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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/103

of 17 January 2020

amending Implementing Regulation (EU) No 844/2012 as regards the harmonised classification of active substances

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 19 and Article 78(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 844/2012 ⁽²⁾ sets out the provisions necessary for the implementation of the renewal procedure for active substances under Regulation (EC) No 1107/2009.
- (2) In accordance with Article 36(2) of Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽³⁾, active substances within the meaning of Regulation (EC) No 1107/2009 are normally to be subject to harmonised classification and labelling. It is therefore appropriate to set detailed rules of procedure regarding the submission of proposals to the European Chemicals Agency ('the Agency') in accordance with Article 37(1) of Regulation (EC) No 1272/2008 by the rapporteur Member State during the renewal of approval of active substances pursuant to Article 14 of Regulation (EC) No 1107/2009.
- (3) Additional time in the framework of the procedure for renewal should be made available to the rapporteur Member State for preparing the draft renewal assessment report and the dossier submitted to the Agency, and to the European Food Safety Authority ('the Authority') for preparing its conclusion. The period available to the applicants between the submission of the application for renewal and the submission of the supplementary dossiers should therefore be reduced by three months and that period of three months should be reallocated to the periods available to the rapporteur Member State and the Authority.
- (4) It is appropriate that, in general, the rapporteur Member State submits a dossier in accordance with Article 37(1) of Regulation (EC) No 1272/2008 for at least those hazard classes that are relevant to identify whether an active substance can be considered as a low-risk active substance according to Article 22 of Regulation (EC) No 1107/2009 in conjunction with point 5.1.1 of Annex II to that Regulation, which also include the hazard classes relevant for the cut-off criteria set in points 3.6.2 to 3.6.4 and 3.7 of Annex II to Regulation (EC) No 1107/2009. The rapporteur Member State should duly justify why no harmonised classification and labelling is warranted for hazard classes for which it considers that the criteria for harmonised classification and labelling set by Regulation (EC) No 1272/2008 are not fulfilled.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26).

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

- (5) However, where a proposal has already been submitted to the Agency and its assessment is ongoing, the rapporteur Member State should limit the proposal to any of those hazard classes that are not covered by the pending proposal, unless it considers that new information is available that was not part of the pending dossier.
- (6) Moreover, for those of the hazard classes listed in point 5.1.1 of Annex II to Regulation (EC) No 1107/2009, which are already covered by an existing opinion of the Committee for Risk Assessment of the Agency, it is sufficient that the rapporteur Member State duly justifies that the existing opinion of the Committee for Risk Assessment remains valid. The Agency may provide its views regarding the rapporteur Member State's submission.
- (7) Indicative timelines should be defined to ensure that the opinion of the Committee for Risk Assessment of the Agency is available to the Authority prior to the adoption of its conclusion under Article 13 of Regulation (EU) No 844/2012.
- (8) A transitional period should be provided for so that applicants can take account of the reduced period for dossier preparation between the application for renewal and the submission of the supplementary dossiers. Procedures for which supplementary dossiers have already been submitted should not be affected.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 844/2012 is amended as follows:

- (1) in Article 6, paragraph 3 is replaced by the following:

'3. The supplementary dossiers shall be submitted no later than 33 months before the expiry of the approval.'

- (2) in Article 7(1), point (j) is replaced by the following:

'(j) a proposal for classification where it is considered that the substance has to be classified or reclassified in accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council (*);

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

- (3) Article 11 is amended as follows:

- (a) in paragraph 1, '12 months' is replaced by '13 months';

- (b) in paragraph 2, point (e) is replaced by the following:

'(e) a suggestion for the classification, or its confirmation, where applicable, or reclassification of the active substance in accordance with the criteria of Regulation (EC) No 1272/2008, as specified in and consistent with the dossier to be submitted pursuant to paragraph 9';

- (c) in paragraph 5, second sentence, '12 months' is replaced by '13 months';

- (d) in paragraph 6, second sentence, '12 months' is replaced by '13 months';

- (e) the following paragraph 9 is added:

'9. The rapporteur Member State shall at the latest at the time of submission of the draft renewal assessment report submit a proposal to the European Chemicals Agency ('the Agency') pursuant to Article 37(1) of Regulation (EC) No 1272/2008 and in accordance with the Agency's requirements to obtain an opinion on a harmonised classification of the active substance at least for the following hazard classes:

- explosives,
- acute toxicity,
- skin corrosion/irritation,
- serious eye damage/eye irritation,

- respiratory or skin sensitisation,
- germ cell mutagenicity,
- carcinogenicity,
- reproductive toxicity,
- specific target organ toxicity – single exposure,
- specific target organ toxicity – repeated exposure;
- hazardous to the aquatic environment.

The rapporteur Member State shall duly justify its view that the criteria for classification for one or more of these hazard classes are not fulfilled.

Where a proposal for classification of an active substance has already been submitted to the Agency and its assessment is ongoing, the rapporteur Member State shall submit an additional proposal for classification, limited to any hazard classes listed above that are not covered by the pending proposal unless new information has become available that was not part of the pending dossier as regards the hazard classes listed above.

For the hazard classes, which are already covered by an existing opinion of the Committee for Risk Assessment of the Agency set up pursuant to Article 76(1)(c) of Regulation (EC) No 1907/2006, whether or not this opinion has formed the basis of a decision concerning an entry for harmonised classification and labelling of a substance in Annex VI of Regulation (EC) No 1272/2008, it is sufficient that the rapporteur Member State duly justifies in its submission to the Agency that the existing opinion, or where it has already formed the basis of a decision concerning the inclusion in Annex VI, the existing classification remains valid as regards the hazard classes listed in the first subparagraph. The Agency may provide its views regarding the rapporteur Member State's submission.;

- (4) the following Article 11b is inserted after Article 11a:

'Article 11b

The Committee for Risk Assessment shall endeavour to adopt the opinion referred to in Article 37(4) of Regulation (EC) No 1272/2008 within 13 months from the submission referred to in Article 11(9).';

- (5) in Article 12, paragraph 1 is replaced by the following:

'1. The Authority shall examine whether the draft renewal assessment report received from the rapporteur Member State contains all the relevant information in the agreed format and circulate it to the applicant and to the other Member States at the latest three months after its receipt.'

- (6) in Article 13(1), the first sentence is replaced by the following:

'Within five months from the expiry of the period referred to in Article 12(3), or within two weeks from the adoption of the opinion of the Committee for Risk Assessment referred to in Article 37(4) of Regulation (EC) No 1272/2008, if any adopted, whichever occurs later, the Authority shall adopt a conclusion in the light of current scientific and technical knowledge using guidance documents applicable at the date of the submission of the supplementary dossiers and in the light of the opinion of the Committee for Risk Assessment on whether the active substance can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009.;

- (7) in Article 14(1), the second subparagraph is replaced by the following:

'The renewal report and the draft Regulation shall take into account the draft renewal assessment report of the rapporteur Member State, the comments referred to in Article 12(3) of this Regulation and the conclusion of the Authority, where such a conclusion has been submitted, and the opinion of the Committee for Risk Assessment, if any, referred to in Article 37(4) of Regulation (EC) No 1272/2008.'

Article 2

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

It shall apply to renewal procedures of those active substances for which the approval period expires on or after 13 May 2023.

It shall, however, not apply to renewal procedures of such active substances for which supplementary dossiers have already been submitted before the date of adoption of this Regulation.

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

Done at Brussels, 17 January 2020.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/104**of 23 January 2020****making imports of certain hot rolled stainless steel sheets and coils originating in the People's Republic of China, Taiwan and Indonesia subject to registration**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), and in particular Article 14(5) thereof,

After informing the Member States,

Whereas:

- (1) On 12 August 2019, the European Commission ('the Commission') announced, by a notice published in the *Official Journal of the European Union* ⁽²⁾ ('the notice of initiation'), the initiation of an anti-dumping proceeding ('the proceeding') with regard to imports into the Union of certain hot rolled stainless steel sheets and coils originating in the People's Republic of China ('the PRC'), Taiwan and Indonesia following a complaint lodged on 28 June 2019 by Eurofer, the European Steel Association ('the complainant') on behalf of four Union producers representing the entirety of Union production of certain hot rolled stainless steel sheets and coils.
- (2) On 10 October 2019, the Commission announced the initiation of an anti-subsidy proceeding with regard to imports into the Union of the same product originating in the PRC and Indonesia ⁽³⁾ ('the parallel anti-subsidy proceeding'), pursuant to Article 10 of Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ⁽⁴⁾ ('the basic anti-subsidy Regulation').

1. PRODUCT CONCERNED AND LIKE PRODUCT

- (3) The product subject to registration ('the product concerned') is flat-rolled products of stainless steel, whether or not in coils (including products cut-to-length and narrow strip), not further worked than hot-rolled and excluding products, not in coils, of a width of 600 mm or more and of a thickness exceeding 10 mm. These products are currently falling under HS codes 7219 11, 7219 12, 7219 13, 7219 14, 7219 22, 7219 23, 7219 24, 7220 11 and 7220 12. These HS codes are given for information only.

2. REQUEST

- (4) The complainant already requested in its complaint the registration of imports. On 31 October 2019, the complainant submitted a separate registration request, with regard to the imports which are subject to this proceeding pursuant to Article 14(5) of the basic Regulation. The complainant requested that imports of the product concerned be made subject to registration so that measures may subsequently be applied against those imports from the date of such registration. Further communication in support of this request was submitted on 22 November and 10 December 2019.
- (5) On 14 November 2019, Marcegaglia Specialties ('Marcegaglia'), a user of the product concerned, which is cooperating with the anti-dumping proceeding, submitted comments in relation to the complainant's request for registration of imports.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Notice of initiation of an anti-dumping proceeding concerning imports of certain hot rolled stainless steel sheets and coils originating in the People's Republic of China, Taiwan and Indonesia (2019/C 269 I/01) (OJ C 269 I, 12.8.2019, p. 1).

