may be placed on the market within the Union. Traditional food from a third country is a novel food defined in Article 3 of Regulation (EU) 2015/2283.
- (2) Pursuant to Article 8 of Regulation (EU) 2015/2283 the Commission Implementing Regulation (EU) 2017/2470 ⁽²⁾ establishing a Union list of authorised novel foods was adopted.
- (3) Pursuant to Article 15(4) of Regulation (EU) 2015/2283, the Commission is to decide on the authorisation and on the placing on the Union market of a traditional food from a third country.
- (4) On 26 January 2018, the company Soloberry Ltd ('the applicant') submitted a notification to the Commission of the intention to place berries of *Lonicera caerulea* L. ('Haskap') on the Union market as a traditional food from a third country within the meaning of Article 14 of Regulation (EU) 2015/2283. The applicant requests for berries of *Lonicera caerulea* L. to be consumed as such (fresh or frozen) by the general population.
- (5) The documented data, presented by the applicant, demonstrate that berries of *Lonicera caerulea* L. have a history of safe food use in Japan.
- (6) Pursuant to Article 15(1) of Regulation (EU) 2015/2283, on 28 February 2018, the Commission forwarded the valid notification to the Member States and to the European Food Safety Authority ('the Authority').
- (7) No duly reasoned safety objections to the placing on the market within the Union of berries of *Lonicera caerulea* L. were submitted to the Commission by Member States or the Authority within the four months period laid down in Article 15(2) of Regulation (EU) 2015/2283.
- (8) The Commission should therefore authorise the placing on the market within the Union of berries of *Lonicera caerulea* L. and update the Union list of novel foods.
- (9) Implementing Regulation (EU) 2017/2470 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

1. Berries of *Lonicera caerulea* L. as specified in the Annex to this Regulation shall be included in the Union list of authorised novel foods established in Implementing Regulation (EU) 2017/2470.
2. The entry in the Union list referred to in paragraph 1 shall include the conditions of use and labelling requirements laid down in the Annex to this Regulation.

⁽¹⁾ OJ L 327, 11.12.2015, p. 1.⁽²⁾ Commission Implementing Regulation (EU) 2017/2470 of 20 December 2017 establishing the Union list of novel foods in accordance with Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods (OJ L 351, 30.12.2017, p. 72).

Article 2

The Annex to Implementing Regulation (EU) 2017/2470 is amended in accordance with the Annex to this Regulation.

Article 3

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

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

Done at Brussels, 13 December 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

The Annex to Implementing Regulation (EU) 2017/2470 is amended as follows:

(1) The following entry is inserted in Table 1 (Authorised novel foods) in alphabetical order:

Authorised novel food	Conditions under which the novel food may be used	Additional specific labelling requirements	Other requirements
' <i>Lonicera caerulea</i> L. berries (haskap) (Traditional food from a third country)	Not specified	The designation of the novel food on the labelling of the foodstuffs containing it shall be "haskap (<i>Lonicera caerulea</i>) berries"	

(2) The following entry is inserted in Table 2 (Specifications) in alphabetical order:

Authorised novel food	Specifications
' <i>Lonicera caerulea</i> L. berries (haskap) (Traditional food from a third country)	<p>Description/Definition:</p> <p>The traditional food are fresh and frozen berries from <i>Lonicera caerulea</i> var. <i>edulis</i>.</p> <p><i>Lonicera caerulea</i> L. is a deciduous shrub belonging to the <i>Caprifoliaceae</i> family.</p> <p>Typical nutritional components of haskap berries (given in fresh berries):</p> <p>Carbohydrates: 12,8 %</p> <p>Fibre: 2,1 %</p> <p>Lipids: 0,6 %</p> <p>Proteins: 0,7 %</p> <p>Ash: 0,4 %</p> <p>Water: 85,5 %</p>

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1992**of 14 December 2018****amending Implementing Regulation (EU) No 1191/2014 as regards the reporting of data referred to in Article 19 of Regulation (EU) No 517/2014 in respect of hydrofluorocarbons placed on the market in the United Kingdom and in the Union of 27 Member States**

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 19(7) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 1191/2014 ⁽²⁾, determines the format and the means for submitting a report referred to in Article 19 of Regulation (EU) No 517/2014.
- (2) Regulation (EU) No 517/2014 provides that the placing on the Union market of hydrofluorocarbons by producers or importers is subject to an annual quota in order to achieve their gradual reduction. Those quotas for the producers and importers are calculated based on reference values determined by the Commission on the basis of the annual average of the quantities of hydrofluorocarbons, which producers or importers have reported under Article 19 of Regulation (EU) No 517/2014 from 1 January 2015 onwards in accordance with Annex V to that Regulation.
- (3) Since the United Kingdom notified on 29 March 2017 its intention to leave the Union, pursuant to Article 50 of the Treaty on European Union, the Treaties will cease to apply to the United Kingdom from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification, unless the European Council, in agreement with the United Kingdom, decides to extend that period. As a consequence, and without prejudice to any provisions of the withdrawal agreement, Regulation (EU) No 517/2014 only applies until the United Kingdom ceases to be a Member State.
- (4) In light of the notification under Article 50 of the Treaty on European Union by the United Kingdom, it is important to ensure that accurate data is available regarding the placing on the market of hydrofluorocarbons in the Union after the withdrawal of the United Kingdom for the purpose of re-calculating the reference values pursuant to paragraph 3 of Article 16 of Regulation (EU) No 517/2014 which is due to be carried out in 2020.
- (5) The Annex to Implementing Regulation (EU) No 1191/2014 should therefore be amended to allow for the separation of the amounts of hydrofluorocarbons, which are placed on the market in the United Kingdom and in the Union of 27 Member States.
- (6) However, the separation of reporting data in respect of hydrofluorocarbons placed on the market as regards the United Kingdom and the Union of 27 Member States is only needed at the point when Union law no longer applies to and in the United Kingdom. Therefore the amendment to Implementing Regulation (EU) No 1191/2014 is only required for reporting data for the calendar year 2018 and until and including the year in which the United Kingdom leaves the Union and Union law ceases to apply to and in the United Kingdom.
- (7) In order for the separation of the reporting obligation to apply in respect of the reporting of data for the calendar year 2018 where the data has to be submitted by 31 March 2019, the variation of the obligation should enter into force and apply in advance of that date. For all subsequent years, the date for submission of reporting data should be the 31 March.
- (8) The amounts of hydrofluorocarbons that need to be reported in line with the Annex to this implementing act as placed on the United Kingdom market should refer to the amounts placed on the United Kingdom market for the first time.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the opinion of the Committee established by Article 24(1) of Regulation (EU) No 517/2014,

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ Commission Implementing Regulation (EU) No 1191/2014 of 30 October 2014 determining the format and means for submitting the report referred to in Article 19 of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases (OJ L 318, 5.11.2014, p. 5).

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 1191/2014 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 14 December 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

The following Section 13a is added to the Annex to Implementing Regulation (EU) No 1191/2014:

'Section 13a: To be filled in by producers and importers of gases – Article 19(1) of Regulation (EU) No 517/2014 and points 1(a) to 1(d); points 2(a), 2(b) and 2(d) and points 3(a) and 3(b) of Annex VII to Regulation (EU) No 517/2014.

Applicable for the first time to reporting on activities carried out in 2018 (by 31 March 2019 at the latest) and until and including the year in which Union law ceases to apply to and in the United Kingdom.

Quantities shall be reported in metric tonnes with accuracy to the third decimal place, separately for each gas listed in Section 1 of Annex I to Regulation (EU) No 517/2014 or mixtures containing at least one of those gases or for each gas or mixture contained in pre-blended polyols.

	AUTOMATICALLY CALCULATED QUANTITIES	COMMENTS
13aA	Amount of hydrofluorocarbons physically placed on the market, excluding exempted uses	13aA = 4M – Sum of exempted uses in Section 5 (5A – 5F)
	INFORMATION TO BE REPORTED	
13aB	Thereof: amount placed on the United Kingdom market for the first time	Amounts placed on the United Kingdom market, but subsequently supplied to the Union (without United Kingdom) in bulk are not to be included Amounts supplied to the United Kingdom market in bulk that were previously placed on the Union (without United Kingdom) market are to be included
	AUTOMATICALLY CALCULATED QUANTITIES	
13aC	Thereof: amount placed on the Union market, excluding the United Kingdom	13aC = 13aA – 13aB'

DECISIONS

COUNCIL IMPLEMENTING DECISION (EU) 2018/1993 of 11 December 2018 on the EU Integrated Political Crisis Response Arrangements

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Decision 2014/415/EU of 24 June 2014 on the arrangements for the implementation by the Union of the solidarity clause ⁽¹⁾, and in particular Article 9(3), thereof,

Whereas:

- (1) This Decision concerns the adaptation of the EU Integrated Political Crisis Response ('IPCR') arrangements, approved by the Council on 25 June 2013 and referred to in Article 1(2) of Decision 2014/415/EU. The IPCR should enable timely coordination and response at Union political level for crises, whether they originate inside or outside the Union or not and which have a wide-ranging impact or political significance.
- (2) The IPCR should support the arrangements for the implementation of the solidarity clause. As recognised by Decision 2014/415/EU, the IPCR may be used before an invocation of the solidarity clause and after the phasing out of the response. Thus, the IPCR should be designed in such a way as to be relevant in both the context of the invocation and independently of the invocation of the solidarity clause.
- (3) Response arrangements at the Union level should improve effectiveness through strengthened coordination, building upon existing instruments and respecting the powers of the institutions as well as competences and responsibilities of Member States.
- (4) The Council, as the institution with policy-making and coordinating functions pursuant to Article 16 of the Treaty on European Union (TEU), should be entrusted with the IPCR, as the latter concerns coordination and response at Union political level. In accordance with Article 222(2) of the Treaty on the Functioning of the European Union (TFEU), the Council is the institution where coordination takes place for the implementation of the solidarity clause by the Union and by the Member States pursuant to Article 1(2) of Decision 2014/415/EU.
- (5) The Committee of Permanent Representatives of the Governments of the Member States to the European Union (Coreper), established by Article 240 TFEU, is responsible under the TEU and TFEU, as well as the Council's Rules of Procedure, for preparing the work of all the meetings of the Council and for ensuring consistency of the Union's policies and actions.

The responsibility of Coreper across the areas of Union policies and the combination of its rapidity and high level of political engagement puts Coreper at the centre of the IPCR activities carried out within the Council. Given the Presidency's overall political responsibility during each term, the Presidency at the level of Coreper should lead the IPCR process.

- (6) The Standing Committee on operational cooperation on internal security, established by Article 71 TFEU, ensures that operational cooperation on internal security is promoted and strengthened within the Union. Without prejudice to Article 240, it facilitates coordination of the action of Member States' competent authorities.
- (7) The Political and Security Committee (PSC), established by Article 38 TEU, monitors the international situation in the areas covered by the common foreign and security policy (CFSP) and contributes to the definition of policies by delivering opinions to the Council, without prejudice to the role of Coreper. In the event of a crisis with developments in the areas covered by the CFSP, close coordination between Coreper and PSC Chairs is necessary.

⁽¹⁾ OJ L 192, 1.7.2014, p. 53.

- (8) The Commission, as the institution promoting the general interest of the Union and taking appropriate initiatives to that end as well as ensuring the application of the Treaties and of measures adopted by the institutions under Article 17 TEU, has a key role when participating in the IPCR.
- (9) The High Representative of the Union for Foreign Affairs and Security Policy (HR) and the European External Action Service (EEAS) have structures with intelligence or military expertise at their disposal, as well as the network of Delegations that may contribute in the response to crises with an external dimension. Depending on the crisis, other structures and Union Agencies in the field of CFSP or Common Security and Defence Policy should provide, as appropriate, contributions in line with relevant provisions of Union law.
- (10) Each crisis might have different features requiring appropriate handling within the Council. The IPCR is designed to be flexible and scalable, allowing the involvement of the political level and the required support to be tailored to the needs of the crisis. The flexibility is achieved through the two modes of activation, namely information sharing or full activation, and the possibilities of involving relevant actors. Scalability refers to the level of political decision-making.
- (11) The Commission and the HR actively contributed to the shaping and creation of the IPCR in 2013. Since the establishment of the IPCR, the Commission and the HR have consistently decided to support the IPCR and have remained committed to contributing to its implementation. The contribution of the Commission and of the HR to the IPCR should also be incorporated into this Decision, taking full account of the competences of the Commission and the HR.
- (12) The IPCR has been used extensively to support the exchange of information on complex crises (monitoring pages on Syria/Iraq, Yemen, Ebola, Ukraine, Nepal, etc.), on crisis communication (best practices and communication strategies), on humanitarian assistance, and on counter terrorism. It was activated for the first time in October 2015 for the refugee and migration crisis. Since its activation, it has been instrumental in monitoring and supporting the response to the crisis, reporting to Coreper, the Council and the European Council. The IPCR has also been used to exercise the Union response to major crises caused by cyber-attacks, natural disasters, or hybrid threats.
- (13) IPCR Standard Operating Procedures ('IPCR SOPs') that already exist under current IPCR arrangements and which are detailed in a separate document, should be further developed and updated as needed in order to clearly identify the procedures, as well as the actions expected of each actor in the IPCR process.
- (14) Integrated Situational Awareness and Analysis ('ISAA') Standard Operating Procedures developed, in line with the IPCR SOPs, by the Commission and the EEAS within their respective roles and responsibilities should notably detail the functioning of the production of ISAA and the modalities to integrate information provided by Member States. In producing ISAA, it will be crucial to fully exploit potential synergies between stakeholders and existing means, structures and capabilities at Union level, avoiding duplication of existing structures and the creation of new permanent structures.
- (15) An informal IPCR Crisis Communicators Network ('CCN') comprised of communication experts from Member States and relevant Union bodies was set-up to contribute to preparedness in particular through the exchange of best practices and lessons identified.
- (16) In accordance with point (a) Article 346(1) TFEU, no Member State shall be obliged to supply information the disclosure of which it considers contrary to the essential interests of its security. Any classified information shall be handled in accordance with Council Decision 2013/488/EU ⁽¹⁾,

HAS ADOPTED THIS DECISION:

Article 1

Subject Matter and Scope

1. This Decision lays down the EU Integrated Political Crisis Response ('IPCR') arrangements. The IPCR enable timely coordination and response at Union political level for crises, whether they originate inside or outside the Union, which have a wide-ranging impact or political significance.

⁽¹⁾ Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).

2. The IPCR shall provide the Council with the necessary tools and flexibility to decide on the handling of the response of the Union, including through rapid consultations and possible proposals for action. The political control and strategic direction for all stages of the IPCR process shall be under the leadership of the Presidency of the Council, taking full account of the competences of the Commission and the HR.
3. The IPCR shall be a single set of arrangements to respond at Union political level in a coherent, efficient and timely way to crises. The IPCR shall be used by the Council to carry out coordination at political level to the invocation of the solidarity clause as set out in Article 1(2) of Council Decision 2014/415/EU pursuant to Article 222(3) TFEU.
4. These arrangements shall not replace or duplicate existing Union mechanisms or arrangements.

Article 2

Architecture of the IPCR

1. The IPCR shall have two modes of activation, to be decided by the Presidency, depending on the gravity of the crisis and the needs for the response:
 - (a) information sharing mode, which shall serve to establish a clear picture of the situation and to prepare the ground for a possible full activation;
 - (b) full activation mode, which implies the preparation of response measures.
2. The IPCR shall consist of the supporting elements that are essential to ensuring informed decision-making within the Council and an effective political coordination at Union level. These supporting elements shall be the following:
 - (a) informal roundtables convened by the Presidency with the support and advice of the General Secretariat of the Council ('GSC'), as referred to in Article 7;
 - (b) integrated situational awareness and analysis ('ISAA') capability developed by the Commission services and the EEAS within their respective roles and responsibilities, as referred to in Article 8;
 - (c) a Council-owned, dedicated and protected web platform facilitating a timely exchange of information, as referred to in Article 9; and
 - (d) a central 24/7 contact point at Union level with Member States' competent authorities and other stakeholders, which shall be provided for by the European Commission Emergency Response Coordination Centre, as referred to in Article 10.
3. In order to enhance the decision-making at Union political level, the supporting elements referred to in points (a), (b) and (c) of paragraph 2 shall have the following characteristics:
 - (a) be tailored to the needs of the political decision-making level, under the guidance of the Presidency following the activation of the IPCR and in consultation with the Commission services and the EEAS;
 - (b) cover all the key sectors affected by the crisis;
 - (c) be integrated, bringing together the different dimensions of a crisis in a coherent way;
 - (d) have the appropriate level of detail needed; and
 - (e) be delivered in a timely manner, allowing sufficient time ahead of formal discussions.

Article 3

Definitions

For the purposes of this Decision, the following definitions apply:

- (a) 'crisis' means a situation of such a wide-ranging impact or political significance, that it requires timely policy coordination and response at Union political level;
- (b) 'response' means any action taken in the event of a crisis to address its adverse consequences.

*Article 4***Activation**

1. In the event of a crisis, the decision to activate the IPCR shall be taken by the Presidency. Any Member State may invite the Presidency to do so.
2. Where the solidarity clause has been invoked, the Presidency shall activate the IPCR immediately in full mode, in accordance with Article 5(1) of Decision 2014/415/EU, if not already in use.
3. Where the solidarity clause has not been invoked, before deciding to activate, the Presidency shall consult the affected Member States as appropriate, as well as the Commission and the HR.
4. The Presidency shall be advised and supported by the GSC. The Presidency may also seek expertise from the Commission services and the EEAS, within their respective roles and responsibilities, as well as relevant Union Agencies, Member States and relevant stakeholders or organisations.
5. The decision to activate the IPCR in information sharing mode may also be taken by agreement of the GSC, the Commission services and the EEAS, in consultation with the Presidency.
6. Depending on the evolution of the crisis and the political needs, the Presidency may decide at any point to escalate or de-escalate the operation from one mode of activation to the other. As long as the invocation of the solidarity clause remains active, the IPCR shall be kept in full mode.
7. The Presidency shall notify the Secretary-General of the Council of the decision to activate the IPCR. The GSC shall inform the Commission and the HR as well as the Cabinet of the President of the European Council without delay.

*Article 5***Deactivation**

The decision to deactivate the IPCR will be taken by the Presidency, after having consulted the affected Member States, as appropriate, as well as after having consulted the Commission and the HR. The IPCR shall not be deactivated as long as the invocation of the solidarity clause remains active.

*Article 6***Coreper Level**

1. In order to ensure the consistency of the Union's policies and actions, Coreper shall be the default level at which oversight of the implementation of the IPCR arrangements is carried out. The Presidency shall inform Coreper about the main aspects of the crisis and about the intended procedure without delay.
2. The Presidency shall decide, in light of the characteristics of the crisis and the related political needs of the response, to take matters to be discussed in the appropriate Council preparatory bodies, in accordance with the Council's Rules of Procedure. As the case may be, the six-monthly Presidency shall coordinate with the HR's representatives chairing the relevant Council preparatory bodies, as well as with the Chairman of the Military Committee where appropriate, who have the responsibility to convene meetings of those bodies.

*Article 7***Roundtables**

1. The roundtables shall aim at identifying and exploring the crisis situation so that the political decision-making is properly informed.
2. The roundtables shall be convened at the initiative of the Presidency, with the support and advice of the GSC.
3. The Presidency shall decide on the composition of the roundtables. The Commission services and the EEAS shall be invited to attend and to provide input on their respective areas of competence. The Cabinet of the President of the European Council shall also be invited to attend. Affected Member States and other relevant stakeholders and experts on certain matters, including representatives from third countries and international organisations, and the Union Counter Terrorism Coordinator, shall be invited to attend as appropriate.

4. In information sharing mode, where the Presidency convenes a roundtable, the roundtable shall serve mainly to monitor the situation, evaluate information requirements and assess whether a full activation is required. In case of full activation, the roundtable participants shall, under the Presidency's leadership, prepare, develop and update draft proposals for action, where needed, to be presented to the Council for discussion and decision as required.

Article 8

Integrated Situational Awareness and Analysis

1. ISAA support capability shall generate reports to contribute to informing discussion at the roundtables, in meetings of the Council and its preparatory bodies, and of the European Council.

2. ISAA reports shall be tailored to the needs of the Union political level as defined by the Presidency of the Council. To that end, the Presidency shall issue a political and strategic guidance after consulting the Commission services and the EEAS, and update it as needed.

3. The ISAA support capability shall allow to:

- (a) collect and share information regarding the current situation, analysis conducted by the Union and the Member States, decisions and measures taken or to be taken by relevant stakeholders, the need for political coordination at Union level expressed by relevant stakeholders;
- (b) process the information referred to in point (a) and produce an integrated overview of the situation; and
- (c) produce integrated analysis, including on the possible evolution and consequences of the situation.

To that end, Member States and relevant Union agencies and bodies shall endeavour to support this work and to contribute relevant information in a timely manner.

4. The ISAA shall constitute an information sharing instrument providing input to Member States, and supporting the Commission and HR in their activities.

5. The ISAA shall be developed by the Commission services and the EEAS within their respective roles and responsibilities and within their existing means and capabilities. The ISAA shall also be based on relevant information and analysis provided by the Member States (e.g. from relevant national crisis centres) particularly through the web platform, and by Union Agencies.

6. Upon activation of the IPCR and until its deactivation, this support shall be available on a permanent basis. It shall be provided to the Presidency and Council in a timely manner throughout the whole crisis, allowing for pro-active crisis management. Depending on the evolution of the crisis, the Presidency may decide to request to step up or step down ISAA support. Regular monitoring from the sectoral Union sources shall continue.

7. Depending on the nature of the crisis, third countries and international partners such as the Schengen associated countries, may be authorised by Coreper to have access to ISAA reports for a specific crisis.

Article 9

Web Platform

1. A dedicated web platform developed and managed by the GSC shall serve as a key tool for the IPCR as an electronic hub between relevant stakeholders.

2. Access to this platform shall be restricted to persons designated by relevant stakeholders, namely the General Secretariat of the Council (for the Council and European Council), Member States, the Commission, the EEAS (for the HR) and the relevant Union agencies.

3. In order to encourage exchanges on the web platform, particularly those of a sensitive nature, information shall not be disclosed to parties which are not relevant stakeholders set out in paragraph 2, unless explicitly authorised by Coreper. The GSC, in liaison with the Presidency, shall be involved in responding to requests for information received from such parties.

4. In order to avoid duplication, the web platform shall not replace nor be replaced by any of the Union sectoral web tools. Information classified above RESTREINT UE/EU RESTRICTED shall be exchanged via the relevant accredited channels.
5. The web platform shall be available even without IPCR activation, notably for relevant background information, exercises, lessons learned and training as well as IPCR points of contact. A crisis page shall be generated for each IPCR activation.
6. In the event of a crisis without an IPCR activation, the GSC — in agreement with the Presidency — may create a 'monitoring page' possibly at the request of a concerned Member State, Commission services, or EEAS. This page shall facilitate the exchange of information and would act as a repository for readily available reports and situational information. The creation of a monitoring page shall not entail the production of ISAA reports.
7. The IPCR web platform shall also feature specific thematically-oriented forums or 'hubs' to be used in particular outside the times of crisis for networking, information exchange, and collaboration purposes in order to contribute to preparedness for crisis management.
8. The GSC shall consult the Presidency and Council delegations when planning structural changes to the Platform.

Article 10

Central 24/7 Contact Point

Upon activation of the IPCR, the central 24/7 contact point shall be operational, without prejudice to the distribution of responsibilities within the Commission services and the EEAS and to existing information networks.

Article 11

Standard Operating Procedures

1. The Presidency, with the support of the GSC, shall further develop and update as needed already existing IPCR Standard Operating Procedures ('IPCR SOPs') in order to clearly identify the procedures, as well as the actions expected of each actor in the IPCR process. The Member States, the Commission services and the EEAS shall be invited to contribute. Each new version of the IPCR SOPs shall be submitted to Coreper for approval.
2. The European Commission and the EEAS, within their respective roles and responsibilities, shall develop ISAA Standard Operating Procedures in line with the IPCR SOPs that detail the functioning of the production of ISAA and the modalities to integrate information provided by Member States.

Article 12

Preparedness

1. To further strengthen the capacity to respond quickly at Union political level to crises, preparedness measures and a communication strategy framework shall be developed. These measures will be informed by most relevant areas of concern for a potential IPCR activation, and shall be underpinned by an IPCR preparedness policy and associated programme which will seek to improve all components of the IPCR capability.
2. The preparedness policy shall be submitted to the Council for approval. The preparedness programme shall be presented to Coreper.
3. In order to enhance the knowledge and readiness of all relevant stakeholders, tailored training on procedures and tools used in a crisis requiring coordination at Union political level shall be organised.

4. The IPCR preparedness policy shall foresee cross-sectoral exercises and define the procedures and modalities for planning exercises that involve the IPCR. IPCR exercises shall be organised by the Presidency with the support of the GSC and shall involve the Member States on a voluntary basis. The Commission and HR shall be closely associated to this work and shall be invited to contribute as appropriate. Any exercise involving the IPCR shall respect the IPCR preparedness policy.
5. The IPCR preparedness policy shall also contribute to enhancing communication to the public and coherence of the message in times of crisis. The informal network of crisis communicators ('CCN') may support this work.
6. Lessons from both exercises and real life activations of the IPCR arrangements will be identified. A structured process of lessons learned will be implemented.

Article 13

European Council

Depending on the crisis, timely consultations or decisions at European Council level could be needed. To this end, the Cabinet of the President of the European Council shall also be invited to fully participate in the IPCR from the moment of its activation and for preparedness activities.

Article 14

Information and Communication

1. The Presidency shall inform the European Parliament of the activation of the IPCR without delay.
2. A coherent communication strategy, including through common messages shall be part of the response measures envisaged in the event of IPCR activation.

Article 15

Review

1. The arrangements under this Decision shall be reviewed according to identified needs and in any event within 12 months following their deactivation, in order to ensure that relevant lessons are identified and addressed. This review shall be carried out in the Council, on the basis of input provided by Member States, the Commission and the HR.
2. Where appropriate, this Decision may be revised, in particular to address the needs identified by the Council in the context of the review, pursuant to Article 9(3) of Decision 2014/415/EU.

Article 16

Entry into Force

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

Done at Brussels, 11 December 2018.

For the Council

The President

G. BLÜMEL

COUNCIL IMPLEMENTING DECISION (EU) 2018/1994**of 11 December 2018****authorising Croatia to introduce a special measure derogating from point (a) of Article 26(1) and Article 168 of Directive 2006/112/EC on the common system of value added tax**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 168 of Directive 2006/112/EC establishes a taxable person's right to deduct value added tax (VAT) charged on supplies of goods and services received by that person for the use of that person's taxed transactions. Point (a) of Article 26(1) of that Directive contains a requirement to account for VAT when a business asset is put to use for private purposes of the taxable person or his staff or, more generally, for purposes other than those of his business.
- (2) By letter registered with the Commission on 22 December 2016, Croatia requested authorisation to apply a special measure derogating from the provisions of Directive 2006/112/EC governing the right to deduct input tax in relation to the purchase and leasing of aircrafts, vessels and personal cars, including the purchase of accessories for such goods as well as services supplied in relation thereto. After a number of discussions with the Commission, Croatia submitted a modified request limited to passenger cars, which was registered with the Commission on 17 September 2018.
- (3) The Commission transmitted the request of Croatia to other Member States by letter dated 21 September 2018. By letter dated 24 September 2018, the Commission notified Croatia that it had all the information it considered necessary for the appraisal of the request.
- (4) Taxable persons in Croatia cannot deduct VAT related to passenger cars used partially for business purposes. Croatia intends to modify its legislation and allow the deduction of input VAT relating to passenger cars.
- (5) Croatia claims that it is often difficult to accurately determine the extent to which cars are used for private or professional purposes and that, even where it is possible, this is often burdensome. Croatia therefore considers that it would be appropriate to apply the fixed percentage for the VAT deduction. Based on estimations, Croatia submits that the 50 % limit is appropriate.
- (6) According to Croatia, the application of the fixed percentage limit for the VAT deduction will not result in an additional administrative burden or additional costs for businesses or tax authorities, while the VAT deduction will be possible. The introduction of the VAT deduction will reduce the interest of taxpayers to procure goods and services related to passenger cars from persons performing a non-registered activity.
- (7) Croatia therefore requested authorisation, based on Article 395 of Directive 2006/112/EC, to apply a special measure derogating from point (a) of Article 26(1) and Article 168 of that Directive in order to limit the right of deduction on passenger cars to a set percentage ('the special measure').
- (8) The restriction on the right of deduction should apply to VAT paid on the purchase and lease of personal cars, including the purchase of all goods and services supplied in relation thereto. Passenger cars covered are considered to be motor vehicles intended for the transport of persons with a maximum of eight seats in addition to the driver's seat.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

- (9) The special measure is designed to simplify the procedure for charging tax and to counter VAT evasion while allowing the deduction of VAT on passengers cars used partially for business purposes. Given the potential positive impact for both businesses and administrations, it is appropriate to grant the special measure.
- (10) The special measure should apply from 1 January 2019 and should be limited in time to 31 December 2021, so that it can be assessed whether the 50 % restriction is a correct reflection of the overall apportionment between business and private use.
- (11) In the event that Croatia considers that an extension of the special measure beyond 2021 is necessary, it should, by 31 March 2021, submit to the Commission a request for an extension accompanied by a report that includes a review of the percentage applied.
- (12) The special measure will have only a negligible effect on the overall amount of tax revenue collected at the stage of final consumption and will have no adverse impact on the Union's own resources accruing from VAT,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 168 of Directive 2006/112/EC, Croatia is authorised to limit to 50 % the right to deduct the value added tax (VAT) on expenditure related to passenger cars not wholly used for business purposes.

Article 2

By way of derogation from point (a) of Article 26(1) of Directive 2006/112/EC, Croatia shall not treat as supplies of services for consideration the use for non-business purposes of a passenger car included in the assets of a taxable person's business where that car has been subject to a limitation authorised under Article 1 of this Decision.

Article 3

The expenditure referred to in Article 1 shall cover the purchase and leasing of passenger cars including the purchase of all goods and services supplied in relation thereto.

Article 4

This Decision shall only apply to motor vehicles intended for the transport of persons with a maximum of eight seats in addition to the driver's seat.

Article 5

Articles 1 and 2 shall not apply to:

- (a) vehicles used for the training of drivers, vehicle testing, repair services, an economic activity involving the transport of passengers and goods, the transport of the deceased or rent;
- (b) vehicles purchased for the purpose of resale.

Article 6

This Decision shall take effect on the date of its notification.

It shall apply from 1 January 2019 until 31 December 2021.