⁽³⁾ Notice of initiation of an anti-subsidy proceeding concerning imports of certain hot rolled stainless steel sheets and coils originating in the People's Republic of China and Indonesia (2019/C 342/09) (OJ C 342, 10.10.2019, p. 18).

⁽⁴⁾ OJ L 176, 30.6.2016, p. 55.

3. GROUNDS FOR REGISTRATION

- (6) According to Article 14(5) of the basic Regulation, the Commission may direct the customs authorities to take the appropriate steps to register imports, so that measures may subsequently be applied against those imports from the date of such registration. Imports may be made subject to registration following a request from the Union industry, which contains sufficient evidence to justify such action.
- (7) According to the complainant registration is justified as the product concerned originating in the PRC, Taiwan and Indonesia is being dumped. It argued that significant injury to the Union industry is being caused by an acceleration of low-priced imports which will undermine the remedial effect of potential definitive duties by allowing stockpiling.
- (8) The Commission examined the request in the light of Article 10(4) of the basic Regulation. The Commission verified whether importers were aware, or should have been aware, of the dumping as regards the extent of the dumping and the injury alleged or found. It also analysed whether there was a further substantial rise in imports which, in the light of its timing and volume and other circumstances, is likely to seriously undermine the remedial effect of the definitive anti-dumping duty to be applied.

3.1. Awareness of the importers of the dumping, the extent thereof and the alleged injury

- (9) The Notice of Initiation for this proceeding published on 12 August 2019 highlighted that the dumping margins calculated are significant for all countries. As a whole, and given the extent of the alleged dumping margins ranging from 15,1 % to 54,3 %, the evidence in the complaint provides sufficient support at this stage that the exporting producers practice dumping.
- (10) The complaint also provided sufficient evidence of alleged injury to the Union industry, including a decline in market share and a negative development of other key performance indicators of the Union industry.
- (11) By its publication in the *Official Journal of the European Union*, the Notice of Initiation is a public document accessible to all importers. Furthermore, as interested parties in the investigation, importers have access to the non-confidential version of the complaint and the non-confidential file. Therefore, the Commission considered that, on this basis, importers, who are experienced professionals, were aware, or should have been aware, of the alleged dumping practices, the extent thereof and the alleged injury. ^(?)
- (12) It thus concluded that the first criterion for registration was met.

3.2. Further substantial rise in imports

- (13) The Commission analysed this criterion on the basis of statistical data available in the Surveillance 2 database, pursuant to the information collected for the product concerned. When analysing import volumes in view of the registration request, complete statistical data were available up to and including November 2019. The Commission considered that the level of imports as from August 2019, the month in which the investigation was initiated, until the most recent period, i.e. November 2019 should be considered and that those volumes should be compared with the volumes of imports during the investigation period. To compare the level of imports during the period August 2019 to November 2019 with the level of imports during the same months in the preceding year was considered inappropriate, as there were no indications on the file that imports of certain hot rolled stainless steel sheets and coils are subject to seasonal fluctuations. Imports from the countries concerned developed as follows:

^(?) See judgment of the General Court (Second Chamber) of 8 May 2019 in T-749/16, *Stemcor vs European Commission*, paragraph 56.

Import volumes from the countries concerned (tonnes)

Origin	Investigation Period (IP)	Monthly average	Post-initiation (*)	Monthly Average	Δ IP – post-initiation
PRC	220 705	18 392	110 568	27 642	+50 %
Indonesia	107 107	8 926	9 011	2 253	-75 %
Taiwan	36 542	3 045	13 932	3 483	+14 %
Countries Concerned	364 354	30 363	133 511	33 378	+10 %

(*) August 2019 – November 2019

Source: Surveillance 2 database

- (14) On the basis of these statistical data, the Commission found that the average monthly volume of imports of certain hot rolled stainless steel sheets and coils from the countries concerned to the Union in the period from September 2019 to November 2019, i.e. after initiation of the case, was 10 % higher than the average monthly volume of imports to the Union during the investigation period.
- (15) In investigations involving more than one country concerned, whether or not imports from these countries will be cumulated for the purpose of the analysis described in the recitals above, will depend on whether the Commission decides to cumulate these imports in the underlying investigation. The Commission also noted that, in its judgment in *Stemcor*, the General Court ruled that the ‘further substantial rise in imports’ within the meaning of Article 10(4)(d) of the basic regulation must be assessed as a whole, in order to determine whether the imports, taken as a whole, are likely to seriously undermine the remedial effect of the definitive duties and thus create additional injury for the Union industry, without considering the individual and subjective position of the importers in question ⁽⁶⁾. As the above table shows, there is no question as to whether the cumulated imports from the countries concerned have shown a further substantial rise.
- (16) Marcegaglia argued that a further substantial rise in imports was not evidenced in the complainant’s submission and was unlikely to occur because the applicable safeguard tariff quotas (‘the quotas’) on certain steel products ⁽⁷⁾, which, inter alia, cover the product concerned, are set at levels, for each of the countries concerned, significantly below the export volumes observed during the investigation period. Any quantity imported in excess of the quotas will be subject to a safeguard duty of 25 %. Therefore, imports of the product concerned are, according to Marcegaglia, likely to decrease to the level set by the quotas, which is 25 % below the import volume observed in the investigation period. Marcegaglia added that although in July and August 2019, or, in general, in any given month, the volume of imports (could) exceed these monthly averages, this should not warrant the conclusion that imports are likely to increase.
- (17) The Commission recalls that the quotas in question are tariff quotas, which provide that any import made beyond the threshold set by them is not prohibited but is subject to an additional ad valorem duty rate of 25 %. This means that importers are allowed to import volumes well beyond the applicable thresholds, subject to the payment of the safeguard duty. In any event, the fact that the product concerned is subject to tariff-rate quotas is linked to the need to avoid serious injury for the Union industry to materialise. The same increase in imports after the initiation of the current investigation may lead to the need for retroactive collection of the eventual duties because of the material injury found and the need for an effective remedy. Moreover, in view of the dumping and injury margins that have been estimated by the complainant (see recital (30) below), the 25 % safeguard duty may not be sufficient to remedy the full extent of dumping and injury. Subsequently, a duty of 25 % will in all likelihood not deter importers from importing additional volumes.
- (18) Further in response to Marcegaglia’s comments, the Commission also recalls that the present Regulation concerns the registration of imports and is without prejudice to the decision as to whether or not anti-dumping duties will be collected, which is only taken at the stage of any definitive measures.

⁽⁶⁾ Judgment of the General Court (Second Chamber) of 8 May 2019 in T-749/16, *Stemcor vs European Commission*, paragraph 86.

⁽⁷⁾ Commission Implementing Regulation (EU) 2019/159 of 31 January 2019 imposing definitive safeguard measures against imports of certain steel products (OJ L 31, 1.2.2019, p. 27), as amended by Commission Implementing Regulation (EU) 2019/1590 (OJ L 248, 27.9.2019, p. 28).

- (19) Therefore, in view of the further substantial rise in imports from the countries concerned, the Commission concluded that the second criterion for registration was also met.

3.3. Undermining of the remedial effect of the duty

- (20) The Commission has at its disposal sufficient evidence at this stage that additional injury has already been caused by the continuing rise in imports at further decreasing prices.
- (21) As established in recitals (14) and (15), there is sufficient evidence of a substantial rise in imports of the product concerned.
- (22) In addition, there is no evidence on the file that import prices have gone up since the initiation of the investigation. To the contrary, according to the publicly available Surveillance 2 database, the average unit value of the product concerned of imports from the countries concerned was 1 % lower in the period August to November 2019 when compared to the investigation period.
- (23) Furthermore, in its request for registration, the complainant pointed at the fact that the swiftly deteriorating situation of the Union industry observed in the complaint during the second half of 2018 continued in the first half of 2019, with a further decrease in production levels and increased undercutting by the imports. In the request it also provided evidence showing that the situation had gone from bad to worse since then, inter alia, pointing at four major announcements of restructuring of different kinds by the various Union manufacturers since July 2019, affecting the jobs of hundreds of their staff.
- (24) On that basis, the timing of the further substantial rise of imports as explained in recitals (14) and (15) is already seriously undermining the remedial effect of any definitive duty, unless such duty would be applied retroactively.
- (25) The Commission therefore concluded that the third criterion for registration for the dumping part of the request was also met.

4. PROCEDURE

- (26) Therefore, the Commission has concluded that there is sufficient evidence to justify making the imports of the product concerned subject to registration in accordance with Article 14(5) of the basic Regulation.
- (27) All interested parties are invited to make their views known in writing and to provide supporting evidence. Furthermore, the Commission may hear interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

5. REGISTRATION

- (28) Pursuant to Article 14(5) of the basic Regulation imports of the product concerned should be made subject to registration for the purpose of ensuring that, should the investigation result in findings leading to the imposition of anti-dumping and/or countervailing duties, those duties can, if the necessary conditions are fulfilled, be levied retroactively on the registered imports in accordance with the applicable legal provisions.
- (29) Any future liability would emanate from the findings of this investigation. At this stage, it is not possible to estimate the amount of potential liability.
- (30) With regard to imports from the PRC, the allegations in the complaint requesting the initiation of an anti-dumping investigation estimate an average dumping margin of 54,3 % and an average underselling margin of 29,1 % for the product concerned. The amount of possible future liability could be set at the lower of those levels, namely 29,1 % as a proportion of the CIF import value of the product concerned. However, should the Commission find that the conditions of Article 7(2a) and 7(2b) of the basic Regulation are met, namely the dumping margin could be considered to reflect the injury suffered by the Union industry, the amount of possible future liability could be set at the level of the dumping margin of 54,3 %, in accordance with Article 9(4) of the basic Regulation. With regard to imports from Indonesia, the allegations in the complaint requesting the initiation of an anti-dumping investigation estimate an average dumping margin of 32,2 % and an average underselling margin of 39,8 % for the product concerned. The amount of possible future liability is set at the lower of those levels, namely 32,2 % as a proportion of the CIF import value of the product concerned. Should the Commission find that the conditions of Article 7(2a) and 7(2b) of the basic Regulation are met, namely that the dumping margin could be considered to reflect the injury suffered by the Union industry, the amount of possible future liability could be set at the level of the dumping

margin. With regard to imports from Taiwan, the allegations in the complaint requesting the initiation of an anti-dumping investigation estimate an average dumping margin of 15,1 % and an average underselling margin of 20,7 % for the product concerned. The amount of possible future liability is set at the lower of those levels, namely 15,1 % as a proportion of the CIF import value of the product concerned.

6. PROCESSING OF PERSONAL DATA

- (31) Any personal data collected in the context of this registration will be treated in accordance with 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 (*),

HAS ADOPTED THIS REGULATION:

Article 1

The customs authorities are hereby directed, pursuant to Article 14(5) of Regulation (EU) 2016/1036, to take the appropriate steps to register imports into the Union of flat-rolled products of stainless steel, whether or not in coils (including products cut-to-length and narrow strip), not further worked than hot-rolled and excluding products, not in coils, of a width of 600 mm or more and of a thickness exceeding 10 mm, currently falling under HS codes 7219 11, 7219 12, 7219 13, 7219 14, 7219 22, 7219 23, 7219 24, 7220 11 and 7220 12 and originating in the People's Republic of China, Taiwan and Indonesia.

Registration shall expire nine months following the date of entry into force of this Regulation.

All interested parties are invited to make their views known in writing, to provide supporting evidence or to request to be heard within 21 days from the date of publication of this Regulation.

Article 2

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

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

Done at Brussels, 23 January 2020.

For the Commission
The President
Ursula VON DER LEYEN

(*) OJ L 295, 21.11.2018, p. 39.

COMMISSION IMPLEMENTING REGULATION (EU) 2020/105**of 23 January 2020****making imports of certain hot rolled stainless steel sheets and coils originating in the People's Republic of China and Indonesia subject to registration**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), and in particular Article 24(5) thereof,

After informing the Member States,

Whereas:

- (1) On 10 October 2019, the European Commission ('the Commission') announced, by a notice published in the *Official Journal of the European Union* ⁽²⁾ ('the notice of initiation'), the initiation of an anti-subsidy proceeding ('the proceeding') with regard to imports into the Union of certain hot rolled stainless steel sheets and coils originating in the People's Republic of China ('the PRC') and Indonesia following a complaint lodged on 26 August 2019 by Eurofer, the European Steel Association ('the complainant') on behalf of four Union producers representing the entirety of Union production of certain hot rolled stainless steel sheets and coils.
- (2) On 12 August 2019, the Commission had already announced the initiation of an anti-dumping proceeding with regard to imports into the Union of the same product originating in the PRC, Taiwan and Indonesia ⁽³⁾ ('the parallel anti-dumping proceeding') pursuant to Article 5 of Regulation (EU) 2016/1036 of the European Parliament and of the Council ⁽⁴⁾ ('the basic anti-dumping Regulation').

1. PRODUCT CONCERNED AND LIKE PRODUCT

- (3) The product subject to registration ('the product concerned') is flat-rolled products of stainless steel, whether or not in coils (including products cut-to-length and narrow strip), not further worked than hot-rolled and excluding products, not in coils, of a width of 600 mm or more and of a thickness exceeding 10 mm. These products are currently falling under HS codes 7219 11, 7219 12, 7219 13, 7219 14, 7219 22, 7219 23, 7219 24, 7220 11 and 7220 12. These HS codes are given for information only.

⁽¹⁾ OJ L 176, 30.6.2016, p. 55.

⁽²⁾ Notice of initiation of an anti-subsidy proceeding concerning imports of certain hot rolled stainless steel sheets and coils originating in the People's Republic of China and Indonesia (2019/C 342/09) (OJ C 342, 10.10.2019, p. 18).

⁽³⁾ Notice of initiation of an anti-dumping proceeding concerning imports of certain hot rolled stainless steel sheets and coils originating in the People's Republic of China, Taiwan and Indonesia (2019/C 269 I/01) (OJ C 269 I, 12.8.2019, p. 1).

⁽⁴⁾ 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).

2. REQUEST

- (4) The complainant already requested in its complaint the registration of imports. On 31 October 2019, the complainant submitted a separate registration request, with regard to the imports which are subject to this proceeding pursuant to Article 24(5) of the basic Regulation. The complainant requested that imports of the product concerned be made subject to registration so that measures may subsequently be applied against those imports from the date of such registration. Further communication in support of this request was submitted on 22 November and 10 December 2019.
- (5) On 14 November 2019, Marcegaglia Specialties ('Marcegaglia'), a user of the product concerned, which is cooperating with the anti-subsidy proceeding, submitted comments in relation to the complainant's request for registration of imports.

3. GROUNDS FOR REGISTRATION

- (6) According to Article 24(5) of the basic Regulation, the Commission may direct the customs authorities to take the appropriate steps to register imports, so that measures may subsequently be applied against those imports from the date of such registration. Imports may be made subject to registration following a request from the Union industry, which contains sufficient evidence to justify such action.
- (7) According to the complainant registration is justified as the product concerned originating in the PRC and Indonesia is being subsidised. It argued that significant injury to the Union industry is being caused by an acceleration of low-priced imports which will undermine the remedial effect of potential definitive duties by allowing stockpiling.
- (8) The Commission examined the request in the light of Article 16(4) of the basic Regulation. The Commission verified whether there are critical circumstances where, for the subsidised product in question, injury which is difficult to repair is caused by massive imports in a relatively short period of a product benefitting from countervailable subsidies and whether it is deemed necessary to assess countervailing duties retroactively on those imports in order to preclude the recurrence of such injury.

3.1. Subsidisation of the product concerned

- (9) The Commission has at its disposal sufficient evidence that imports of the product concerned from the PRC and Indonesia are being subsidised.
- (10) With regard to the PRC, the alleged subsidy practices consist, namely, of direct transfer of funds, government revenue forgone or not collected, and government provision of goods or services for less than adequate remuneration. This includes, for example, preferential loans and provision of credit lines by State-owned banks, export credits subsidy programmes, export guarantees and insurances and grant programmes; tax reductions for High and New Technology Enterprises, tax offset for research and development, accelerated depreciation of equipment used by High-Tech enterprises for High-Tech development and production, dividend exemption between qualified resident enterprises, withholding tax reduction for dividends from foreign-invested Chinese enterprises to their non-Chinese parent companies, land use tax exemptions and export tax rebate; and government provision of land and power for less than adequate remuneration.
- (11) With regard to Indonesia, the alleged subsidy practices consist, namely, of direct transfer of funds, government revenue forgone or not collected and government provision of goods or services for less than adequate remuneration. This includes, for example, preferential policy loans and tax benefits under Indonesian laws and import duty exemption on the import of raw materials and production equipment.
- (12) It is alleged that those measures are subsidies since they involve a financial contribution from the Government of the PRC, the Government of Indonesia or other regional and local governments (including public bodies) and confer a benefit to the exporting producers of the product concerned. They are alleged to be contingent upon export performance and/or the use of domestic over imported goods and/or are limited to certain sectors and/or types of enterprises and/or locations, and are therefore specific and countervailable.

- (13) The evidence of subsidisation was made available in the open version of the complaint and was further analysed in the memorandum on sufficiency of evidence.
- (14) Therefore, the available evidence at this stage tends to indicate that the exports of the product concerned are benefiting from countervailable subsidies.

3.2. The existence of massive imports in a relatively short period

- (15) In the complaint and the subsequent submissions related to the request for registration, the evidence regarding the volume of imports shows a massive increase of imports in absolute terms and in terms of market share in the period between 2015 and June 2019. Specifically, the evidence provided in the complaint shows that Chinese and Indonesian exporters have very strongly increased the volume of sales of the product concerned to the Union, resulting in a sharp increase of market share to 28,7 % in the second half of 2018.
- (16) An analysis of the evolution of imports for the full period considered and post initiation, i.e. adding Surveillance 2 data covering the specific product concerned to the complaint data, does not suggest that the massive increase in imports has come to a halt:

Import volumes from the countries concerned (tonnes)

Origin	2016	2017	2018	Investigation Period (IP)	Monthly average IP	Monthly average post-initiation ⁽¹⁾
PRC	194 963	263 858	250 626	220 705	18 392	26 338
Indonesia	105	17	44 863	107 107	8 926	4 270
Countries Concerned	195 068	263 874	295 489	327 812	27 318	30 607

(¹) October 2019-November 2019.

Source:

- 2016-2018: complaint
- IP and post IP: Surveillance 2 database.

- (17) On the basis of these statistical data, the Commission found that the massive imports from the countries concerned were confirmed even in the two months from the initiation of the investigation, i.e. during October and November 2019, with the monthly average volume of imports during these months 12 % above the high level yet observed in the investigation period. The statistical data available to the Commission after the initiation of the investigation shows an increasing trend of import volumes coming from the countries concerned. These increases, together with respective market shares of both exporting countries throughout the period considered, amount to massive imports in a relatively short period of time, within the meaning of Article 16(4) of the basic Regulation.