Any request for the extension of the authorisation provided for in this Decision shall be submitted to the Commission by 31 March 2021 and shall be accompanied by a report that includes a review of the percentage set out in Article 1.

Article 7

This Decision is addressed to the Republic of Croatia.

Done at Brussels, 11 December 2018.

For the Council
The President
G. BLÜMEL

COMMISSION IMPLEMENTING DECISION (EU) 2018/1995**of 13 December 2018****approving the plan for the eradication of African swine fever in feral pigs in certain areas of Romania***(notified under document C(2018) 8448)***(Only the Romanian text is authentic)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever ⁽¹⁾, and in particular the second subparagraph of Article 16(1) thereof,

Whereas:

- (1) Directive 2002/60/EC lays down the minimum Union measures to be taken for the control of African swine fever, including those to be applied in the event of confirmation of a case of African swine fever in feral pigs.
- (2) In addition, Commission Implementing Decision 2014/709/EU ⁽²⁾ lays down animal health control measures in relation to African swine fever in the Member States or areas thereof as listed in the Annex thereto (the Member States concerned), and in all Member States as regards movements of feral pigs and information obligations. The Annex to Implementing Decision 2014/709/EU demarcates and lists certain areas of the Member States concerned, differentiated by the level of risk based on the epidemiological situation as regards that disease, including a list of high risk areas. That Annex has been amended several times to take account of changes in the epidemiological situation in the Union as regards African swine fever that needed to be reflected in that Annex.
- (3) In 2018 Romania notified the Commission of cases of African swine fever in feral pigs and has duly taken the disease control measures required by Directive 2002/60/EC.
- (4) In light of the current epidemiological situation and in accordance with Article 16 of Directive 2002/60/EC, Romania has submitted to the Commission a plan for the eradication of African swine fever (the eradication plan).
- (5) The Annex to Implementing Decision 2014/709/EU was amended by Commission Implementing Decision (EU) 2018/950 ⁽³⁾ to take account, inter alia, of the cases of African swine fever in feral pigs in Romania and Parts I and III of that Annex now includes the infected areas in Romania.
- (6) The eradication plan submitted by Romania has been examined by the Commission and found to comply with the requirements set out in Article 16 of Directive 2002/60/EC. They should therefore be approved accordingly.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The plan submitted by Romania on 21 September 2018 in line with Article 16(1) of Directive 2002/60/EC, concerning the eradication of African swine fever from the feral pig population in the areas referred to in the Annex to Implementing Decision 2014/709/EU is approved.

⁽¹⁾ OJ L 192, 20.7.2002, p. 27.

⁽²⁾ Commission Implementing Decision 2014/709/EU of 9 October 2014 concerning animal health control measures relating to African swine fever in certain Member States and repealing Implementing Decision 2014/178/EU (OJ L 295, 11.10.2014, p. 63).

⁽³⁾ Commission Implementing Decision (EU) 2018/950 of 3 July 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (OJ L 167, 4.7.2018, p. 11).

Article 2

Romania shall bring into force the laws, regulations and administrative provisions required for the implementation of the eradication plan within a period of 30 days from the date of adoption of this Decision.

Article 3

This Decision is addressed to Romania.

Done at Brussels, 13 December 2018.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

COMMISSION DECISION (EU) 2018/1996**of 14 December 2018****laying down internal rules concerning the provision of information to data subjects and the restriction of certain of their rights in the context of the processing of personal data for the purpose of trade defence and trade policy investigations**

THE EUROPEAN COMMISSION

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 249(1) thereof,

Whereas:

- (1) In the framework of its mandate under Regulations (EU) 2015/478 ⁽¹⁾, (EU) 2015/755 ⁽²⁾, (EU) 2016/1036 ⁽³⁾, (EU) 2016/1037 ⁽⁴⁾, of the European Parliament and of the Council, the Commission conducts the trade policy of the Union.
- (2) In particular, during trade defence investigations, personal data within the meaning of Article 3(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁵⁾ are inevitably processed. The Commission collects information of investigative interest, including personal data. Subject to the requirement to protect confidential information, all information made available by any party to an investigation should be made available promptly to other interested parties participating in an investigation via access to the non-confidential file. This transmission of data is necessary and legally required for the defence of legal claims of the interested parties. The Commission's tasks in the field of trade policy and trade defence are the primary responsibility of the Directorate-General for Trade ('DG Trade'), the organisational entities of which act as a controller.
- (3) The personal data processed by the Commission are, for example, identification data, contact data, professional data and data related to or brought in connection with the subject matter of the investigation. The personal data are stored in a secured electronic environment to prevent unlawful access or transfer of data to persons outside the Commission. Certain personal data may be included in a separate electronic environment for access by a regulated number of parties with an interest in the investigation. The personal data are retained in the services of the Commission in charge of the investigation until the end of the investigation. The administrative retention period is 5 years, which starts running from the end of the investigation. At the end of the retention period, the case-related information including personal data is transferred to Historical Archives of the Commission ⁽⁶⁾.
- (4) While carrying out its tasks, the Commission is bound to respect the rights of natural persons in relation to the processing of personal data recognised by Article 8(1) of the Charter of Fundamental Rights of the European Union and by Article 16(1) of the Treaty, as well as the rights provided for in Regulation (EU) 2018/1725. At the same time, the Commission is required to comply with strict rules of confidentiality as laid down in Article 19 of Regulation (EU) 2016/1036, Article 29 of Regulation (EU) 2016/1037, Article 8 of Regulation (EU) 2015/478 and Article 5 of Regulation (EU) 2015/755.
- (5) In certain circumstances, it is necessary to reconcile the rights of data subjects pursuant to Regulation (EU) 2018/1725 with the need for effectiveness of investigations, as well as with full respect for fundamental rights and freedoms of other data subjects. To that effect, Article 25(1)(c), (g) and (h) of Regulation (EU) 2018/1725 provides the Commission with the possibility to restrict the application of Articles 14 to 17, 19, 20 and 35, as well as the principle of transparency laid down in Article 4(1)(a), insofar as its provisions correspond to the rights and obligations provided for in Articles 14 to 17, 19, 20 and 35 of that Regulation.

⁽¹⁾ Regulation (EU) 2015/478 of the European Parliament and of the Council of 11 March 2015 on common rules for imports (OJ L 83, 27.3.2015, p. 16).

⁽²⁾ Regulation (EU) 2015/755 of the European Parliament and of the Council of 29 April 2015 on common rules for imports from certain third countries (OJ L 123, 19.5.2015, p. 33).

⁽³⁾ Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21).

⁽⁴⁾ Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on the protection against subsidised imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 55).

⁽⁵⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

⁽⁶⁾ Retention of files in the Commission is regulated by the Common retention list, a regulatory document (the last version is SEC(2012)713) in the form of a retention schedule that establishes the retention periods for the different types of Commission files.

- (6) In order to ensure the effectiveness of trade defence investigations while respecting the standards of protection of personal data under Regulation (EU) 2018/1725, which replaced Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽¹⁾, it is necessary to adopt internal rules under which the Commission may restrict data subjects' rights in accordance with Article 25(1)(c)(g) and (h) of Regulation (EU) 2018/1725.
- (7) It is therefore necessary to establish internal rules to cover all processing operations carried out by the Commission in the performance of its investigative function in the area of trade defence. Those rules should apply to processing operations carried out prior to the opening of an investigation, during investigations and during the monitoring of the follow-up to the outcome of investigations.
- (8) In order to comply with Articles 14, 15 and 16 of Regulation (EU) 2018/1725, the Commission should inform all individuals of its activities involving processing of their personal data and of their rights in a transparent and coherent manner by means of a data protection notice published on the Commission's website. Where relevant, the Commission should adduce additional safeguards to ensure that the data subjects are informed individually in an appropriate format.
- (9) On the basis of Article 25 of Regulation (EU) 2018/1725, the Commission is also able to restrict the provision of information to data subjects, and the exercise of other rights of data subjects in order to protect its own trade defence investigations as well as the rights of other persons related to its investigations.
- (10) In addition, in order to maintain effective cooperation, it may be necessary for the Commission to restrict the application of data subjects' rights in order to protect processing operations of other Union institutions, bodies, offices and agencies, or of competent authorities of the Member States. To that effect, the Commission should consult those institutions, bodies, offices, agencies, authorities on the relevant grounds for imposing restrictions and on the necessity and proportionality of the restrictions.
- (11) The Commission may also have to restrict the provision of information to data subjects and the application of other rights of data subjects in relation to personal data received from third countries or international organisations, in order to fulfil its duty of cooperation with those countries or organisations and thus safeguard an important objective of general public interest of the Union. However, in some circumstances the interest or fundamental rights of the data subject may override the interest of international cooperation.
- (12) The Commission should handle all restrictions in a transparent manner and register each application of restrictions in the corresponding record system.
- (13) Pursuant to Article 25(8) of Regulation (EU) 2018/1725, controllers may defer, omit or deny providing information on the reasons for the application of a restriction to the data subject if this would in any way compromise the purpose of the restriction. This is, in particular, the case of restrictions to the rights provided for in Articles 16 and 35 of Regulation (EU) 2018/1725.
- (14) The Commission should regularly review the restrictions imposed in order to ensure that the data subject's rights to be informed in accordance with Articles 16 and 35 of Regulation (EU) 2018/1725 are restricted only as long as such restrictions are necessary to allow the Commission to conduct its trade defence investigations.
- (15) Where other rights of data subjects are restricted, the controller should assess on a case-by-case basis whether the communication of the restriction would compromise its purpose.
- (16) The Data Protection Officer of the European Commission should carry out an independent review of the application of restrictions, with a view to ensuring compliance with this Decision.
- (17) Regulation (EU) 2018/1725 replaces Regulation (EC) No 45/2001, without any transitional period, from the date on which it enters into force. The possibility to apply restrictions to certain rights of data subjects was provided for in Regulation (EC) No 45/2001. In order to avoid jeopardising trade policy and the conduct of trade defence investigations, this Decision should apply from the date of entry into force of Regulation (EU) 2018/1725.
- (18) The European Data Protection Supervisor delivered an opinion on 30 November 2018,

⁽¹⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

1. This Decision lays down the rules to be followed by the Commission to inform data subjects of the processing of their data in accordance with Articles 14, 15 and 16 of Regulation (EU) 2018/1725, when conducting trade policy and trade defence investigations.

It also lays down the conditions under which the Commission may restrict the application of Articles 4, 14 to 17, 19, 20 and 35 of Regulation (EU) 2018/1725, in accordance with Article 25(1)(c), (g) and (h) of that Regulation.

2. This Decision applies to the processing of personal data by the Commission for the purpose of, or in relation to, the activities carried out in order to fulfil the Commission's tasks pursuant to Regulations (EU) 2016/1036, (EU) 2016/1037, (EU) 2015/478 and (EU) 2015/755.

3. This Decision applies to the processing of personal data by all Commission services in so far as they process personal data contained in information which they are required to transmit to the Commission or personal data already processed by it for the purpose of, or in relation to, the activities referred to in paragraph 2 of this Article.

Article 2

Applicable exceptions and restrictions

1. Where the Commission exercises its duties with respect to data subjects' rights under Regulation (EU) 2018/1725, it shall consider whether any of the exceptions laid down in that Regulation apply.

2. Subject to Articles 3 to 7 of this Decision, the Commission may restrict the application of Articles 14 to 17, 19, 20 and 35 of Regulation (EU) 2018/1725, as well as the principle of transparency laid down in Article 4(1)(a) of that Regulation in so far as its provisions correspond to the rights and obligations provided for in Articles 14 to 17, 19, 20 and 35 of that Regulation, where the exercise of those rights and obligations would jeopardise the purpose of the Commission's trade policy and trade defence activities, or would adversely affect the rights and freedoms of other data subjects.

3. Subject to Articles 3 to 7 of this Decision, the Commission may also restrict the rights and obligations referred to in paragraph 2 of this Article in relation to personal data obtained from other Union institutions, bodies, agencies and offices, competent authorities of Member States or third countries or from international organisations, in the following circumstances:

- (a) where the exercise of those rights and obligations could be restricted by other Union institutions, bodies, agencies and offices on the basis of other acts provided for in Article 25 of Regulation (EU) 2018/1725 or in accordance with Chapter IX of that Regulation or in accordance with Regulation (EU) 2016/794 of the European Parliament and of the Council ⁽¹⁾ or Council Regulation (EU) 2017/1939 ⁽²⁾;
- (b) where the exercise of those rights and obligations could be restricted by competent authorities of Member States on the basis of acts referred to in Article 23 of Regulation (EU) 2016/679 of the European Parliament and of the Council ⁽³⁾, or under national measures transposing Articles 13(3), 15(3) or 16(3) of Directive (EU) 2016/680 of the European Parliament and of the Council ⁽⁴⁾;
- (c) where the exercise of those rights and obligations could jeopardise the Commission's cooperation with third countries or international organisations in the conduct of trade defence investigations.

⁽¹⁾ Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53).

⁽²⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

⁽³⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁴⁾ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

Before applying restrictions in the circumstances referred to in points (a) and (b) of the first subparagraph, the Commission shall consult the relevant Union institutions, bodies, agencies, offices or competent authorities of the Member States unless it is clear to the Commission that the application of a restriction is provided for by one of the acts referred to in those points.

Point (c) of the first subparagraph shall not apply where the interest of the Commission to cooperate with third countries or international organisations is overridden by the interests or fundamental rights and freedoms of the data subjects.

4. Paragraphs 1, 2 and 3 are without prejudice to the application of other Commission decisions laying down internal rules concerning the provision of information to data subjects and the restriction of certain rights under Article 25 of Regulation (EU) 2018/1725 and to Article 23 of the Rules of Procedure of the Commission.

Article 3

Provision of information to data subjects

1. The Commission shall publish on its website a data protection notice that informs all data subjects of its trade defence activities involving processing of their personal data. Where relevant, the Commission shall ensure that the data subjects are informed individually in an appropriate format.
2. Where the Commission restricts, wholly or partly, the provision of information to data subjects, whose data are processed for purposes of trade policy or trade defence investigation it shall record and register the reasons for the restriction in accordance with Article 6.

Article 4

Right of access by data subjects, right of erasure and right to restriction of processing

1. Where the Commission restricts, wholly or partly, the right of access to personal data by data subjects, the right of erasure or the right to restriction of processing as referred to in Articles 17, 19 and 20 respectively of Regulation (EU) 2018/1725 it shall inform the data subject concerned, in its reply to the request for access, erasure or restriction of processing, of the restriction applied and of the principal reasons thereof, and of the possibility of lodging a complaint with the European Data Protection Supervisor or of seeking a judicial remedy in the Court of Justice of the European Union.
2. The provision of information concerning the reasons for the restriction referred to in paragraph 1 may be deferred, omitted or denied for as long as it would undermine the purpose of the restriction.
3. The Commission shall record the reasons for the restriction in accordance with Article 6.
4. Where the right of access is wholly or partly restricted, the data subject shall exercise his or her right of access through the intermediary of the European Data Protection Supervisor, in accordance with Article 25(6), (7) and (8) of Regulation (EU) 2018/1725.

Article 5

Communication of personal data breaches to data subjects

Where the Commission restricts the communication of a personal data breach to the data subject, as referred to in Article 35 of Regulation (EU) 2018/1725, it shall record and register the reasons for the restriction, in accordance with Article 6 of this Decision.

Article 6

Recording and registering of restrictions

1. The Commission shall record the reasons for any restriction applied pursuant to this Decision, including an assessment of the necessity and proportionality of the restriction, taking into account the relevant elements in Article 25(2) of Regulation (EU) 2018/1725.