3.3. Injury, which is difficult to repair, is caused by these imports

- (18) Furthermore, the Commission has at its disposal sufficient evidence that the exporters' subsidy practices are causing material injury to the Union industry. The volume and prices of the imports of the product concerned have had a negative impact on the quantities sold and level of the prices charged in the Union market and the market share held by the Union industry. This is resulting in substantial adverse effects on the overall performance and the financial situation of the Union industry. The evidence concerning the injury factors set out in Article 8(4) of the basic Regulation consists of data contained in the complaint and the subsequent submissions regarding registration and it is supported by publicly available data from Eurostat. The complaint, inter alia, showed that the Union industry's sales to unrelated parties had decreased by 6 % from 2015 to 2018, that its market share in that period had gone down by 4,3 % and that profitability in 2018 was low and less than half of the profitability achieved in 2017. Moreover, profitability had dramatically decreased during 2018 and was only 2,2 % during the second half of that year. The complaint also demonstrated that employment had gone down by 3 % since 2015.

- (19) Furthermore, in its request for registration, the complainant pointed at the fact that the swiftly deteriorating situation of the Union industry observed in the complaint during the second half of 2018 continued in the first half of 2019, with a further decrease in production levels and increased undercutting by the imports. In its request for registration, the complainant also provided evidence showing that the situation had gone from bad to worse since then, inter alia, pointing at four major announcements of restructuring of different kinds by the various Union manufacturers since July 2019, affecting the jobs of hundreds of their staff. Two of these announcements were as recent as October 2019.
- (20) In addition, the Commission assessed at this stage whether the injury suffered was difficult to repair. Once Chinese and Indonesian suppliers are integrated into the supply chains of the customers of the Union industry, the latter may be reluctant to switch suppliers in favour of Union producers. In addition, the customers of the Union industry are unlikely to accept higher prices from the Union industry even if, hypothetically, the Commission were to impose countervailing measures without retroactive effect in the future. Such threat of permanent loss of market share or reduced income constitutes an injury which is difficult to repair.

3.4. Preclusion of recurrence of injury

- (21) Finally, given the data set out and considerations laid down in Section 3.3 above, the Commission deemed it necessary to prepare the potential retroactive imposition of measures by imposing registration in order to preclude the recurrence of such injury. Indeed, the post-IP market conditions tend to confirm that the situation of the domestic industry is deteriorating due to the significant increase of subsidised imports at low prices.

4. PROCEDURE

- (22) Therefore, the Commission has concluded that there is sufficient evidence to justify making the imports of the product concerned subject to registration in accordance with Article 24(5) of the basic Regulation.
- (23) All interested parties are invited to make their views known in writing and to provide supporting evidence. Furthermore, the Commission may hear interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

5. REGISTRATION

- (24) Pursuant to Article 24(5) of the basic Regulation imports of the product concerned should be made subject to registration for the purpose of ensuring that, should the investigation result in findings leading to the imposition of countervailing duties, those duties can, if the necessary conditions are fulfilled, be levied retroactively on the registered imports in accordance with the applicable legal provisions.
- (25) Any future liability would emanate from the findings of the anti-subsidy investigation.
- (26) At this stage of the investigation is not yet possible to estimate the amount of subsidisation in the PRC and Indonesia. The complaint does not provide for an accurate estimation of the amount of subsidisation, which should normally be used as the basis to establish the countervailing duties. The complaint only contains an estimation of the injury elimination level of 29,1 % for the PRC and 39,8 % for Indonesia. In accordance with Article 15(1), fourth paragraph, of the basic Regulation, this estimated amount of liability would only be relevant in case a duty based on the amount of countervailable subsidies would be higher and the Commission clearly concludes that it is not in the Union's interest to impose this higher duty.

6. PROCESSING OF PERSONAL DATA

- (27) Any personal data collected in the context of this registration will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁵⁾,

⁽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).

HAS ADOPTED THIS REGULATION:

Article 1

The customs authorities are hereby directed, pursuant to Article 24(5) of Regulation (EU) 2016/1037, to take the appropriate steps to register imports into the Union of flat-rolled products of stainless steel, whether or not in coils (including products cut-to-length and narrow strip), not further worked than hot-rolled and excluding products, not in coils, of a width of 600 mm or more and of a thickness exceeding 10 mm, currently falling under HS codes 7219 11, 7219 12, 7219 13, 7219 14, 7219 22, 7219 23, 7219 24, 7220 11 and 7220 12 and originating in the People's Republic of China and Indonesia.

Registration shall expire nine months following the date of entry into force of this Regulation.

All interested parties are invited to make their views known in writing, to provide supporting evidence or to request to be heard within 21 days from the date of publication of this Regulation.

Article 2

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

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

Done at Brussels, 23 January 2020.

For the Commission
The President
Ursula VON DER LEYEN

COMMISSION IMPLEMENTING REGULATION (EU) 2020/106
of 23 January 2020
concerning the authorisation of sodium formate as a feed additive for all animal species

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003 an application was submitted for the authorisation of sodium formate. That application was accompanied by the particulars and documents required under Article 7 (3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of sodium formate as a feed additive for all animal species to be classified in the category 'technological additives'.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinions of 30 April 2015 ⁽²⁾ and 26 February 2019 ⁽³⁾ that, under the proposed conditions of use, the sodium formate does not have an adverse effect on animal health, consumer safety or the environment. It also concluded that the substance is mildly irritating to eyes and a skin sensitiser. In addition, given that the exposure to sodium formate via inhalation is considered to present a risk to unprotected workers handling the additive, it is prudent to consider it as a respiratory irritant. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards to users of the additive. The Authority also concluded that sodium formate liquid has the potential to be efficacious as hygiene condition enhancer in feedingstuffs. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the methods of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of sodium formate shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of sodium formate should be authorised as specified in the Annex to this Regulation.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Authorisation

The substance specified in the Annex, belonging to the additive category 'technological additives' and to the functional group 'hygiene condition enhancers', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ EFSA Journal 2015; 13(5):4113.

⁽³⁾ EFSA Journal 2019; 17(3):5645.

*Article 2***Entry into force**

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

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

Done at Brussels, 23 January 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Identification number of the additive	Additive	Chemical formula, description, methods of analysis	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg of formic acid/kg of complete feedingstuff with a moisture content of 12 %			
Technological additives: hygiene condition enhancers								
1k237	Sodium formate	<i>Additive composition</i> Liquid form ≥ 15 % sodium formate ≤ 75 % formic acid ≤ 25 % water	All animal species except pigs	—	—	10 000 (formic acid equivalent)	<ol style="list-style-type: none"> In the directions for use of the additive and premixture, the storage conditions shall be indicated. The mixture of different sources of formic acid shall not exceed the permitted maximum content in complete feedingstuffs. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from its use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including breathing protection, safety glasses and gloves. 	13 February 2030
		<i>Characterisation of the active substance</i> Sodium formate ≥ 15 % (liquid form) Formic acid ≤ 75 % Produced by chemical synthesis	Pigs	—	—	12 000 (formic acid equivalent)		
		<i>Analytical method ⁽¹⁾</i> Determination of sodium in feed additives: EN ISO 6869: atomic absorption spectrometry (AAS) or EN 15 510: inductively coupled plasma atomic emission spectrometry, (ICP-AES). Determination of total formate in feed additives: EN 15909 reverse phase HPLC with UV detection (RP-HPLC-UV). Determination of total formate in premixtures and feedingstuffs: Ion-exclusion high performance liquid chromatography with UV or with refractive index detection (HPLC-UV/RI) or Ion chromatography method equipped with electrical conductivity detection (IC-ECD).						

⁽¹⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

COMMISSION IMPLEMENTING REGULATION (EU) 2020/107
of 23 January 2020
concerning the authorisation of ponceau 4R as a feed additive for dogs, cats and ornamental fish
(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10(2) of Regulation (EC) No 1831/2003 provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC ⁽²⁾.
- (2) Ponceau 4R was authorised without a time limit in accordance with Directive 70/524/EEC as a feed additive for ornamental fish belonging to the group 'colourants, including pigments', under the heading 'other colourants'. It was also authorised without a time limit as a feed additive for dogs and cats belonging to the group 'colourants, including pigments', under the heading 'colouring agents authorised for colouring foodstuffs by Community rules'. The additive was subsequently entered in the Register of feed additives as an existing product, in accordance with Article 10(1)(b) of Regulation (EC) No 1831/2003.
- (3) In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 thereof, an application was submitted for the re-evaluation of ponceau 4R as a feed additive for ornamental fish and for dogs and cats. The applicant requested the additive to be classified in the additive category 'sensory additive' and in the functional group 'colourants'. The application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 6 March 2018 ⁽³⁾ that, under the proposed conditions of use, ponceau 4R does not have an adverse effect on animal health. It also concluded that the inhalation exposure to additive is regarded as hazardous for the user of the additive and that no conclusion could be drawn on the irritancy potential to skin or eyes and on the skin sensitisation. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards the users of the additive. In accordance with Commission Regulation (EC) No 429/2008 ⁽⁴⁾, phase I of the environmental risk assessment has determined that ponceau 4R, as an additive intended for non-food producing animals, is exempted from further assessment due to the unlikelihood of a significant environmental effect, there being no scientifically-based evidence for concern having been identified by the Authority in its above-mentioned opinion. The Authority also stated that for this additive, which is also authorised in food, where the function is the same as that for feed, no further demonstration of efficacy might be necessary. However, the Authority, considering the wide variety of feedingstuffs, requested further demonstration. The applicant demonstrated the efficacy in a typical feed matrix for 50 mg/kg but also indicated that for other matrixes (colour in petfood may range from almost white to dark brown) lower levels may be used specially in pale matrixes (the applicant provided in the dossier some evidence for lower levels). As the recommended maximum level proposed by the Authority for this additive is similar to the levels authorised for food in different types of products, the Commission considered that there is sufficient evidence of the efficacy of this substance. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs (OJ L 270, 14.12.1970, p. 1).

⁽³⁾ *EFSA Journal* 2018; 16(3):5222.

⁽⁴⁾ Commission Regulation (EC) No 429/2008 of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives (OJ L 133, 22.5.2008, p. 1).