To that end, the record shall state how the exercise of the right would jeopardise the purpose of trade policy and trade defence investigations, or of restrictions applied pursuant to Article 2(2) or (3), or would adversely affect the rights and freedoms of other data subjects.

2. The record and, where applicable, the documents containing the underlying factual and legal elements shall be registered. They shall be made available to the European Data Protection Supervisor on request.

Article 7

Duration of restrictions

1. Restrictions referred to in Articles 3, 4 and 5 shall continue to apply as long as the reasons justifying them remain applicable.

2. Where the reasons for a restriction referred to in Articles 3 or 5 no longer apply, the Commission shall lift the restriction and provide the principal reasons for the restriction to the data subject. At the same time, the Commission shall inform the data subject of the possibility of lodging a complaint with the European Data Protection Supervisor at any time or of seeking a judicial remedy in the Court of Justice of the European Union.

3. The Commission shall review the application of the restriction referred to in Articles 3 and 5 every six months from its adoption and at the closure of the investigation. Thereafter, the Commission/controller shall monitor the need to maintain any restriction/deferral on an annual basis.

Article 8

Review by the Data Protection Officer of the European Commission

1. The Data Protection Officer shall be informed, without undue delay, whenever data subjects' rights are restricted in accordance with this Decision. Upon request, the Data Protection Officer shall be provided with access to the record and any documents containing underlying factual and legal elements.

2. The Data Protection Officer may request a review of the restrictions. The Data Protection Officer shall be informed in writing of the outcome of the requested review.

Article 9

Entry into force

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

It shall apply from 11 December 2018.

Done at Brussels, 14 December 2018.

For the Commission
The President
Jean-Claude JUNCKER

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at:

<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29fdocsts.html>

Regulation No 99 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of gas-discharge light sources for use in approved lamps of power-driven vehicles [2018/1997]

Incorporating all valid text up to:

Supplement 13 to the original version of the Regulation – Date of entry into force: 10 October 2017

CONTENTS

REGULATION

1. Scope
2. Administrative provisions
3. Technical requirements
4. Conformity of production
5. Penalties for non-conformity of production
6. Production definitively discontinued
7. Names and addresses of the Technical Services responsible for conducting approval tests, and of Type Approval Authorities

ANNEXES

1. Sheets for gas-discharge light sources
2. Communication
3. Example of the arrangement of the approval mark
4. Method of measurement of electrical and photometric characteristics
5. Optical setup for the measurement of the position and form of the arc and of the position of the electrodes
6. Minimum requirements for quality control procedures by the manufacturer
7. Sampling and compliance levels for manufacturer's test records
8. Minimum requirements for sampling by an inspector

1. SCOPE

This Regulation applies to gas-discharge light sources shown in Annex 1 to this Regulation and intended for use in approved lamps of power-driven vehicles.

2. ADMINISTRATIVE PROVISIONS
 - 2.1. Definitions
 - 2.1.1. The term '*category*' is used in this Regulation to describe different basic design of standardized gas-discharge light sources. Each category has a specific designation, as for example: 'D2S'.
 - 2.1.2. '*Gas-discharge light sources of different types*' ⁽¹⁾ are gas-discharge light sources within the same category which differ in such essential respects as:
 - 2.1.2.1. Trade name or mark; that means:
 - (a) Gas-discharge light sources bearing the same trade name or mark but produced by different manufacturers are considered as being of different types.
 - (b) Gas-discharge light sources produced by the same manufacturer differing only by the trade name or mark may be considered to be of the same type;
 - 2.1.2.2. Bulb and/or cap design, in so far as these differences affect the optical results.
 - 2.2. Application for approval
 - 2.2.1. Application for approval shall be submitted by the owner of the trade name or mark, or by his duly accredited representative.
 - 2.2.2. Every application for approval shall be accompanied (see also paragraph 2.4.2 below) by:
 - 2.2.2.1. Drawings in triplicate, sufficiently detailed to permit identification of the type;
 - 2.2.2.2. A technical description including, if the ballast is not integrated with the light source, ballast identification;
 - 2.2.2.3. Three samples of each colour which has been applied for;
 - 2.2.2.4. One sample of the ballast in case the ballast is not integrated with the light source.
 - 2.2.3. In the case of a type of gas-discharge light source differing only by the trade name or mark from a type that has already been approved it shall be sufficient to submit:
 - 2.2.3.1. A declaration by the manufacturer that the type submitted is identical (except in the trade name or mark) to and has been produced by the same manufacturer as, the type already approved, the latter being identified by its approval code;
 - 2.2.3.2. Two samples bearing the new trade name or mark.
 - 2.2.4. The Type Approval Authority shall verify the existence of satisfactory arrangements for ensuring effective control of the conformity of production before type approval is granted.
 - 2.3. Inscriptions
 - 2.3.1. Gas-discharge light sources submitted for approval shall bear on the cap or bulb:
 - 2.3.1.1. The trade name or mark of the applicant;
 - 2.3.1.2. The international designation of the relevant category;
 - 2.3.1.3. The rated wattage; this need not to be indicated separately if it is part of the international designation of the relevant category;
 - 2.3.1.4. A space of sufficient size to accommodate the approval mark.

⁽¹⁾ A selective yellow bulb or an additional selective yellow outer bulb, solely intended to change the colour but not the other characteristics of a gas-discharge light source emitting white light, does not constitute a change of type of the gas-discharge light source.

- 2.3.2. The space mentioned in paragraph 2.3.1.4 above shall be indicated in the drawings accompanying the application for approval.
- 2.3.3. Other inscriptions than those covered by paragraphs 2.3.1 above and 2.4.4 below may be affixed on the cap.
- 2.3.4. In case the ballast is not integrated with the light source, the ballast used for the type approval of the light source shall be marked with type and trade mark identification and with the rated voltage and wattage, as indicated on the relevant gas-discharge light source sheet.

2.4. Approval

- 2.4.1. If all samples of a type of gas-discharge light source which are submitted in accordance with paragraphs 2.2.2.3 or 2.2.3.2 above comply with the requirements of this Regulation, when tested with the ballast according to paragraph 2.2.2.4 in case the ballast is not integrated with the light source, approval shall be granted.
- 2.4.2. An approval code shall be assigned to each type approved. Its first character shall indicate the series of amendments incorporating the most recent major technical amendments made to the Regulation at the time of issue of the approval.

This will be followed by an identification code comprising not more than three characters. Only the Arabic numerals and capital letters listed in footnote (1) shall be used.

The same Contracting Party may not assign the same code to another type of gas-discharge light source. If the applicant so desires the same approval code may be assigned to both gas-discharge light sources emitting white and selective yellow light (see paragraph 2.1.2 above).

- 2.4.3. Notice of approval or of extension or refusal or withdrawal of approval or production definitively discontinued of a type of gas-discharge light source pursuant to this Regulation shall be communicated to the Parties of the Agreement which apply this Regulation by means of a form conforming to the model in Annex 2 to this Regulation and of a drawing, supplied by the applicant for approval in a format not exceeding A4 (210 × 297 mm) and on a scale of at least 2: 1.
- 2.4.4. To every gas-discharge light source conforming to a type approved under this Regulation there shall be affixed in the space referred to in paragraph 2.3.1.4 above, in addition to the inscriptions required under paragraph 2.3.1 above, an international approval mark consisting of:
- 2.4.4.1. A truncated circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted approval; (2)
- 2.4.4.2. The approval code, placed close to the truncated circle.
- 2.4.5. If the applicant has obtained the same approval code for several trade names or marks, one or more of them will suffice to meet the requirements of paragraph 2.3.1.1 above.
- 2.4.6. The marks and inscriptions specified in paragraphs 2.3.1 and 2.4.3 above shall be clearly legible and be indelible.
- 2.4.7. Annex 3 to this Regulation gives an example of arrangement of the approval mark.

3. TECHNICAL REQUIREMENTS

3.1. Definitions

The definitions given in Resolution R.E.5 or its subsequent revisions, applicable at the time of application for type approval shall apply.

(1) 0 1 2 3 4 5 6 7 8 9
A B C D E F G H J K L M N P R S T U V W X Y Z

(2) The distinguishing numbers of the Contracting Parties to the 1958 Agreement are reproduced in Annex 3 to the Consolidated Resolution on the Construction of Vehicles (R.E.3), document ECE/TRANS/WP.29/78/Rev. 3, Annex 3 — www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29resolutions.html

- 3.2. General specifications
 - 3.2.1. Each sample submitted shall conform to the relevant specifications of this Regulation when tested, in the case the ballast is not integrated with the light source with the ballast according to paragraph 2.2.2.4 above.
 - 3.2.2. Gas-discharge light sources shall be so designed as to be and to remain in good working order when in normal use. They shall moreover exhibit no fault in design or manufacture.
 - 3.2.3. The discharge arc shall be the only element of the gas-discharge light source that generates and emits light when energized.
- 3.3. Manufacture
 - 3.3.1. The bulb of the gas-discharge light source shall exhibit no scores or spots which might impair their efficiency and their optical performance.
 - 3.3.2. In the case of a coloured (outer) bulb, after an operating period of 15 hours with the ballast or the light source with the ballast integrated at test voltage, the surface of the bulb shall be lightly wiped with a cotton cloth soaked in a mixture of 70 volume per cent of n-heptane and 30 volume per cent of toluol. After about five minutes, the surface shall be inspected visually. It shall not show any apparent changes.
 - 3.3.3. Gas-discharge light sources shall be equipped with standard caps complying with the cap data sheets of IEC Publication 60061, as specified on the individual data sheets of Annex 1 to this Regulation.
 - 3.3.4. The cap shall be strong and firmly secured to the bulb.
 - 3.3.5. To ascertain whether gas-discharge light sources conform to the requirements of paragraphs 3.3.3 to 3.3.4 above, a visual inspection, a dimension check and, where appropriate, a trial fitting shall be carried out.
- 3.4. Tests
 - 3.4.1. Gas-discharge light sources shall be aged as indicated in Annex 4 to this Regulation.
 - 3.4.2. All samples shall be tested with the ballast, according to paragraph 2.2.2.4 above, in case the ballast is not integrated with the light source.
 - 3.4.3. Electrical measurements shall be carried out with instruments of at least class 0.2 (0,2 per cent full scale accuracy).
- 3.5. Position and dimensions of electrodes, arc and stripes
 - 3.5.1. The geometric position of the electrodes shall be as specified on the relevant data sheet. An example of a method of measuring arc and electrodes position is given in Annex 5 to this Regulation. Other methods may be used.
 - 3.5.1.1. The position and dimensions of the light source electrodes shall be measured before the ageing period, the gas-discharge light source unlit and using optical methods through the glass envelope.
 - 3.5.2. The shape and the displacement of the arc shall conform to the requirements as given on the relevant data sheet.
 - 3.5.2.1. The measurement shall be made after ageing with the light source supplied by the ballast at test voltage or the light source with the ballast integrated at test voltage.
 - 3.5.3. The position and dimension and transmission of the stripes shall comply with the requirements as given on the relevant data sheet.
 - 3.5.3.1. The measurement shall be made after ageing with the light source supplied by the ballast at test voltage or the light source with the ballast integrated at test voltage.

3.6. Starting, run-up and hot-restrike characteristics

3.6.1. Starting

When tested according to the conditions specified in Annex 4 to this Regulation, the gas-discharge light source shall start directly and remain alight.

3.6.2. Run-up

3.6.2.1. For gas-discharge light sources having an objective luminous flux which exceeds 2 000 lm:

When measured according to the conditions specified in Annex 4, the gas-discharge light source shall emit at least:

After 1 second: 25 per cent of its objective luminous flux;

After 4 seconds: 80 per cent of its objective luminous flux.

The objective luminous flux as indicated on the relevant data sheet.

3.6.2.2. For gas-discharge light sources having an objective luminous flux which does not exceed 2 000 lm and does not contain black stripes:

When measured according to the conditions specified in Annex 4, the gas-discharge light sources shall emit at least 800 lm after 1 second and at least 1 000 lm after 4 seconds.

The objective luminous flux as indicated on the relevant data sheet.

3.6.2.3. For gas-discharge light sources having an objective luminous flux which does not exceed 2 000 lm but does contain black stripes:

When measured according to the conditions specified in Annex 4, the gas-discharge light sources shall emit at least 700 lm after 1 second and at least 900 lm after 4 seconds.

The objective luminous flux as indicated on the relevant data sheet.

3.6.2.4. For gas-discharge light sources having more than one objective luminous flux, and at least one objective luminous flux does not exceed 2 000 lm:

When measured according to the conditions specified in Annex 4, the gas-discharge light sources shall emit at least 800 lm after 1 second and at least 1 000 lm after 4 seconds.

The objective luminous flux as indicated on the relevant data sheet

3.6.3. Hot-restrike

When tested according to the conditions specified in Annex 4 to this Regulation, the gas-discharge light source shall restart directly after being switched-off for a period as indicated on the data sheet. After one second the light source shall emit at least 80 per cent of its objective luminous flux.

3.7. Electrical characteristics

When measured according to the conditions specified in Annex 4 to this Regulation, the voltage and wattage of the light source shall be within the limits given on the relevant data sheet.

3.8. Luminous flux

When measured according to the conditions specified in Annex 4 to this Regulation, the luminous flux shall be within the limits given on the relevant data sheet. In the case where white and selective yellow is specified for the same type, the objective value applies to light sources emitting white light, whereas the luminous flux of the light source emitting selective yellow light shall be at least 68 per cent of the specified value.

3.9. Colour

3.9.1. The colour of the light emitted shall be white or selective yellow. Moreover, the colorimetric characteristics, expressed in CIE chromaticity coordinates, shall lie within the boundaries given on the relevant data sheet.

- 3.9.2. The definitions of the colour of the light emitted, given in Regulation No 48 and its series of amendments in force at the time of application for type approval shall apply to this Regulation.
- 3.9.3. The colour shall be measured according to the conditions specified in Annex 4 to this Regulation, paragraph 10.
- 3.9.4. The minimum red content of a gas-discharge light source shall be such that:

$$k_{\text{red}} = \frac{\int_{\lambda=610 \text{ nm}}^{780 \text{ nm}} E_e(\lambda) \cdot V(\lambda) \cdot d(\lambda)}{\int_{\lambda=380 \text{ nm}}^{780 \text{ nm}} E_e(\lambda) \cdot V(\lambda) \cdot d(\lambda)} \geq 0,05$$

Where:

- $E_e(\lambda)$ [W/nm] is the spectral distribution of the radiant flux;
 $V(\lambda)$ [1] is the spectral luminous efficiency;
 λ [nm] is the wave length.

This value shall be calculated using intervals of one nanometre.

3.10. UV radiation

The UV radiation of the gas-discharge light source shall be such that the gas discharge light source is of the low UV type complying with:

$$k_{\text{uv}} = \frac{\int_{\lambda=250 \text{ nm}}^{400 \text{ nm}} E_e(\lambda) \cdot S(\lambda) \cdot d(\lambda)}{k_m \int_{\lambda=380 \text{ nm}}^{780 \text{ nm}} E_e(\lambda) \cdot V(\lambda) \cdot d(\lambda)} \leq 10^{-5} \text{ W/lm}$$

Where:

- $S(\lambda)$ [1] is the spectral weighting function;
 $k_m = 683$ [lm/W] is the photometric radiation equivalent.

(For definitions of other symbols see paragraph 3.9.4 above.)

This value shall be calculated using intervals of one nanometre.

The UV-radiation shall be weighted according to the values as indicated in the following table.