- (5) The assessment of ponceau 4R shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that additive should be authorised as specified in the Annex to this Regulation.
- (6) Since safety reasons do not require the immediate application of the modifications to the conditions of authorisation of the substance concerned, it is appropriate to allow a transitional period for interested parties to prepare themselves to meet the new requirements resulting from the authorisation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Authorisation

The substance specified in the Annex, belonging to the additive category 'sensory additives' and to the functional group 'colourants', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

Article 2

Transitional measures

1. The substance specified in the Annex and premixtures containing that substance, which are produced and labelled before 13 August 2020 in accordance with the rules applicable before 13 February 2020 may continue to be placed on the market and used until the existing stocks are exhausted.
2. Feed materials and compound feed containing the substance specified in the Annex which are produced and labelled before 13 February 2022 in accordance with the rules applicable before 13 February 2020 may continue to be placed on the market and used until the existing stocks are exhausted.

Article 3

Entry into force

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

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

Done at Brussels, 23 January 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Identification number of the additive	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg of active substance of kg of complete feedingstuff with a moisture content of 12 %			

Category: Sensory additives. Functional group: Colourants. (i) substances that add or restore colour in feedingstuffs

2a124	Ponceau 4R	<p><i>Additive composition</i> Ponceau 4R described as the sodium salt as the principal component. Solid form (powder or granules)</p>	Cats	—	—	31	<p>1. In the directions for use of the additive and premixture, the storage conditions and stability to heat treatment shall be indicated.</p> <p>2. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from its use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including eye, skin, oral and breathing protection.</p>	13 February 2030
		<p><i>Characterisation of the active substance as the sodium salt</i> Ponceau 4R consists essentially of trisodium 2-hydroxy-1-(4-sulfonato-1-naphthylazo) naphthalene-6,8-disulfonate and subsidiary colouring matters together with sodium chloride and/or sodium sulphate as the principal uncoloured components. The calcium and the potassium salts are also permitted Chemical formula: $C_{20}H_{11}N_2O_{10}S_3Na_3$ Solid form (powder or granules) produced by chemical synthesis CAS No: 2611-82-7 Purity criteria — Total colouring matters calculated as the sodium salt ≥ 80 % (assay); — Subsidiary colouring matter ≤ 1 %; — Organic compounds other than colouring matters $\leq 0,5$ %; — Unsulfonated primary aromatic amines (calculated as aniline) $\leq 0,01$ %.</p>	Dogs	—	—	37		
		<p><i>Analytical method ⁽¹⁾</i> For the quantification of total colouring matters content of ponceau 4R in the feed additive: Spectrophotometry at 505 nm and titration with Titanous chloride as described in Commission Regulation (EU) No 231/2012 referring to FAO JECFA Combined Compendium for Food Additive Specifications (Analytical methods Vol. 4); and the Monograph No 11 (2011) 'Ponceau 4R'. For the quantification of ponceau 4R in feedingstuffs:</p>						

Identification number of the additive	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg of active substance of kg of complete feedingstuff with a moisture content of 12 %			
		High performance liquid chromatography coupled to tandem mass spectrometry (LC-MS/MS)						

Category: Sensory additives. Functional group: Colourants. (iii) substances which favourably affect the colour of ornamental fish or birds

2a124	Ponceau 4R	<p><i>Additive composition</i> Ponceau 4R described as the sodium salt as the principal component. Solid form (powder or granules)</p> <p><i>Characterisation of the active substance as the sodium salt</i> Ponceau 4R consists essentially of trisodium 2-hydroxy-1-(4-sulfonato-1-naphthylazo) naphthalene-6,8-disulfonate and subsidiary colouring matters together with sodium chloride and/or sodium sulphate as the principal uncoloured components The calcium and the potassium salts are also permitted Chemical formula: $C_{20}H_{11}N_2O_{10}S_3Na_3$ Solid form (powder or granules) produced by chemical synthesis CAS No: 2611-82-7 Purity criteria — Total colouring matters calculated as the sodium salt ≥ 80 % (assay); — Subsidiary colouring matter ≤ 1 %; — Organic compounds other than colouring matters $\leq 0,5$ %; — Unsulfonated primary aromatic amines (calculated as aniline) $\leq 0,01$ %.</p> <p><i>Analytical method ⁽¹⁾</i> For the quantification of total colouring matters content of ponceau 4R in the feed additive: Spectrophotometry at 505 nm and titration with Titanous chloride as described in Commission Regulation (EU) No 231/2012 referring to FAO JECFA Combined Compendium for Food Additive Specifications (Analytical methods Vol. 4); and the Monograph No 11 (2011) 'Ponceau 4R'. For the quantification of ponceau 4R in feeding-stuffs:</p>	Ornamental fish	—	—	137	<ol style="list-style-type: none"> 1. In the directions for use of the additive and premixture, the storage conditions and stability to heat treatment shall be indicated. 2. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from its use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including eye, skin, oral and breathing protection. 	13 February 2030
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Identification number of the additive	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg of active substance of kg of complete feedingstuff with a moisture content of 12 %			
		High performance liquid chromatography coupled to tandem mass spectrometry (LC-MS/MS)						

(¹) Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

DECISIONS

COMMISSION DECISION (EU) 2020/108

of 23 January 2020

amending the Annex to the Monetary Agreement between the European Union and the Republic of San Marino

THE EUROPEAN COMMISSION,

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

Having regard to the Monetary Agreement of 27 March 2012 between the European Union and the Republic of San Marino ⁽¹⁾, and in particular Article 8(5) thereof,

Whereas:

- (1) Article 8 of the Monetary Agreement between the European Union and the Republic of San Marino ('the Monetary Agreement') requires the Republic of San Marino to implement Union legal acts and rules on euro banknotes and coins, banking and financial law, prevention of money laundering, prevention of fraud and counterfeiting of cash and non-cash means of payment, medals and tokens and statistical reporting requirements. Those acts and rules are listed in the Annex to the Monetary Agreement,
- (2) The Annex to the Monetary Agreement needs to be amended by the Commission once a year or more often if deemed appropriate to take into account the new relevant Union legal acts and rules and the amendments to the existing ones,
- (3) Some legal acts and rules of the Union are not relevant anymore and should therefore be deleted from the Annex, while some new relevant legal acts and rules of the Union and some amendments to existing legal acts were adopted and have to be added to the Annex,
- (4) The Annex to the Monetary Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to the Monetary Agreement between the European Union and the Republic of San Marino is replaced by the text in the Annex to this Decision.

Article 2

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

Done at Brussels, 23 January 2020.

For the Commission
The President
Ursula VON DER LEYEN

⁽¹⁾ OJ C 121, 26.4.2012, p. 5.

ANNEX

ANNEX

	Legal provisions to be implemented	Deadline for implementing
	Prevention of money laundering	
1	Council Decision 2000/642/JHA of 17 October 2000 concerning arrangements for cooperation between financial intelligence units of the Member States in respect of exchanging information (OJ L 271, 24.10.2000, p. 4).	1 September 2013
2	Council Framework Decision 2001/500/JHA of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime (OJ L 182, 5.7.2001, p. 1).	
3	Council Framework Decision 2005/212/JHA of 24 February 2005 on Confiscation of Crime-Related Proceeds, Instrumentalities and Property (OJ L 68, 15.3.2005, p. 49).	1 October 2014 ⁽¹⁾
4	Council Decision 2007/845/JHA of 6 December 2007 concerning cooperation between Asset Recovery Offices of the Member States in the field of tracing and identification of proceeds from, or other property related to, crime (OJ L 332, 18.12.2007, p. 103).	
5	Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union (OJ L 127, 29.4.2014, p. 39).	1 November 2016 ⁽²⁾
6	Regulation (EU) 2015/847 of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds and repealing Regulation (EC) No 1781/2006 (OJ L 141, 5.6.2015, p. 1).	1 October 2017 ⁽³⁾
7	Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73).	1 October 2017 ⁽³⁾
	Amended by:	
8	Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43).	31 December 2020 ⁽⁶⁾
	Supplemented by:	
9	Commission Delegated Regulation (EU) 2016/1675 of 14 July 2016 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council by identifying high-risk third countries with strategic deficiencies (OJ L 254, 20.9.2016, p. 1).	1 October 2017 ⁽³⁾
	Amended by:	
10	Commission Delegated Regulation (EU) 2018/105 of 27 October 2017 amending Delegated Regulation (EU) 2016/1675, as regards adding Ethiopia to the list of high-risk third countries in the table in point I of the Annex (OJ L 19, 24.1.2018, p. 1).	31 March 2019 ⁽⁶⁾
11	Commission Delegated Regulation (EU) 2018/212 of 13 December 2017 amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding Sri Lanka, Trinidad and Tobago, and Tunisia to the table in point I of the Annex (OJ L 41, 14.2.2018, p. 4).	31 March 2019 ⁽⁶⁾

	Legal provisions to be implemented	Deadline for implementing
12	Commission Delegated Regulation (EU) 2018/1108 of 7 May 2018 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council with regulatory technical standards on the criteria for the appointment of central contact points for electronic money issuers and payment service providers and with rules on their functions (OJ L 203, 10.8.2018, p. 2).	31 December 2020 ⁽⁷⁾
13	Commission Delegated Regulation (EU) 2018/1467 of 27 July 2018 amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding Pakistan to the table in point I of the Annex (OJ L 246, 2.10.2018, p. 1).	31 December 2019 ⁽⁷⁾
14	Commission Delegated Regulation (EU) 2019/758 of 31 January 2019 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council with regard to regulatory technical standards for the minimum action and the type of additional measures credit and financial institutions must take to mitigate money laundering and terrorist financing risk in certain third countries (OJ L 125, 14.5.2019, p. 4).	31 December 2020 ⁽⁷⁾
15	Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union and repealing Regulation (EC) No 1889/2005 (OJ L 284, 12.11.2018, p. 6).	31 December 2021 ⁽⁷⁾
16	Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law (OJ L 284, 12.11.2018, p. 22).	31 December 2021 ⁽⁷⁾
	Prevention of fraud and counterfeiting	
17	Council Regulation (EC) No 1338/2001 of 28 June 2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 181, 4.7.2001, p. 6) Amended by:	1 September 2013
18	Council Regulation (EC) No 44/2009 of 18 December 2008 amending Regulation (EC) No 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 17, 22.1.2009, p. 1).	
19	Council Decision 2001/887/JHA of 6 December 2001 on the protection of the euro against counterfeiting (OJ L 329, 14.12.2001, p. 1).	1 September 2013
20	Council Decision 2003/861/EC of 8 December 2003 concerning analysis and cooperation with regard to counterfeit euro coins (OJ L 325, 12.12.2003, p. 44).	1 September 2013
21	Council Regulation (EC) No 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins (OJ L 373, 21.12.2004, p. 1). Amended by:	1 September 2013
22	Council Regulation (EC) No 46/2009 of 18 December 2008 amending Regulation (EC) No 2182/2004 concerning medals and tokens similar to euro coins (OJ L 17, 22.1.2009, p. 5).	
23	Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law, and replacing Council Framework Decision 2000/383/JHA (OJ L 151, 21.5.2014, p. 1).	1 July 2016 ⁽²⁾
24	Directive (EU) 2019/713 of the European Parliament and of the Council of 17 April 2019 on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA (OJ L 123, 10.5.2019, p. 18).	31 December 2021 ⁽⁷⁾

	Legal provisions to be implemented	Deadline for implementing
	Rules on euro banknotes and coins	
25	Council Regulation (EC) No 2532/98 of 23 November 1998 concerning the powers of the European Central Bank to impose sanctions (OJ L 318, 27.11.1998, p. 4).	1 September 2013
26	Council Conclusions of 10 May 1999 on the quality management system for euro coins	1 September 2013
27	Communication from the Commission 2001/C 318/03 of 22 October 2001 on copyright protection of the common face design of the euro coins (C(2001) 600 final) (OJ C 318, 13.11.2001, p. 3).	1 September 2013
28	Guideline of the European Central Bank ECB/2003/5 of 20 March 2003 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes (OJ L 78, 25.3.2003, p. 20)	1 September 2013
	Amended by:	
29	Guideline of the European Central Bank ECB/2013/11 of 19 April 2013 amending Guideline ECB/2003/5 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes (OJ L 118, 30.4.2013, p. 43).	1 October 2013 ⁽¹⁾
30	Decision of the European Central Bank ECB/2010/14 of 16 September 2010 on the authenticity and fitness checking and recirculation of euro banknotes (OJ L 267, 9.10.2010, p. 1).	1 September 2013
	Amended by:	
31	Decision of the European Central Bank ECB/2012/19 of 7 September 2012 amending Decision ECB/2010/14 on the authenticity and fitness checking and recirculation of euro banknotes (2012/507/EU) (OJ L 253, 20.9.2012, p. 19).	1 October 2013 ⁽¹⁾
32	Regulation (EU) No 1210/2010 of the European Parliament and of the Council of 15 December 2010 concerning authentication of euro coins and handling of euro coins unfit for circulation (OJ L 339, 22.12.2010, p. 1).	1 September 2013
33	Regulation (EU) No 1214/2011 of the European Parliament and of the Council of 16 November 2011 on the professional transport of euro cash by road between euro-area Member States (OJ L 316, 29.11.2011, p. 1)	1 October 2014 ⁽¹⁾
34	Regulation (EU) No 651/2012 of the European Parliament and of the Council of 4 July 2012 on the issuance of euro coins (OJ L 201, 27.7.2012, p. 135).	1 October 2013 ⁽¹⁾
35	Decision ECB/2013/10 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (ECB/2013/10) (OJ L 118, 30.4.2013, p. 37).	1 October 2013 ⁽¹⁾
	Amended by:	
	Decision (EU) 2019/669 of the European Central Bank of 4 April 2019 amending Decision ECB/2013/10 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (OJ L 113, 29.4.2019, p. 6).	31 December 2020 ⁽⁷⁾
36	Council Regulation (EU) No 729/2014 of 24 June 2014 on denominations and technical specifications of euro coins intended for circulation (OJ L 194, 2.7.2014, p. 1).	1 October 2013 ⁽¹⁾

	Legal provisions to be implemented	Deadline for implementing
	Banking and Financial Legislation	
37	Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1). Amended by:	1 September 2016
38	Directive 2001/65/EC of the European Parliament and of the Council of 27 September 2001 amending Directives 78/660/EEC, 83/349/EEC and 86/635/EEC as regards the valuation rules for the annual and consolidated accounts of certain types of companies as well as of banks and other financial institutions (OJ L 283, 27.10.2001, p. 28).	
39	Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 amending Directives 78/660/EEC, 83/349/EEC, 86/635/EEC and 91/674/EEC on the annual and consolidated accounts of certain types of companies, banks and other financial institutions and insurance undertakings (OJ L 178, 17.7.2003, p. 16).	
40	Directive 2006/46/EC of the European Parliament and of the Council of 14 June 2006 amending Council Directives 78/660/EEC on the annual accounts of certain types of companies, 83/349/EEC on consolidated accounts, 86/635/EEC on the annual accounts and consolidated accounts of banks and other financial institutions and 91/674/EEC on the annual accounts and consolidated accounts of insurance undertakings (OJ L 224, 16.8.2006, p. 1).	
41	Council Directive 89/117/EEC of 13 February 1989 on the obligations of branches established in a Member State of credit institutions and financial institutions having their head offices outside that Member State regarding the publication of annual accounting documents (OJ L 44, 16.2.1989, p. 40).	1 September 2018
42	Directive 97/9/EC of the European Parliament and of the Council of 3 March 1997 on investment compensation schemes (OJ L 84, 26.3.1997, p. 22).	1 September 2018
43	Directive 98/26/EC of the European Parliament and of the Council of 19 May 1998 on settlement finality in payment and securities settlement systems (OJ L 166, 11.6.1998, p. 45). Amended by:	1 September 2018
44	Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 amending Directive 98/26/EC on settlement finality in payment and securities settlement systems and Directive 2002/47/EC on financial collateral arrangements as regards linked systems and credit claims (OJ L 146, 10.6.2009, p. 37).	
45	Directive 2010/78/EU of the European Parliament and of the Council of 24 November 2010 amending Directives 98/26/EC, 2002/87/EC, 2003/6/EC, 2003/41/EC, 2003/71/EC, 2004/39/EC, 2004/109/EC, 2005/60/EC, 2006/48/EC, 2006/49/EC and 2009/65/EC in respect of the powers of the European Supervisory Authority (European Banking Authority), the European Supervisory Authority (European Insurance and Occupational Pensions Authority) and the European Supervisory Authority (European Securities and Markets Authority) (OJ L 331, 15.12.2010, p. 120).	
46	Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1).	30 September 2019 ⁽³⁾

	Legal provisions to be implemented	Deadline for implementing
47	Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).	1 September 2018
48	Directive 2001/24/EC of the European Parliament and of the Council of 4 April 2001 on the reorganisation and winding up of credit institutions (OJ L 125, 5.5.2001, p. 15) Amended by:	1 September 2018
49	Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).	
50	Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements (OJ L 168, 27.6.2002, p. 43). Amended by:	1 September 2018
51	Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 amending Directive 98/26/EC on settlement finality in payment and securities settlement systems and Directive 2002/47/EC on financial collateral arrangements as regards linked systems and credit claims (OJ L 146, 10.6.2009, p. 37).	
52	Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).	1 September 2018 ⁽²⁾
53	Directive 2002/87/EC of the European Parliament and of the Council of 16 December 2002 on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate and amending Council Directives 73/239/EEC, 79/267/EEC, 92/49/EEC, 92/96/EEC, 93/6/EEC and 93/22/EEC, and Directives 98/78/EC and 2000/12/EC of the European Parliament and of the Council (OJ L 35, 11.2.2003, p. 1) and the related level 2 measures as appropriate Amended by:	1 September 2018
54	Directive 2005/1/EC of the European Parliament and of the Council of 9 March 2005 amending Council Directives 73/239/EEC, 85/611/EEC, 91/675/EEC, 92/49/EEC and 93/6/EEC and Directives 94/19/EC, 98/78/EC, 2000/12/EC, 2001/34/EC, 2002/83/EC and 2002/87/EC in order to establish a new organisational structure for financial services committees (OJ L 79, 24.3.2005, p. 9).	
55	Directive 2008/25/EC of the European Parliament and of the Council of 11 March 2008 amending Directive 2002/87/EC on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate, as regards the implementing powers conferred on the Commission (OJ L 81, 20.3.2008, p. 40).	