λ	$S(\lambda)$	λ	$S(\lambda)$	λ	$S(\lambda)$
250	0,430	305	0,060	355	0,00016
255	0,520	310	0,015	360	0,00013
260	0,650	315	0,003	365	0,00011
265	0,810	320	0,001	370	0,000090
270	1,000	325	0,00050	375	0,000077
275	0,960	330	0,00041	380	0,000064
280	0,880	335	0,00034	385	0,000053
285	0,770	340	0,00028	390	0,000044
290	0,640	345	0,00024	395	0,000036
295	0,540	350	0,00020	400	0,000030
300	0,300				

Wavelengths chosen are representative; other values should be interpolated.

Values according to 'IRPA/INIRC Guidelines on limits of exposure to ultraviolet radiation'.

3.11. Standard gas-discharge light sources

Standard (etalon) gas-discharge light sources shall comply with the requirements applicable to type approval light sources and to the specific requirements as stated in the relevant data sheet. In case of a type emitting white and selective yellow light, the standard light source shall emit white light.

4. CONFORMITY OF PRODUCTION

4.1. Gas-discharge light sources approved to this Regulation shall be so manufactured as to conform to the type approved by meeting the inscriptions and technical requirements set forth in paragraph 3 above and Annexes 1 and 3 to this Regulation.

4.2. In order to verify that the requirements of paragraph 4.1 are met, suitable controls of the production shall be carried out.

4.3. The holder of the approval shall in particular:

4.3.1. Ensure existence of procedures for the effective control of the quality of products,

4.3.2. Have access to the control equipment necessary for checking the conformity to each approved type,

4.3.3. Ensure that data of test results are recorded and that related documents shall remain available for a period to be determined in accordance with the Type Approval Authority,

4.3.4. Analyse the results of each type of test, applying criteria of Annex 7 to this Regulation, in order to verify and ensure the stability of the product characteristics making allowance for variation of an industrial production,

4.3.5. Ensure that for each type of gas-discharge light source, at least the tests prescribed in Annex 6 to this Regulation are carried out,

4.3.6. Ensure that any collecting of samples giving evidence of non-conformity with the type of test considered shall give rise to another sampling and another test. All the necessary steps shall be taken to re-establish the conformity of the corresponding production.

4.4. The Type Approval Authority which has granted type-approval may at any time verify the conformity control methods applicable to each production unit.

4.4.1. In every inspection, the test books and production survey records shall be presented to the visiting inspector.

4.4.2. The inspector may take samples at random which will be tested in the manufacturer's laboratory. The minimum number of samples may be determined according to the results of the manufacturer's own verification.

4.4.3. When the quality level appears unsatisfactory or when it seems necessary to verify the validity of the tests carried out in application of paragraph 4.4.2 above, the inspector shall select samples, to be sent to the Technical Service which has conducted the type approval tests.

4.4.4. The Type Approval Authority may carry out any tests prescribed in this Regulation. These tests will be on samples selected at random without causing distortion of the manufacturer's delivery commitments and in accordance with criteria of Annex 8 to this Regulation.

4.4.5. The Type Approval Authority shall strive to obtain a frequency of inspection of once every two years. However, this is at the discretion of the Type Approval Authority and their confidence in the arrangements for ensuring effective control of conformity of production. In the case where negative results are recorded, the Type Approval Authority shall ensure that all necessary steps are taken to re-establish the conformity of production as rapidly as possible.

5. PENALTIES FOR NON-CONFORMITY OF PRODUCTION

5.1. The approval granted in respect of a gas-discharge light source pursuant to this Regulation may be withdrawn if the prescribed conformity of production requirements are not met.

5.2. If a Contracting Party to the Agreement applying this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation, by means of a communication form conforming to the model in Annex 2 to this Regulation.

6. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a type of gas-discharge light source approved in accordance with this Regulation, he shall so inform the authority which had granted the approval. Upon receiving the relevant communication, that authority shall inform thereof the other Parties to the Agreement applying this Regulation by means of a communication form conforming to the model in Annex 2 to this Regulation.

7. NAMES AND ADDRESSES OF THE TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS, AND OF TYPE APPROVAL AUTHORITIES

The Contracting Parties to the Agreement which apply this Regulation shall communicate to the United Nations Secretary-General the names and addresses of the Technical Services responsible for conducting approval tests and of the Type Approval Authorities which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, or production definitively discontinued issued in other countries, are to be sent.

ANNEX 1

SHEETS ⁽¹⁾ FOR GAS-DISCHARGE LIGHT SOURCES

The sheets of the relevant gas-discharge light source category and the group in which this category is listed with restrictions on the use of this category shall apply as incorporated in Resolution R.E.5 ⁽¹⁾ or its subsequent revisions, applicable at the time of application for type approval of the gas-discharge light source.

⁽¹⁾ From 22 June 2017 onwards, the sheets for gas-discharge light sources, the list and group of light source categories with restrictions on the use of this category and their sheet numbers are incorporated in Resolution R.E.5 with symbol ECE/TRANS/WP.29/2016/111.

ANNEX 2

COMMUNICATION

(Maximum format: A4 (210 × 297 mm))



issued by: Name of administration:

.....

.....

.....

- Concerning ⁽²⁾: Approval granted
 Approval extended
 Approval refused
 Approval withdrawn
 Production definitively discontinued

of a type of gas-discharge light source pursuant to Regulation No 99

Approval No Extension No

1. Gas-discharge light source — category
- rated wattage
2. Trade name or mark
3. Manufacturer's name and address
4. If applicable, name and address of manufacturer's representative
5. Brand and type number of the ballast
- (In case the ballast is not integrated with the light source.)
6. Submitted for approval on
7. Technical Service responsible for conducting approval test
8. Date of report issued by that service
9. Number of report issued by that service
10. Approval granted/refused/extended/withdrawn ⁽²⁾
11. Place
12. Date
13. Signature
14. The attached drawing No ... shows the entire light source.

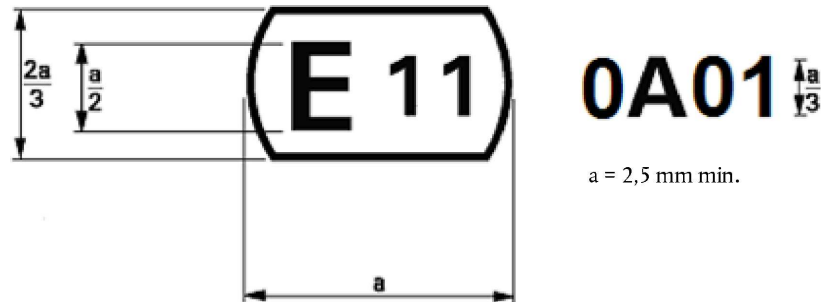
⁽¹⁾ Distinguishing number of the country which has granted/extended/refused/withdrawn approval (see approval provisions in the Regulation).

⁽²⁾ Strike out what does not apply.

ANNEX 3

EXAMPLE OF THE ARRANGEMENT OF THE APPROVAL MARK

(see paragraph 2.4.4 of this Regulation)



The above approval mark affixed to a gas-discharge light source indicates that the light source has been approved in the United Kingdom (E 11) under the approval code 0A01. The first character of the approval code indicates that the approval was granted in accordance with the requirements of Regulation No 99 in its original form.

ANNEX 4

METHOD OF MEASUREMENT OF ELECTRICAL AND PHOTOMETRIC CHARACTERISTICS

1. GENERAL

For starting, run-up and hot-restrike tests and for the measurement of electrical and photometric characteristics, the gas-discharge light source shall be operated in free air with an ambient temperature of $25^{\circ} \pm 5^{\circ}\text{C}$.

2. BALLAST

In the case the ballast is not integrated with the light source, all tests and measurements shall be carried out with the ballast as per paragraph 2.2.2.4 of this Regulation. The power supply used for the starting and run-up tests shall be qualified to secure the quick rise of the high current pulse.

3. BURNING POSITION

The burning position shall be horizontal within $\pm 10^{\circ}$ with the lead wire down. Ageing and testing positions shall be identical. If the gas-discharge light source is accidentally operated in the wrong direction, it shall be re-aged before measurements begin. During ageing and measurements no electrically conducting objects shall be allowed within a cylinder having a diameter of 32 mm and a length of 60 mm concentric with the reference axis and symmetric to the arc. Moreover stray magnetic fields shall be avoided.

4. AGEING

All tests shall be carried out with light sources which have been aged for a minimum of 15 cycles having the following switching cycle:

45 minutes on, 15 seconds off, 5 minutes on, 10 minutes off.

5. SUPPLY VOLTAGE

All tests shall be carried out at test voltage as indicated on the relevant data sheet.

6. STARTING TEST

The starting test shall be applied to light sources which have not been aged and have not been used for a period of at least 24 hours prior to the test.

7. RUN-UP TEST

The run-up test shall be applied to light sources which have not been used for a period of at least 1 hour prior to the test.

8. HOT RESTRIKE TEST

The light source shall be started and be operated with the ballast (possibly integrated) at test voltage for a period of 15 minutes. Then the supply voltage to the ballast or the light source with the ballast integrated shall be switched off for a switch-off period as indicated on the relevant data sheet and be switched on again.

9. ELECTRICAL AND PHOTOMETRIC TEST

Before any measurement, the light source shall be stabilized for a period of 15 minutes.

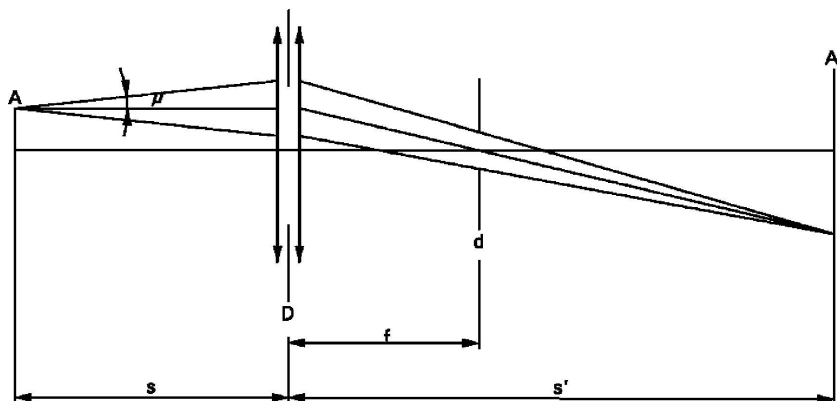
10. COLOUR

The colour of the light source shall be measured in an integrating sphere using a measuring system which shows the CIE chromaticity coordinates of the received light with a resolution of $\pm 0,002$.

ANNEX 5

OPTICAL SETUP FOR THE MEASUREMENT OF THE POSITION AND FORM OF THE ARC AND OF THE POSITION OF THE ELECTRODES ⁽¹⁾

The gas-discharge light source shall be positioned as shown in the main drawing of the respective category.



An optical system shall project a real image A' of the arc A with a magnification of preferably $M = s'/s = 20$ on a screen. The optical system shall be aplanatic and achromatic. In the focus-length f of the optical system a diaphragm d shall cause a projection of the arc with nearly parallel observation directions. To get the angle of the half divergence not larger than $\mu = 0,5^\circ$, the diameter of the focus-diaphragm with respect to the focus-length of the optical system shall be not more than $d = 2f \tan(\mu)$. The active diameter of the optical system shall be not more than:

$D = (1 + 1/M)d + c + (b1 + b2)/2$. (c , $b1$ and $b2$ are given in the sheets prescribing the position of the electrodes).

A scale on the screen shall enable to measure the position of the electrodes. The calibration of the arrangement advantageously can be done by using a separate projector with a parallel beam in connection with a gauge whose shadow is projected to the screen. The gauge shall show the reference axis and the plane parallel to the reference plane and at distance 'e' mm from it.

In the plane of the screen a receiver has to be mounted movable in a vertical direction on a line corresponding to the plane at 'e' from the reference plane of the gas discharge light source.

The receiver shall have the relative spectral sensitivity of the human eye. The size of the receiver shall be not more than $0,2 M$ mm in the horizontal and not more than $0,025 M$ mm in the vertical direction ($M =$ the magnification). The range of measurable movement shall be such that the required measures of the arc bending r and arc diffusion s can be measured. For the measurement of the stray light, the size of the receiver shall be circular with a diameter of $0,2M$ mm diameter.

⁽¹⁾ This method is an example of a measurement method; any method with equivalent measurement accuracy may be used.

ANNEX 6

MINIMUM REQUIREMENTS FOR QUALITY CONTROL PROCEDURES BY THE MANUFACTURER

1. GENERAL

The conformity requirements shall be considered satisfied from a photometric (including UV-radiation), geometrical, visual and electrical standpoint if the specified tolerances for production gas-discharge light sources in the relevant data sheet of Annex 1 to this Regulation and the relevant data sheet for the caps are met.

2. MINIMUM REQUIREMENTS FOR VERIFICATION OF CONFORMITY BY THE MANUFACTURER

For each type of gas-discharge light source the manufacturer or the holder of the approval mark shall carry out tests, in accordance with the provisions of this Regulation, at appropriate intervals.

2.1. Nature of tests

Tests of conformity of these specifications shall cover their photometric, geometrical and optical characteristics.

2.2. Methods used in tests

2.2.1. Tests shall generally be carried out in accordance with the methods set out in this Regulation.

2.2.2. The application of paragraph 2.2.1 of this annex requires regular calibration of test apparatus and its correlation with measurements made by a Type Approval Authority.

2.3. Nature of sampling

Samples of gas-discharge light sources shall be selected at random from the production of a uniform batch. A uniform batch means a set of gas-discharge light sources of the same type, defined according to the production methods of the manufacturer.

2.4. Inspected and recorded characteristics

The gas-discharge light sources shall be inspected and test results recorded following the grouping of characteristics as listed in Annex 7 to this Regulation, table 1.

2.5. Criteria governing acceptability

The manufacturer or the holder of approval is responsible for carrying out a statistical study of the test results in order to meet the specification laid down for verification of conformity of products in paragraph 4.1 of this Regulation.

Compliance shall be assured if the level of acceptable non-compliance per grouping of characteristics given in table 1 of Annex 7 to this Regulation is not exceeded. This means that the number of gas-discharge light sources not complying with the requirement for any grouping of characteristics of any gas-discharge light source type does not exceed the qualifying limits in the relevant tables 2, 3 or 4 of Annex 7 to this Regulation.

Note: Each individual gas-discharge light source requirement shall be considered as a characteristic.

ANNEX 7

SAMPLING AND COMPLIANCE LEVELS FOR MANUFACTURER'S TEST RECORDS

Table 1

Characteristics

Grouping of characteristics	Grouping (*) of test records between gas-discharge light source types	Minimum 12 monthly sample per grouping (*)	Acceptable level of non-compliance per grouping of characteristics (%)
Marking, legibility and durability	All types with the same external dimensions	315	1
Bulb quality	All types with the same bulb	315	1
External dimensions (excluding cap)	All types of the same category	315	1
Position and dimensions of arc and stripes	All types of the same category	200	6,5
Starting, run-up and hot-restrike	All types of the same category	200	1
Gas-discharge light source voltage and wattage	All types of the same category	200	1
Luminous flux, colour and UV radiation	All types of the same category	200	1

(*) The assessment shall in general cover series production gas-discharge light sources from individual factories. A manufacturer may group together records concerning the same type from several factories, provided these operate under the same quality system and quality management.

Qualifying limits for acceptance based on different numbers of test results for each grouping of characteristics are listed in table 2 as maximum number of non-compliances. The limits are based on an acceptable level of 1 per cent of non-compliances, assuming an acceptance probability of at least 0,95.

Table 2

Number of test results of each characteristics	Qualifying limits for acceptance
...-200	5
201-260	6
261-315	7
316-370	8
371-435	9
436-500	10
501-570	11
571-645	12
646-720	13

Number of test results of each characteristics	Qualifying limits for acceptance
721-800	14
801-860	15
861-920	16
921-990	17
991-1 060	18
1 061-1 125	19
1 126-1 190	20
1 191-1 249	21

Qualifying limits for acceptance based on different numbers of test results for each grouping of characteristics are listed in table 3 given as maximum number of non-compliances. The limits are based on an acceptable level of 6,5 per cent of non-compliances, assuming an acceptance probability of at least 0,95.

Table 3

Number of gas-discharge light sources in records	Qualifying limit	Number of gas-discharge light sources in records	Qualifying limit	Number of gas-discharge light sources in records	Qualifying limit
-200	21	541-553	47	894-907	73
201-213	22	554-567	48	908-920	74
214-227	23	568-580	49	921-934	75
228-240	24	581-594	50	935-948	76
241-254	25	595-608	51	949-961	77
255-268	26	609-621	52	962-975	78
269-281	27	622-635	53	976-988	79
282-295	28	636-648	54	989-1 002	80
296-308	29	649-662	55	1 003-1 016	81
309-322	30	663-676	56	1 017-1 029	82
323-336	31	677-689	57	1 030-1 043	83
337-349	32	690-703	58	1 044-1 056	84
350-363	33	704-716	59	1 057-1 070	85

Number of gas-discharge light sources in records	Qualifying limit	Number of gas-discharge light sources in records	Qualifying limit	Number of gas-discharge light sources in records	Qualifying limit
364-376	34	717-730	60	1 071-1 084	86
377-390	35	731-744	61	1 085-1 097	87
391-404	36	745-757	62	1 098-1 111	88
405-417	37	758-771	63	1 112-1 124	89
418-431	38	772-784	64	1 125-1 138	90
432-444	39	785-798	65	1 139-1 152	91
445-458	40	799-812	66	1 153-1 165	92
459-472	41	813-825	67	1 166-1 179	93
473-485	42	826-839	68	1 180-1 192	94
486-499	43	840-852	69	1 193-1 206	95
500-512	44	853-866	70	1 207-1 220	96
513-526	45	867-880	71	1 221-1 233	97
527-540	46	881-893	72	1 234-1 249	98

Qualifying limits for acceptance based on different numbers of test results for each grouping of characteristics are listed in table 4 given as a percentage of the results, assuming an acceptance probability of at least 0,95.

Table 4

Number of test results of each characteristic	Qualifying limits shown as a percentage of results	Qualifying limits shown as a percentage of results
	Acceptable level of 1 per cent of non-compliances	Acceptable level of 6,5 per cent of non-compliances
1 250	1,68	7,91
2 000	1,52	7,61
4 000	1,37	7,29
6 000	1,30	7,15
8 000	1,26	7,06
10 000	1,23	7,00
20 000	1,16	6,85
40 000	1,12	6,75
80 000	1,09	6,68
100 000	1,08	6,65
1 000 000	1,02	6,55

ANNEX 8

MINIMUM REQUIREMENTS FOR SAMPLING BY AN INSPECTOR

1. The conformity requirements shall be considered satisfied from a photometric, geometrical, visual and electrical standpoint if the specified tolerances for production gas-discharge light sources in the relevant data sheet of Annex 1 and the relevant data sheet for the caps are met.
2. The conformity of mass-produced gas-discharge light sources shall not be contested if the results are in agreement with paragraph 5 of this annex.
3. Conformity shall be contested and the manufacturer requested to make the production meet the requirements if the results are not in agreement with paragraph 5 of this annex.
4. If paragraph 3 of this annex is applied, a further sample of 250 gas-discharge light sources, selected at random from a recent production run, shall be taken within two months.
5. Compliance approved or disapproved shall be decided according to the values in the table. For each grouping of characteristics gas-discharge light sources shall be either accepted or rejected according to the values in the table ⁽¹⁾.

Sample	1 per cent (*)		6,5 per cent (*)	
	Accept	Reject	Accept	Reject
First sample size: 125	2	5	11	16
If the number of non-conforming units is greater than 2 (11) and less than 5 (16) take a second sample size of 125 and assess the 250	6	7	26	27

(*) The gas-discharge light sources shall be inspected and test results recorded following the grouping of characteristics as listed in Annex 7 to this Regulation, table 1.

⁽¹⁾ The proposed scheme is designed to assess the compliance of gas-discharge light sources to an acceptance level of non-compliance of 1 per cent and 6,5 per cent respectively and is based on the Double Sampling Plan for Normal Inspection in IEC Publication 60410: *Sampling Plans and Procedures for Inspection by Attributes*.

Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at:

<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29fdocstts.html>

Regulation No 128 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of light emitting diode (LED) light sources for use in approved lamp units on power-driven vehicles and their trailers [2018/1998]

Incorporating all valid text up to:

Supplement 7 to the original version of the Regulation — Date of entry into force: 16 October 2018

CONTENTS

REGULATION

1. Scope
2. Administrative provisions
3. Technical requirements
4. Conformity of production
5. Penalties for non-conformity of production
6. Production definitively discontinued
7. Names and addresses of Technical Services responsible for conducting approval tests, and of Type Approval Authorities

ANNEXES

1. Sheets for LED light sources
2. Communication
3. Example of the arrangement of the approval mark
4. Method of measurement of electrical and photometrical characteristics
5. Minimum requirements for quality procedures by the manufacturer
6. Sampling and compliance levels for manufacturer test records
7. Minimum requirements for spot checks by the Type Approval Authority
8. Compliance approved by spot check
9. Method for the measurement of luminance contrast and luminance uniformity of the light emitting area

1. SCOPE

This Regulation applies to LED light sources shown in Annex 1 and intended for use in approved lamps of power-driven vehicles and of their trailers.

2. ADMINISTRATIVE PROVISIONS

2.1. Definitions

2.1.1. Definition of 'category'

The term 'category' is used in this Regulation to describe different basic design of standardised LED light sources. Each category has a specific designation as for example: 'LW1', 'LY2', 'LR2'.

2.1.2. Definition of 'type'

LED light sources of different 'types' are LED light sources within the same category which differ in such essential respects as:

2.1.2.1. Trade name or mark;

LED light sources bearing the same trade name or mark but produced by different manufacturers are considered as being of different types. LED light sources produced by the same manufacturer differing only by the trade name or mark may be considered to be of the same type.

2.1.2.2. Light source design, in so far as these differences affect the optical results;

2.1.2.3. Rated voltage.

2.2. Application for approval

2.2.1. Application for approval shall be submitted by the owner of the trade name or mark, or by his duly accredited representative.

2.2.2. Every application for approval shall be accompanied (see also paragraph 2.4.2) by:

2.2.2.1. Drawings in triplicate, sufficiently detailed to permit identification of the type;

2.2.2.2. A brief technical description;

2.2.2.3. Five samples;

2.2.3. In the case of a type of LED light sources differing only by the trade name or mark from a type that has already been approved it shall be sufficient to submit:

2.2.3.1. A declaration by the manufacturer that the type submitted

(a) is identical with (except in the trade name or mark); and

(b) has been produced by the same manufacturer as the type already approved, the latter being identified by its approval code.

2.2.3.2. Two samples bearing the new trade name or mark.

2.2.4. The competent authority shall verify the existence of satisfactory arrangements for ensuring effective control of the conformity of production before type approval is granted.

2.3. Inscriptions

2.3.1. LED light sources submitted for approval shall bear on the cap:

2.3.1.1. The trade name or mark of the applicant;

2.3.1.2. The rated voltage;

2.3.1.3. The designation of the relevant category;

2.3.1.4. A space of sufficient size to accommodate the approval mark.

2.3.2. The space mentioned in paragraph 2.3.1.4 above shall be indicated in the drawings accompanying the application for approval.

2.3.3. Inscriptions other than those covered by paragraphs 2.3.1 and 2.4.4 may be affixed, on the condition that they do not adversely affect the luminous characteristics.

2.4. Approval

2.4.1. If all samples of a type of LED light source which are submitted in pursuance of paragraphs 2.2.2.3 or 2.2.3.2 above meet the requirements of this Regulation, approval shall be granted.

2.4.2. An approval code shall be assigned to each type approved. Its first character shall indicate the series of amendments at the time of issue of the approval.

This will be followed by an identification code comprising not more than three characters. Only the following Arabic numerals and capital letters shall be used:

'0 1 2 3 4 5 6 7 8 9 A B C D E F G H J K L M N P R S T U V W X Y Z'.

The same Contracting Party may not assign the same code to another type of LED light sources.

2.4.3. Notice of approval or of extension or refusal or withdrawal of approval or production definitely discontinued of a type of LED light sources pursuant to this Regulation shall be communicated to the Parties of the Agreement which apply this Regulation by means of a form conforming to the model in Annex 2 to this Regulation and of a drawing, supplied by the applicant for approval in a format not exceeding A4 (210 × 297 mm) and on a scale of at least 2:1.

2.4.4. To every LED light source conforming to a type approved under this Regulation there shall be affixed in the space referred to in paragraph 2.3.1.4, in addition to the inscriptions required under paragraph 2.3.1, an international approval mark consisting of:

2.4.4.1. A truncated circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted approval (1);

2.4.4.2. The approval code, placed close to the truncated circle.

2.4.5. If the applicant has obtained the same approval code for several trade names or marks, one or more of them will suffice to meet the requirements of paragraph 2.3.1.1.

2.4.6. The marks and inscriptions specified in paragraphs 2.3.1 and 2.4.4 shall be clearly legible and be indelible.

2.4.7. Annex 3 to this Regulation gives an example of arrangement of the approval mark.

3. TECHNICAL REQUIREMENTS

3.1. Definitions

The definitions given in Resolution R.E.5 or its subsequent revisions, applicable at the time of application for type-approval, shall apply.

3.2. General specifications

3.2.1. Each sample submitted shall conform to the relevant specifications of this Regulation.

3.2.2. LED light sources shall be so designed as to be and to remain in good working order when in normal use. They shall moreover exhibit no fault in design or manufacture.

3.2.3. LED light sources shall exhibit no scores or spots on their optical surfaces which might impair their efficiency and their optical performance. This shall be verified when commencing approval testing and when required in the respective paragraphs in this Regulation.

3.2.4. LED light sources shall be equipped with standard caps complying with the cap data sheets of IEC Publication 60061 as specified on the individual data sheets of Annex 1.

(1) As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3.), document ECE/TRANS/WP.29/78/Rev.2, para. 2

- 3.2.5. The cap shall be strong and firmly secured to the rest of the LED light source.
- 3.2.6. To ascertain whether LED light sources conform to the requirements of paragraphs 3.2.3 to 3.2.5 above, a visual inspection, a dimension check and, where necessary, a trial fitting into the holder as specified in IEC publication 60061 shall be carried out.
- 3.2.7. The solid state junction(s) and possibly one or more elements for fluorescence-based conversion shall be the only element(s) of the LED light source that generate(s) and emit(s) light when energized.
- 3.3. Tests
- 3.3.1. LED light sources shall first be aged at their test voltage for at least forty-eight hours. For multi-function LED light sources, each function shall be aged separately.
- 3.3.2. Unless otherwise specified, electrical and photometric measurements shall be carried out at the relevant test voltage(s).
- 3.3.3. Electrical measurements as specified in Annex 4 shall be carried out with instruments of at least class 0,2 (0,2 per cent full scale accuracy).
- 3.4. Position and dimensions of light emitting area
- 3.4.1. The position and dimensions of the light emitting area shall conform to the requirements as given on the relevant data sheet of Annex 1.
- 3.4.2. The measurement shall be made after ageing the LED light source according to paragraph 3.3.1.
- 3.5. Luminous flux
- 3.5.1. When measured according to the conditions specified in Annex 4, the luminous flux shall be within the limits given on the relevant data sheet of Annex 1.
- 3.5.2. The measurement shall be made after ageing the LED light source according to 3.3.1.
- 3.6. Normalized luminous intensity distribution/cumulative luminous flux distribution
- 3.6.1. When measured according to the test conditions specified in Annex 4 to this Regulation, the normalized luminous intensity distribution and/or cumulative luminous flux distribution shall be within the limits given on the relevant data sheet of Annex 1.
- 3.6.2. The measurement shall be made after ageing the LED light source according to paragraph 3.3.1.
- 3.7. Colour
- 3.7.1. The colour of the light emitted by the LED light sources shall be specified on the relevant data sheet. The definitions of the colour of the light emitted given in Regulation No 48 and its series of amendments in force at the time of application for type approval shall apply to this regulation.
- 3.7.2. The colour of the light emitted shall be measured by the method specified in Annex 4. The measured integral value of the chromaticity coordinates shall lie within the required chromaticity area.
- 3.7.2.1. Moreover, in the case of LED light sources emitting white light and for use in forward lighting devices, the colour shall be measured in the same directions as where the luminous intensity distribution is specified in the relevant data sheet, but only where the specified minimum luminous intensity is exceeding 50 cd/klm. Each measured value of the chromaticity coordinates shall lie within a tolerance area of 0,025 units in the x direction and 0,050 units in the y direction, containing the measured integral value. The measured value in the direction of maximum luminous intensity and all measured values for a standard (étalon) LED light source shall also lie within the required chromaticity area for white light.

- 3.7.3. Moreover, in the case of LED light sources emitting white light, the minimum red content of the light shall be such that:

$$k_{\text{red}} = \frac{\int_{\lambda=610 \text{ nm}}^{780 \text{ nm}} E_e(\lambda)V(\lambda)d\lambda}{\int_{\lambda=380 \text{ nm}}^{780 \text{ nm}} E_e(\lambda)V(\lambda)d\lambda} \geq 0,05$$

where:

- $E_e(\lambda)$ (unit: W) is the spectral distribution of the irradiance;
 $V(\lambda)$ (unit: 1) is the spectral luminous efficiency;
 λ (unit: nm) is the wavelength.

This value shall be calculated using intervals of one nanometre.

3.8. UV-radiation

The UV-radiation of the LED light source shall be such that the LED light source is of the low UV type complying with:

$$k_{\text{UV}} = \frac{\int_{\lambda=250 \text{ nm}}^{400 \text{ nm}} E_e(\lambda)S(\lambda)d\lambda}{k_m \int_{\lambda=380 \text{ nm}}^{780 \text{ nm}} E_e(\lambda)V(\lambda)d\lambda} \leq 10^{-5} \text{ W/lm}$$

where:

- $S(\lambda)$ (unit: 1) is the spectral weighting function;
 $k_m = 683 \text{ lm/W}$ is the maximum value of the luminous efficacy of radiation.

(For definitions of the other symbols see paragraph 3.7.3 above).

This value shall be calculated using intervals of one nanometre. The UV-radiation shall be weighted according to the values as indicated in the table below:

λ	$S(\lambda)$	λ	$S(\lambda)$	λ	$S(\lambda)$
250	0,430	305	0,060	355	0,00016
255	0,520	310	0,015	360	0,00013
260	0,650	315	0,003	365	0,00011
265	0,810	320	0,001	370	0,00009
270	1,000	325	0,00050	375	0,000077
275	0,960	330	0,00041	380	0,000064
280	0,880	335	0,00034	385	0,000053
285	0,770	340	0,00028	390	0,000044
290	0,640	345	0,00024	395	0,000036
295	0,540	350	0,00020	400	0,000030
300	0,300				

Note: Values according to 'IRPA/INIRC Guidelines on limits of exposure to ultraviolet radiation'. Wavelengths (in nanometres) chosen are representative; other values should be interpolated.