	Legal provisions to be implemented	Deadline for implementing
56	Directive 2010/78/EU of the European Parliament and of the Council of 24 November 2010 amending Directives 98/26/EC, 2002/87/EC, 2003/6/EC, 2003/41/EC, 2003/71/EC, 2004/39/EC, 2004/109/EC, 2005/60/EC, 2006/48/EC, 2006/49/EC and 2009/65/EC in respect of the powers of the European Supervisory Authority (European Banking Authority), the European Supervisory Authority (European Insurance and Occupational Pensions Authority) and the European Supervisory Authority (European Securities and Markets Authority) (OJ L 331, 15.12.2010, p. 120).	
57	Directive 2011/89/EU of the European Parliament and of the Council of 16 November 2011 amending Directives 98/78/EC, 2002/87/EC, 2006/48/EC and 2009/138/EC as regards the supplementary supervision of financial entities in a financial conglomerate (OJ L 326, 8.12.2011, p. 113).	
58	Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).	
59	Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the European Parliament and of the Council and repealing Council Directive 93/22/EEC (OJ L 145, 30.4.2004, p. 1) and the related level 2 measures as appropriate Amended by:	1 September 2018
60	Directive 2006/31/EC of the European Parliament and of the Council of 5 April 2006 amending directive 2004/39/EC on markets in financial instruments, as regards certain deadlines (OJ L 114, 27.4.2006, p. 60).	
61	Directive 2007/44/EC of the European Parliament and of the Council of 5 September 2007 amending Council Directive 92/49/EEC and Directives 2002/83/EC, 2004/39/EC, 2005/68/EC and 2006/48/EC as regards procedural rules and evaluation criteria for the prudential assessment of acquisitions and increase of holdings in the financial sector (OJ L 247, 21.9.2007, p. 1).	
62	Directive 2008/10/EC of the European Parliament and of the Council of 11 March 2008 amending Directive 2004/39/EC on markets in financial instruments, as regards the implementing powers conferred on the Commission (OJ L 76, 19.3.2008, p. 33).	
63	Directive 2010/78/EU of the European Parliament and of the Council of 24 November 2010 amending Directives 98/26/EC, 2002/87/EC, 2003/6/EC, 2003/41/EC, 2003/71/EC, 2004/39/EC, 2004/109/EC, 2005/60/EC, 2006/48/EC, 2006/49/EC, and 2009/65/EC in respect of the powers of the European Supervisory Authority (European Banking Authority), the European Supervisory Authority (European Insurance and Occupational Pensions Authority) and the European Supervisory Authority (European Securities and Markets Authority) (OJ L 331, 15.12.2010, p. 120).	

	Legal provisions to be implemented	Deadline for implementing
64	Regulation (EC) No 924/2009 of the European Parliament and of the Council of 16 September 2009 on cross-border payments in the Community and repealing Regulation (EC) No 2560/2001 (OJ L 266, 9.10.2009, p. 11). Amended by:	1 September 2018
65	Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 (OJ L 94, 30.3.2012, p. 22).	1 September 2018 ⁽¹⁾
66	Directive 2009/110/EC of the European Parliament and of the Council of 16 September 2009 on the taking up, pursuit and prudential supervision of the business of electronic money institutions amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (OJ L 267, 10.10.2009, p. 7). Amended by:	1 September 2016
67	Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).	1 September 2017 ⁽³⁾
68	Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35).	30 September 2018 ⁽⁴⁾
69	Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L, 331, 15.12.2010, p. 12). Amended by:	1 September 2016
70	Regulation (EU) No 1022/2013 of the European Parliament and of the Council of 22 October 2013 amending Regulation (EU) No 1093/2010 establishing a European Supervisory Authority (European Banking Authority) as regards the conferral of specific tasks on the European Central Bank pursuant to Council Regulation (EU) No 1024/2013 (OJ L 287, 29.10.2013, p. 5).	
71	Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 (OJ L 60, 28.2.2014, p. 34).	
72	Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).	1 September 2018 ⁽³⁾
73	Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35).	30 September 2018 ⁽⁴⁾

	Legal provisions to be implemented	Deadline for implementing
74	Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC (OJ L 331, 15.12.2010, p. 84). Amended by:	1 September 2016
75	Directive 2011/61/EU of the European Parliament and of the Council of 8 June 2011 on Alternative Investment Fund Managers and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (OJ L 174, 1.7.2011, p. 1).	
76	Regulation (EU) No 258/2014 of the European Parliament and of the Council of 3 April 2014 establishing a Union programme to support specific activities in the field of financial reporting and auditing for the period of 2014-20 and repealing Decision No 716/2009/EC (OJ L 105, 8.4.2014, p. 1).	
77	Directive 2014/51/EU of the European Parliament and of the Council of 16 April 2014 amending Directives 2003/71/EC and 2009/138/EC and Regulations (EC) No 1060/2009, (EU) No 1094/2010 and (EU) No 1095/2010 in respect of the powers of the European Supervisory Authority (European Insurance and Occupational Pensions Authority) and the European Supervisory Authority (European Securities and Markets Authority) (OJ L 153, 22.5.2014, p. 1).	
78	Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 (OJ L 94, 30.3.2012, p. 22). Amended by:	1 April 2018 ⁽²⁾
79	Regulation (EU) No 248/2014 of the European Parliament and of the Council of 26 February 2014 amending Regulation (EU) No 260/2012 as regards the migration to Union-wide credit transfers and direct debits (OJ L 84, 20.3.2014, p. 1).	
80	Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories, (OJ L 201, 27.7.2012, p. 1) and the related level 2 measures as appropriate Amended by:	30 September 2019 ⁽³⁾
81	Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).	
82	Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).	
83	Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84).	31 December 2020 ⁽³⁾

	Legal provisions to be implemented	Deadline for implementing
84	Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73).	
85	Regulation (EU) 2015/2365 of the European Parliament and of the Council of 25 November 2015 on transparency of securities financing transactions and of reuse and amending Regulation (EU) No 648/2012 (OJ L 337, 23.12.2015, p. 1).	30 September 2019 ⁽⁴⁾
86	Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1) and the related level 2 measures as appropriate Amended by:	1 September 2017 ⁽¹⁾
87	Regulation (EU) 2017/2395 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 as regards transitional arrangements for mitigating the impact of the introduction of IFRS 9 on own funds and for the large exposures treatment of certain public sector exposures denominated in the domestic currency of any Member State (OJ L 345, 27.12.2017, p. 27).	30 June 2019 ⁽⁶⁾
88	Regulation (EU) 2017/2401 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms (OJ L 347, 28.12.2017, p. 1).	31 March 2020 ⁽⁶⁾
89	Regulation (EU) 2019/630 of the European Parliament and of the Council of 17 April 2019 amending Regulation (EU) No 575/2013 as regards minimum loss coverage for non-performing exposures (OJ L 111, 25.4.2019, p. 4).	31 December 2020 ⁽⁷⁾
90	Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338) and the related level 2 measures as appropriate Amended by:	1 September 2017 ⁽¹⁾
91	Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).	1 September 2018 ⁽³⁾
92	Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC (OJ L 173, 12.6.2014, p. 1) and the related level 2 measures as appropriate. Amended by:	30 September 2018 ⁽⁴⁾

	Legal provisions to be implemented	Deadline for implementing
93	Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).	1 March 2020 ⁽⁶⁾
94	Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (OJ L 175, 30.6.2016, p. 1).	30 September 2018 ⁽⁷⁾
95	Directive 2014/49/EU of the European Parliament and of the Council of 16 April 2014 on deposit-guarantee schemes (OJ L 173, 12.6.2014, p. 149).	1 September 2016 ⁽²⁾
96	Directive 2014/57/EU of the European Parliament and of the Council of 16 April 2014 on criminal sanctions for market abuse (market abuse directive) (OJ L 173, 12.6.2014, p. 179).	30 September 2018 ⁽⁴⁾
97	Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190) and the related level 2 measures as appropriate Amended by:	1 September 2018 ⁽²⁾
98	Directive (EU) 2017/2399 of the European Parliament and of the Council of 12 December 2017 amending Directive 2014/59/EU as regards the ranking of unsecured debt instruments in insolvency hierarchy (OJ L 345, 27.12.2017, p. 96).	31 October 2019 ⁽⁶⁾
99	Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349) and the related level 2 measures as appropriate Amended by:	31 December 2020 ⁽³⁾
100	Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1).	31 December 2020 ⁽⁴⁾
101	Directive (EU) 2016/1034 of the European Parliament and of the Council of 23 June 2016 amending Directive 2014/65/EU on markets in financial instruments (OJ L 175, 30.6.2016, p. 8).	31 December 2021 ⁽⁵⁾
102	Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84) and the related level 2 measures as appropriate Amended by:	31 December 2020 ⁽³⁾
103	Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (OJ L 175, 30.6.2016, p. 1).	31 December 2020 ⁽⁵⁾

	Legal provisions to be implemented	Deadline for implementing
104	Regulation (EU) No 909/2014 of the European Parliament and of the Council of 23 July 2014 on improving securities settlement in the European Union and on central securities depositories and amending Directives 98/26/EC and 2014/65/EU and Regulation (EU) No 236/2012 (OJ L 257, 28.8.2014, p. 1). Amended by:	31 December 2020 ⁽⁴⁾
105	Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (OJ L 175, 30.6.2016, p. 1).	31 December 2020 ⁽⁶⁾
106	Regulation (EU) 2015/2365 of the European Parliament and of the Council of 25 November 2015 on transparency of securities financing transactions and of reuse and amending Regulation (EU) No 648/2012 (OJ L 337, 23.12.2015, p. 1).	30 September 2019 ⁽⁴⁾
107	Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35) and the related level 2 measures as appropriate	30 September 2018 ⁽⁴⁾
108	Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).	1 March 2020 ⁽⁶⁾
	Legislation on collection of statistical information (*)	
109	Guideline of the European Central Bank ECB/2013/24 of 25 July 2013 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts (OJ L 2, 7.1.2014, p. 34). Amended by:	1 September 2016 ⁽²⁾
110	Guideline (EU) 2016/66 of the European Central Bank of 26 November 2015 amending Guideline ECB/2013/24 on the statistical reporting requirements of the ECB in the field of quarterly financial accounts (ECB/2015/40) (OJ L 14, 21.1.2016, p. 36).	31 March 2017 ⁽⁴⁾
111	Regulation (EU) No 1071/2013 of the European Central Bank of 24 September 2013 concerning the balance sheet of the monetary financial institutions sector (ECB/2013/33) (OJ L 297, 7.11.2013, p. 1). Amended by:	1 September 2016 ⁽²⁾
112	Regulation (EU) No 1375/2014 of the European Central Bank of 10 December 2014 amending Regulation (EU) No 1071/2013 (ECB/2013/33) concerning the balance sheet of the monetary financial institutions sector (ECB/2014/51) (OJ L 366, 20.12.2014, p. 77).	
113	Regulation (EU) No 1072/2013 of the European Central Bank of 24 September 2013 concerning statistics on interest rates applied by monetary financial institutions (ECB/2013/34) (OJ L 297, 7.11.2013, p. 51). Amended by:	1 September 2016 ⁽²⁾
114	Regulation (EU) No 756/2014 of the European Central Bank of 8 July 2014 amending Regulation (EU) No 1072/2013 (ECB/2013/34) concerning statistics on interest rates applied by monetary financial institutions (ECB/2014/30) (OJ L 205, 12.7.2014, p. 14).	