3.9. Standard LED light sources

Additional requirements for standard (étalon) LED light sources are given on the relevant data sheets of Annex 1.

3.10. Maximum test temperature

In case a maximum test temperature is specified in the relevant data sheet of Annex 1, the following requirements shall apply:

3.10.1. When measured according to the conditions specified in Annex 4, paragraph 5:

- (a) the luminous flux values at elevated temperatures shall be within the limits given in the relevant data sheet of Annex 1; and
- (b) the colour variation shall not exceed 0,010.

3.10.2. After completion of the measurement procedure as prescribed in paragraph 3.10.1, the LED light source shall be continuously operated during 1 000 h at the relevant test voltage(s); and

- (a) in case of an integrated heatsink at an ambient temperature corresponding to the maximum test temperature as specified in the relevant data sheet of Annex 1;
- (b) in case of a specified T_b -point at a T_b -value corresponding to the maximum test temperature as specified in the relevant data sheet of Annex 1.

3.10.3. After completion of the procedure as prescribed in paragraph 3.10.2, when measured according to the conditions specified in Annex 4, paragraph 5:

- (a) the luminous flux values at elevated temperatures shall not deviate by more than ± 10 per cent from the corresponding values of the individual sample measured according to paragraph 3.10.1; and
- (b) the colour variation shall not deviate from the corresponding values of the individual sample measured according to paragraph 3.10.1 by more than $\pm 0,010$.

3.10.4. After completion of the measurement procedure as prescribed by paragraph 3.10.3, the requirements in 3.2.3 shall be verified again.

3.11. LED light sources without general restrictions

3.11.1. Light emitting area characteristics

The size and position of the nominal emitter box as well as the side(s) of the light emitting area capable to generate the cut-off are specified in the relevant data sheet of Annex 1.

The values of the following characteristics shall be determined by using the method described in Annex 9:

- (a) luminance contrast;
- (b) size and position of zone 1a and zone 1b;
- (c) surface ratio $R_{0,1}$ and $R_{0,7}$
- (d) value of maximum deviation ΔL .

3.11.2. Luminance contrast of the light emitting area

3.11.2.1. The value(s) of luminance contrast of the light emitting area shall be within the limits given on the relevant data sheet of Annex 1.

3.11.2.2. In case in the relevant data sheet only one side of the light emitting area is specified as to generate the cut-off, zone 1b shall have a position closer to the corresponding side of zone 1a than to the opposite side.

3.11.3. Luminance uniformity of the light emitting area

3.11.3.1. The area of zone 1a (light emitting area) shall be within the nominal emitter box as specified in the relevant data sheet of Annex 1, and the size of the light emitting area shall be within the limits given on the relevant data sheet of Annex 1.

3.11.3.2. The value of $R_{0,1}$ shall be within the limits given on the relevant data sheet of Annex 1.

3.11.3.3. The value of $R_{0,7}$ shall be within the limits given on the relevant data sheet of Annex 1.

3.11.3.4. The deviation of the luminance ΔL shall not exceed ± 20 per cent.

4. CONFORMITY OF PRODUCTION

4.1. LED light sources approved to this Regulation shall be so manufactured as to conform to the type approved by meeting the inscriptions and technical requirements set forth in paragraph 3 above and Annexes 1, 4 and 5 to this Regulation.

4.2. In order to verify that the requirements of paragraph 4.1 are met, suitable controls of the production shall be carried out.

4.3. The holder of the approval shall in particular:

4.3.1. Ensure existence of procedures for the effective control of the quality of products,

4.3.2. Have access to the control equipment necessary for checking the conformity to each approved type,

4.3.3. Ensure that data of test results are recorded and that related documents shall remain available for a period to be determined in accordance with the Type Approval Authority,

4.3.4. Analyse the results of each type of test, applying criteria of Annex 6, in order to verify and ensure the stability of the product characteristics making allowance for variation of an industrial production,

4.3.5. Ensure that for each type of LED light source, at least the tests prescribed in Annex 5 to this Regulation are carried out,

4.3.6. Ensure that any collecting of samples giving evidence of non-conformity with the type of test considered shall give rise to another sampling and another test. All the necessary steps shall be taken to re-establish the conformity of the corresponding production.

4.4. The competent authority which has granted type-approval may at any time verify the conformity control methods applicable to each production unit.

4.4.1. In every inspection, the test books and production survey records shall be presented to the visiting inspector.

4.4.2. The inspector may take samples at random which will be tested in the manufacturer's laboratory. The minimum number of samples may be determined according to the results of the manufacturer's own verification.

4.4.3. When the quality level appears unsatisfactory or when it seems necessary to verify the validity of the tests carried out in application of paragraph 4.4.2. above, the inspector shall select samples, to be sent to the technical service which has conducted the type approval tests.

4.4.4. The competent authority may carry out any tests prescribed in this Regulation. Where the competent authority decides to carry out spot checks, criteria of Annexes 7 and 8 to this Regulation shall be applied.

4.4.5. The normal frequency of inspection authorised by the competent authority shall be one every two years. In the case where negative results are recorded during one of these visits, the competent authority shall ensure that all necessary steps are taken to re-establish the conformity of production as rapidly as possible.

5. PENALTIES FOR NON-CONFORMITY OF PRODUCTION

5.1. The approval granted in respect of a LED light source pursuant to this Regulation may be withdrawn if the requirements are not met or if a LED light source bearing the approval mark does not conform to the type approved.

5.2. If a Contracting Party to the Agreement applying this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation, by means of a communication form conforming to the model in Annex 2 to this Regulation.

6. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a type of LED light source approved in accordance with this Regulation, he shall so inform the Type Approval Authority which has granted the approval. Upon receiving the relevant communication, that Authority shall inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in Annex 2 to this Regulation.

7. NAMES AND ADDRESSES OF THE TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS, AND OF TYPE APPROVAL AUTHORITIES

The Parties to the 1958 Agreement which apply this Regulation shall communicate to the United Nations secretariat the names and addresses of the Technical Services responsible for conducting approval tests and of the Type Approval Authorities which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, or production definitively discontinued issued in other countries, are to be sent.

ANNEX 1

SHEETS ⁽¹⁾ FOR LED LIGHT SOURCES

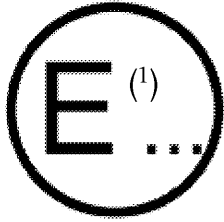
The sheets of the relevant LED light source category and the group in which this category is listed with restrictions on the use of this category shall apply as incorporated in Resolution R.E.5 or its subsequent revisions, applicable at the time of application for type approval of the LED light source.

⁽¹⁾ From 22 June 2017 onwards, the sheets for LED light sources, the list and group of light source categories with restrictions on the use of this category and their sheet numbers are incorporated in Resolution R.E.5 with symbol ECE/TRANS/WP.29/2016/111.

ANNEX 2

COMMUNICATION

(maximum format: A4 (210 × 297 mm))



issued by: Name of administration

.....

concerning ⁽²⁾: Approval granted
 Approval extended
 Approval refused
 Approval withdrawn
 Production definitively discontinued

of a type of LED light source pursuant to Regulation No 128

Approval No Extension No

1. Trade name or mark of the device:
2. Manufacturer's name for the type of device:
3. Manufacturer's name and address:
4. If applicable, name and address of manufacturer's representative:
5. Submitted for approval on:
6. Technical Service responsible for conducting approval tests:
7. Date of report issued by that Service:
8. Number of report issued by that Service:
9. Concise description:
- Category of LED light source:
- Rated voltage:
- Colour(s) of the light emitted: White/amber/red ⁽²⁾
10. Position of the approval mark:
11. Reason(s) for extension (if applicable):
12. Approval granted/refused/extended/withdrawn ⁽²⁾:
13. Place:
14. Date:
15. Signature:
16. The following documents, bearing the approval mark shown above, are available on request:

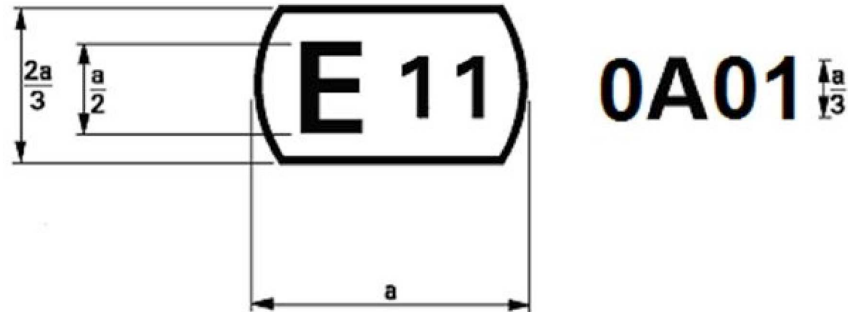
⁽¹⁾ Distinguishing number of the country which has granted/refused/withdrawn approval (see approval provisions in the Regulation).

⁽²⁾ Strike out what does not apply.

ANNEX 3

EXAMPLE OF THE ARRANGEMENT OF THE APPROVAL MARK

(see paragraph 2.4.4)

 $a = 2,5 \text{ mm min.}$

The above approval mark affixed to a LED light source indicates that the light source has been approved in the United Kingdom (E11) under the approval code 0A01. The first character of the approval code indicates that the approval was granted in accordance with the requirements of Regulation No 128 (*) in its original form.

(*) Not requiring changes in the approval number.

ANNEX 4

METHOD OF MEASUREMENT OF ELECTRICAL AND PHOTOMETRICAL CHARACTERISTICS

LED light sources of all categories with integrated heatsink shall be measured at ambient temperature of (23 ± 2) °C in still air. For these measurements, the minimum free air space as defined in the data sheets shall be maintained.

LED light sources of all categories with definition of a temperature T_b shall be measured by stabilising the T_b -point at the specific temperature defined on the category data sheet.

In case a maximum test temperature is specified in the relevant data sheet of Annex 1 additional measurements shall be carried out at elevated temperatures according to the method described in paragraph 5 of this annex.

1. LUMINOUS FLUX

1.1. A luminous flux measurement using an integrating method shall be made

- (a) in case of an integrated heatsink after 1 minute and after 30 minutes of operation; or
- (b) after stabilisation of the temperature at the T_b point.

1.2. The luminous flux values, as measured after

- (a) 30 minutes; or
- (b) stabilisation of temperature T_b ,

shall comply with the minimum and maximum requirements.

In case of (a), unless otherwise specified on the data sheet, this value shall be in between 100 per cent and 80 per cent of the value measured after 1 minute.

1.3. Measurements have to be carried out at relevant test voltage and at the minimum and maximum values of the relevant voltage range. Unless specified more tightly on the data sheet the following deviation of the luminous flux at the tolerance interval limits shall not be exceeded.

Rated voltage	Min. voltage	Max. voltage
6	6,0	7,0
12	12,0	14,0
24	24,0	28,0
Corresponding luminous flux tolerance (*)	$\pm 30 \%$	$\pm 15 \%$

(*) The maximum luminous flux deviation at the tolerance limits is calculated by using the measured flux at test voltage as reference. In between test voltage and voltage range limits the luminous flux behaviour shall be substantially uniform.

2. NORMALIZED LUMINOUS INTENSITY/CUMULATIVE LUMINOUS FLUX

2.1. The luminous intensity measurements shall be started

- (a) in case of an integrated heatsink after 30 minutes of operation; or
- (b) in case of a T_b point, specified in the relevant data sheet, after stabilisation of the temperature at this T_b point.

2.2. Measurements have to be carried out at relevant test voltage.

2.3. Normalized luminous intensity of a test sample is calculated by dividing the luminous intensity distribution as measured under paragraph 2.1 and 2.2 of this annex by the luminous flux as determined under paragraph 1.2 of this annex.

2.4. Cumulative luminous flux of a test sample is calculated according to CIE publication 84-1989, Section 4.3 by integrating the luminous intensity values as measured under 2.1 and 2.2 within a cone enclosing a solid angle.

3. COLOUR

The colour of the light emitted as measured under the same conditions as described paragraph in 1.1 of this annex shall both be within the required colour boundaries.

4. POWER CONSUMPTION

4.1. A power consumption measurement shall be made under the same conditions as described in paragraph 1.1 of this annex using the requirements of paragraph 3.3.3 of this Regulation.

4.2. Power consumption measurements shall be carried out at relevant test voltage.

4.3. Values obtained shall comply with the minimum and maximum requirements of the relevant data sheet.

5. PHOTOMETRIC MEASUREMENTS IN CASE A MAXIMUM TEST TEMPERATURE IS SPECIFIED

5.1. Temperature and temperature range

5.1.1. Photometric measurements as specified in paragraphs 5.3, 5.4 and 5.5 shall be carried out at elevated temperatures T in steps not larger than 25 °C , while the LED light source is continuously operated.

5.1.1.1. In case of LED light sources of a category with integrated heatsink the temperature range is defined by the ambient temperature of $(23 \pm 2)\text{ °C}$ elevated up to and including the maximum test temperature as specified in the relevant data sheet of Annex 1, whereas the minimum free air space as defined in the relevant data sheet shall be maintained and a period of 30 minutes of operation shall be awaited after each increase of the ambient temperature.

5.1.1.2. In case of LED light sources of a category, for which a temperature T_b is specified, the temperature range is defined by the temperature T_b specified in the relevant data sheet elevated up to and including the maximum test temperature as specified in the relevant data sheet of Annex 1, whereas the temperature at the T_b -point is stabilised before each measurement.

5.2. Voltage

Measurements shall be carried out at relevant test voltage.

5.3. Measurement direction of luminous intensity and colour coordinates

All the values of luminous intensity and the colour coordinates in the temperature range as specified by paragraph 5.1 may be measured in one and the same direction. This direction shall be such that the luminous intensity is exceeding 20 cd for all measurements.

5.4. Luminous flux values at elevated temperatures

The values of the luminous flux at elevated temperatures T in the range as specified by paragraph 5.1 may be calculated by correcting the value of the luminous flux as measured according to paragraph 1.2 of this annex, by the ratio of the luminous intensity values as described in paragraph 5.3 and the luminous intensity value measured at:

- (a) 23 °C , in case of an integrated heatsink;
- (b) T_b , in case a temperature T_b is defined.

5.5. Colour variation

The colour variation is the maximum deviation of all colour points (given by the chromaticity coordinates x , y) at elevated temperatures T in the range as specified by paragraph 5.1, from the colour point (x_0, y_0) at:

- (a) 23 °C, in case of an integrated heatsink:

$$\max\{\sqrt{[(x(T) - x_0(23\text{ °C}))^2 + (y(T) - y_0(23\text{ °C}))^2]}\};$$

- (b) T_b , in case a temperature value T_b is defined:

$$\max\{\sqrt{[(x(T) - x_0(T_b))^2 + (y(T) - y_0(T_b))^2]}\}.$$

ANNEX 5

MINIMUM REQUIREMENTS FOR QUALITY CONTROL PROCEDURES BY THE MANUFACTURER

1. GENERAL

The conformity requirements shall be considered satisfied from a photometric, geometrical, visual and electrical standpoint if the specified tolerances for production LED light sources in the relevant data sheet of Annex 1 and the relevant data sheet for the caps are met.

2. MINIMUM REQUIREMENTS FOR VERIFICATION OF CONFORMITY BY THE MANUFACTURER

For each type of LED light source the manufacturer or the holder of the approval mark shall carry out tests, in accordance with the provisions of this Regulation, at appropriate intervals.

2.1. Nature of tests

Tests of conformity of these specifications shall cover their photometric, geometrical and optical characteristics.

2.2. Methods used in tests

2.2.1. Tests shall generally be carried out in accordance with the methods set out in this Regulation.

2.2.2. The application of paragraph 2.2.1 of this annex requires regular calibration of test apparatus and its correlation with measurements made by a competent authority.

2.3. Nature of sampling

Samples of LED light sources shall be selected at random from the production of a uniform batch. A uniform batch means a set of LED light sources of the same type, defined according to the production methods of the manufacturer.

2.4. Inspected and recorded characteristics

The LED light sources shall be inspected and test results recorded following the grouping of characteristics as listed in Annex 6, Table 1.

2.5. Criteria governing acceptability

The manufacturer or the holder of approval is responsible for carrying out a statistical study of the test results in order to meet the specifications laid down for verification of conformity of production in paragraph 4.1 of this Regulation.

Compliance shall be assured if the level of acceptable non-compliance per grouping of characteristics given in Table 1 of Annex 6 is not exceeded. This means that the number of LED light sources not complying with the requirement for any grouping of characteristics of any LED light sources type does not exceed the qualifying limits in the relevant Tables 2, 3 or 4 of Annex 6.

Note: Each individual LED light source requirement shall be considered as a characteristic.

ANNEX 6

SAMPLING AND COMPLIANCE LEVELS FOR MANUFACTURER TEST RECORDS

Table 1

Characteristics

Grouping of characteristics	Grouping (*) of test records between LED light source types	Minimum 12 monthly sample per grouping (*)	Acceptable level of non-compliance per grouping of characteristics (percentage)
Marking, legibility and durability	All types with the same external dimensions	315	1
External LED light source dimensions (excluding cap/base)	All types of the same category	200	1
Dimensions of caps and bases	All types of the same category	200	6,5
Dimensions related to light emitting surface and internal elements (**)	All LED light sources of one type	200	6,5
Initial readings, power, colour and luminous flux (**)	All LED light sources of one type	200	1
Normalised luminous intensity or cumulative luminous flux distribution	All LED light sources of one type	20	6,5

(*) The assessment shall in general cover series production LED light sources from individual factories. A manufacturer may group together records concerning the same type from several factories, provided these operate under the same quality system and quality management.

(**) In case a LED light source has more than one light output function the grouping of characteristics (dimensions, power, colour and luminous flux) applies to each element separately.

Qualifying limits for acceptance based on different numbers of test results for each grouping of characteristics are listed in Table 2 as maximum number of non-compliance. The limits are based on an acceptable level of 1 per cent of non-compliance, assuming an acceptance probability of at least 0,95.

Table 2

Number of test results of each characteristics	Qualifying limits for acceptance
20	0
21-50	1
51-80	2
81-125	3
126-200	5
201-260	6
261-315	7
316-370	8
371-435	9
436-500	10
501-570	11
571-645	12
646-720	13
721-800	14

Number of test results of each characteristics	Qualifying limits for acceptance
801-860	15
861-920	16
921-990	17
991-1 060	18
1 061-1 125	19
1 126-1 190	20
1 191-1 249	21

Qualifying limits for acceptance based on different numbers of test results for each grouping of characteristics are listed in Table 3 given as maximum number of non-compliance. The limits are based on an acceptable level of 6,5 per cent of non-compliance, assuming an acceptance probability of at least 0,95.

Table 3

Number of LED light sources in records	Qualifying limit	Number of LED light sources in records	Qualifying limit	Number of LED light sources in records	Qualifying limit
20	3	500-512	44	881-893	72
21-32	5	513-526	45	894-907	73
33-50	7	527-540	46	908-920	74
51-80	10	541-553	47	921-934	75
81-125	14	554-567	48	935-948	76
126-200	21	568-580	49	949-961	77
201-213	22	581-594	50	962-975	78
214-227	23	595-608	51	976-988	79
228-240	24	609-621	52	989-1 002	80
241-254	25	622-635	53	1 003-1 016	81
255-268	26	636-648	54	1 017-1 029	82
269-281	27	649-662	55	1 030-1 043	83
282-295	28	663-676	56	1 044-1 056	84
296-308	29	677-689	57	1 057-1 070	85
309-322	30	690-703	58	1 071-1 084	86
323-336	31	704-716	59	1 085-1 097	87
337-349	32	717-730	60	1 098-1 111	88
350-363	33	731-744	61	1 112-1 124	89
364-376	34	745-757	62	1 125-1 138	90
377-390	35	758-771	63	1 139-1 152	91
391-404	36	772-784	64	1 153-1 165	92
405-417	37	785-798	65	1 166-1 179	93
418-431	38	799-812	66	1 180-1 192	94
432-444	39	813-825	67	1 193-1 206	95

Number of LED light sources in records	Qualifying limit	Number of LED light sources in records	Qualifying limit	Number of LED light sources in records	Qualifying limit
445-458	40	826-839	68	1 207-1 220	96
459-472	41	840-852	69	1 221-1 233	97
473-485	42	853-866	70	1 234-1 249	98
486-499	43	867-880	71		

Qualifying limits for acceptance based on different numbers of test results for each grouping of characteristics are listed in Table 4 given as a percentage of the results, assuming an acceptance probability of at least 0,95.

Table 4

Number of test results of each characteristic	Qualifying limits shown as a percentage of results. Acceptable level of 1 % of non-compliance	Qualifying limits shown as a percentage of results. Acceptable level of 6,5 % of non-compliance
1 250	1,68	7,91
2 000	1,52	7,61
4 000	1,37	7,29
6 000	1,30	7,15
8 000	1,26	7,06
10 000	1,23	7,00
20 000	1,16	6,85
40 000	1,12	6,75
80 000	1,09	6,68
100 000	1,08	6,65
1 000 000	1,02	6,55

ANNEX 7

MINIMUM REQUIREMENTS FOR SPOT CHECKS BY THE TYPE APPROVAL AUTHORITY

1. General

The conformity requirements shall be considered satisfied from a photometric, geometrical, visual and electrical standpoint if the specified tolerances for production LED light sources in the relevant data sheet of Annex 1 and the relevant data sheet for the caps are met.

2. The conformity of mass-produced LED light sources shall not be contested if the results are in agreement with Annex 8 to this Regulation.
 3. Conformity shall be contested and the manufacturer requested to make the production meet the requirements if the results are not in agreement with Annex 8 to this Regulation.
 4. If paragraph 3 of this annex is applied, a further sample of 250 LED light sources, selected at random from a recent production run, shall be taken within two months.
-

ANNEX 8

COMPLIANCE APPROVED BY SPOT CHECK

Compliance approved or disapproved shall be decided according to the values in Table. For each grouping of characteristics LED light sources shall be either accepted or rejected according to the values in the table (¹).

	1 % (*)		6,5 % (*)	
	Accept	Reject	Accept	Reject
First sample size: 125 units	2	5	11	16
If the number of non-conforming units is greater than 2 (11) and less than 5 (16) take a second sample size of 125 units and assess the 250 units	6	7	26	27

(*) The LED light sources shall be inspected and test results recorded following the grouping of characteristics as listed in Annex 6, Table 1.

⁽¹⁾ The proposed scheme is designed to assess the compliance of LED light sources to an acceptance level of non-compliance of 1 per cent and 6,5 per cent respectively and is based on the Double Sampling Plan for Normal Inspection in IEC Publication 60410: Sampling Plans and Procedures for Inspection by Attributes.

ANNEX 9

METHOD FOR THE MEASUREMENT OF LUMINANCE CONTRAST AND LUMINANCE UNIFORMITY OF THE LIGHT EMITTING AREA

1. The luminance measurement equipment shall be capable to distinguish clearly whether the luminance contrast of the light emitting area is above or below the required level for the LED light source under test.

Further, this equipment shall have a resolution of 20 μm or smaller in an area that is larger than the light emitting area of the LED light source under test. In case this equipment has a resolution of less than 10 μm , adjacent luminance measurement values shall be arithmetically averaged so as to represent a luminance value of an area of between 10 μm and 20 μm .

2. The luminance measurements of an area shall be done in an equidistant grid in both directions.
3. Zone 1a and zone 1b shall be determined from luminance measurements of an area which consists of the nominal emitter box as specified in the relevant data sheet of Annex 1 and enlarged to all sides by 10 per cent of the corresponding box dimension (see figure 1). The value L_{98} is the 98th percentile of all values of these luminance measurements.
 - 3.1. Zone 1a (light emitting area) shall be the smallest circumferential rectangle having the same orientation as the nominal emitter box and containing all luminance measurements with a value of 10 per cent or more of the value L_{98} . The value L_1 shall be the arithmetic average of the values of all luminance measurements in zone 1a (see figure 2). The value of $R_{0,1}$ shall be the surface ratio of zone 1a where the luminance value is exceeding 10 per cent of the value L_1 . The value of $R_{0,7}$ shall be the surface ratio of zone 1a where the luminance value is exceeding 70 per cent of the value L_1 .
 - 3.2. Zone 1b shall be the smallest circumferential rectangle having the same orientation as the nominal emitter box and containing all luminance measurements with a value of 70 per cent or more of the value L_{98} .
4. Zone 2 shall have in both directions 1,5 times the size of the nominal emitter box as specified in the relevant data sheet of Annex 1 and it shall be positioned symmetrically to the nominal emitter box at a distance of $d_0 = 0,2 \text{ mm}$ to zone 1a, unless otherwise specified on the data sheet (see figure 3). The value L_2 shall be the arithmetic average of 1 per cent of all measured luminance values in zone 2 which represent the highest values.

In case in the relevant data sheet more than one side of zone 1a (light emitting area) is specified as to generate the cut-off, for each of these sides a value L_2 shall be determined as described above.

5. The luminance contrast value(s) shall be the ratio of the luminance value L_1 of zone 1a and the luminance value L_2 of zone(s) 2.
6. In case the nominal emitter box as specified in the relevant data sheet of Annex 1 is subdivided in n areas (e.g. $n = 1 \times 4$), the same subdivision shall also apply to zone 1a.
 - 6.1. For each of the n areas the value $L_{1,i}$ ($i = 1, \dots, n$) shall be the arithmetic average of the values of all luminance measurements in the corresponding area.
 - 6.2. The value ΔL shall be the maximum relative deviation of all luminance values $L_{1,i}$ from the luminance value L_1 .

$$\Delta L = \text{Max} \{(L_{1,i} - L_1)/L_1; i = 1, \dots, n\}$$

Figure 1

Enlargement of the nominal emitter box

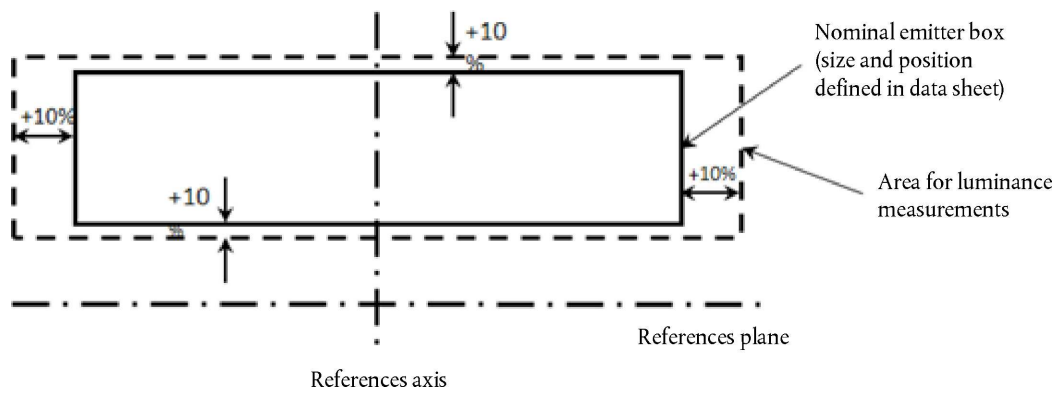


Figure 2

Definition of zones 1a and 1b

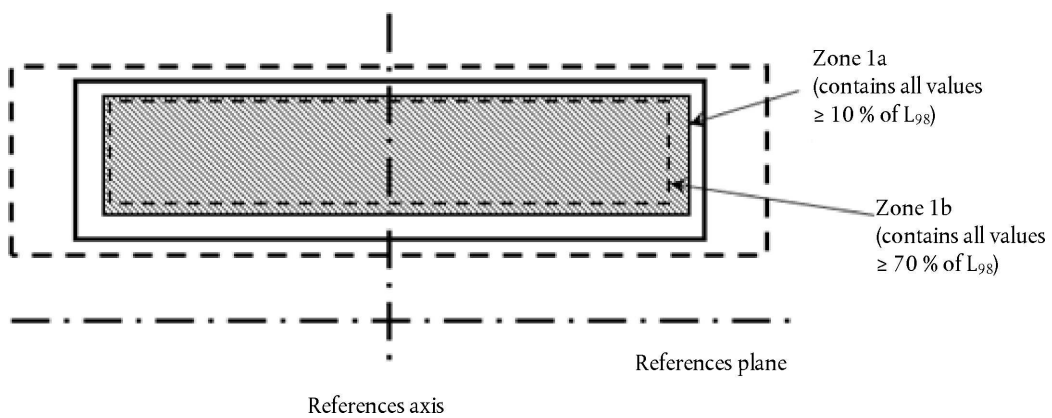
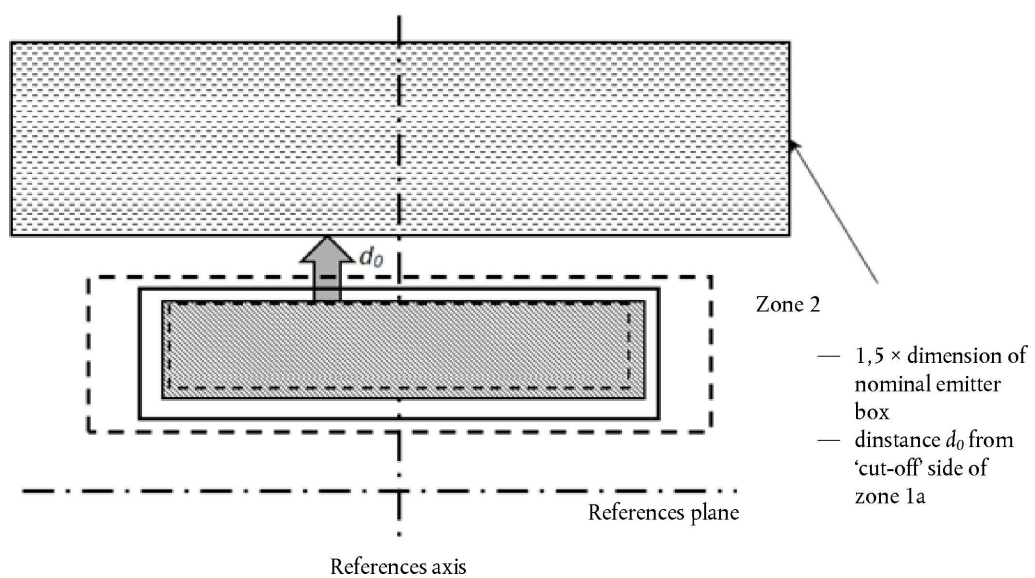


Figure 3

Definition of zone 2



ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

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