	Legal provisions to be implemented	Deadline for implementing
115	Guideline of the European Central Bank ECB/2014/15 of 4 April 2014 on monetary and financial statistics (OJ L 340, 26.11.2014, p. 1). Amended by:	1 September 2016 ⁽²⁾
116	Guideline (EU) 2015/571 of the European Central Bank of 6 November 2014 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2014/43) (OJ L 93, 9.4.2015, p. 82).	
117	Guideline (EU) 2016/450 of the European Central Bank of 4 December 2015 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2015/44) (OJ L 86, 1.4.2016, p. 42).	31 March 2017 ⁽⁴⁾
118	Guideline (EU) 2017/148 of the European Central Bank of 16 December 2016 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2016/45) (OJ L 26, 31.1.2017, p. 1).	1 November 2017 ⁽³⁾
119	Guideline (EU) 2018/877 of the European Central Bank of 1 June 2018 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2018/17) (OJ L 154, 18.6.2018, p. 22).	1 October 2019* ⁽⁶⁾

⁽¹⁾ The Joint Committee of 2013 agreed on these deadlines pursuant to Article 8(5) of the Monetary Agreement of 27 March 2012 between the European Union and the Republic of San Marino.

⁽²⁾ The Joint Committee of 2014 agreed on these deadlines pursuant to Article 8(5) of the Monetary Agreement of 27 March 2012 between the European Union and the Republic of San Marino.

⁽³⁾ The Joint Committee of 2015 agreed on these deadlines pursuant to Article 8(5) of the Monetary Agreement of 27 March 2012 between the European Union and the Republic of San Marino.

⁽⁴⁾ The Joint Committee of 2016 agreed on these deadlines pursuant to Article 8(5) of the Monetary Agreement of 27 March 2012 between the European Union and the Republic of San Marino.

⁽⁵⁾ The Joint Committee of 2017 agreed on these deadlines pursuant to Article 8(5) of the Monetary Agreement of 27 March 2012 between the European Union and the Republic of San Marino.

⁽⁶⁾ The Joint Committee of 2018 agreed on these deadlines pursuant to Article 8(5) of the Monetary Agreement of 27 March 2012 between the European Union and the Republic of San Marino.

⁽⁷⁾ The Joint Committee of 2019 agreed on these deadlines pursuant to Article 8(4) of the Monetary Agreement of 27 March 2012 between the European Union and the Republic of San Marino.

^(*) As agreed under the template on simplified statistical reporting

COMMISSION DECISION (EU) 2020/109
of 23 January 2020
amending the Annex to the Monetary Agreement between the European Union and the Vatican City State

THE EUROPEAN COMMISSION,

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

Having regard to the Monetary Agreement of 17 December 2009 between the European Union and the Vatican City State ⁽¹⁾, and in particular Article 8(3) thereof,

Whereas:

- (1) Article 8(1) of the Monetary Agreement between the European Union and the Vatican City State ('the Monetary Agreement') requires the Vatican City State to implement Union legal acts and rules on euro banknotes and coins, prevention of money laundering, of fraud and counterfeiting of cash and non-cash means of payment; medals and tokens and statistical reporting requirements. Those acts and rules are listed in the Annex to the Monetary Agreement.
- (2) The Annex to the Monetary Agreement needs to be amended by the Commission every year to take into account the new relevant Union legal acts and rules and the amendments to the existing ones.
- (3) Some legal acts and rules of the Union are not relevant anymore and should therefore be deleted from the Annex, while some new relevant legal acts and rules of the Union and some amendments to existing legal acts were adopted and have to be added to the Annex.
- (4) The Annex to the Monetary Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to the Monetary Agreement between the European Union and the Vatican City State is replaced by the text in the Annex to this Decision.

Article 2

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

Done at Brussels, 23 January 2020.

For the Commission
The President
Ursula VON DER LEYEN

⁽¹⁾ OJ C 28, 4.2.2010, p. 13.

ANNEX

ANNEX

	Legal provisions to be implemented	Deadline for implementing
	Prevention of money laundering	
1	Council Framework Decision 2001/500/JHA of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime (OJ L 182, 5.7.2001, p. 1)	
2	Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union (OJ L 127, 29.4.2014, p. 39)	31 December 2016 ⁽²⁾
3	Regulation (EU) 2015/847 of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds and repealing Regulation (EC) No 1781/2006 (OJ L 141, 5.6.2015, p. 1)	31 December 2017 ⁽³⁾
4	Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73) Amended by:	31 December 2017 ⁽³⁾
5	Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43) Supplemented by:	31 March 2020 ⁽⁶⁾
6	Commission Delegated Regulation (EU) 2016/1675 of 14 July 2016 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council by identifying high-risk third countries with strategic deficiencies (OJ L 254, 20.9.2016, p. 1) Amended by:	31 December 2017 ⁽⁵⁾
7	Commission Delegated Regulation (EU) 2018/105 of 27 October 2017 amending Delegated Regulation (EU) 2016/1675, as regards adding Ethiopia to the list of high-risk third countries in the table in point I of the Annex (OJ L 19, 24.1.2018, p. 1)	31 March 2019 ⁽⁶⁾
8	Commission Delegated Regulation (EU) 2018/212 of 13 December 2017 amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding Sri Lanka, Trinidad and Tobago, and Tunisia to the table in point I of the Annex (OJ L 41, 14.2.2018, p. 4)	31 March 2019 ⁽⁶⁾
9	Commission Delegated Regulation (EU) 2018/1108 of 7 May 2018 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council with regulatory technical standards on the criteria for the appointment of central contact points for electronic money issuers and payment service providers and with rules on their functions (OJ L 203, 10.8.2018, p. 2)	31 December 2020 ⁽⁷⁾
10	Commission Delegated Regulation (EU) 2018/1467 of 27 July 2018 amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding Pakistan to the table in point I of the Annex (OJ L 246, 2.10.2018, p. 1)	31 December 2019 ⁽⁷⁾

	Legal provisions to be implemented	Deadline for implementing
11	Commission Delegated Regulation (EU) 2019/758 of 31 January 2019 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council with regard to regulatory technical standards for the minimum action and the type of additional measures credit and financial institutions must take to mitigate money laundering and terrorist financing risk in certain third countries (OJ L 125, 14.5.2019, p. 4)	31 December 2020 ⁽⁷⁾
12	Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union and repealing Regulation (EC) No 1889/2005 (OJ L 284, 12.11.2018, p. 6)	31 December 2021 ⁽⁷⁾
13	Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law (OJ L 284, 12.11.2018, p. 22)	31 December 2021 ⁽⁷⁾
	Prevention of fraud and counterfeiting	
14	Council Regulation (EC) No 1338/2001 of 28 June 2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 181, 4.7.2001, p. 6) Amended by:	31 December 2010
15	Council Regulation (EC) No 44/2009 of 18 December 2008 amending Regulation (EC) No 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 17, 22.1.2009, p. 1)	
16	Council Regulation (EC) No 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins (OJ L 373, 21.12.2004, p. 1) Amended by:	31 December 2010
17	Council Regulation (EC) No 46/2009 of 18 December 2008 amending Regulation (EC) No 2182/2004 concerning medals and tokens similar to euro coins (OJ L 17, 22.1.2009, p. 5)	
18	Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law, and replacing Council Framework Decision 2000/383/JHA (OJ L 151, 21.5.2014, p. 1)	31 December 2016 ⁽²⁾
19	Directive (EU) 2019/713 of the European Parliament and of the Council of 17 April 2019 on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA (OJ L 123, 10.5.2019, p. 18)	31 December 2021 ⁽⁷⁾
	Rules on euro banknotes and coins	
20	Council Conclusions of 10 May 1999 on the quality management system for euro coins	31 December 2010
21	Guideline ECB/2003/5 of the European Central Bank of 20 March 2003 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes (OJ L 78, 25.3.2003, p. 20). Amended by :	31 December 2010
22	Guideline ECB/2013/11 of the European Central Bank of 19 April 2013 amending Guideline ECB/2003/5 on the enforcement of measures to counter non-compliant reproductions of euro banknotes and on the exchange and withdrawal of euro banknotes (OJ L 118, 30.4.2013, p. 43)	31 December 2014 ⁽¹⁾

	Legal provisions to be implemented	Deadline for implementing
23	Decision ECB/2010/14 of the European Central Bank of 16 September 2010 on the authenticity and fitness checking and recirculation of euro banknotes (OJ L 267, 9.10.2010, p. 1) Amended by:	31 December 2012
24	Decision ECB/2012/19 of the European Central Bank of 7 September 2012 (OJ L 253, 20.9.2012, p. 19)	31 December 2013 ⁽¹⁾
25	Regulation (EU) No 1210/2010 of the European Parliament and of the Council of 15 December 2010 concerning authentication of euro coins and handling of euro coins unfit for circulation (OJ L 339, 22.12.2010, p. 1)	31 December 2012
26	Regulation (EU) No 651/2012 of the European Parliament and of the Council of 4 July 2012 on the issuance of euro coins (OJ L 201, 27.7.2012, p. 135)	31 December 2013 ⁽¹⁾
27	Decision ECB/2013/10 of the European Central Bank of 19 April 2013 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (OJ L 118, 30.4.2013, p. 37) Amended by:	31 December 2014 ⁽¹⁾
28	Decision (EU) 2019/669 of the European Central Bank of 4 April 2019 amending Decision ECB/2013/10 on the denominations, specifications, reproduction, exchange and withdrawal of euro banknotes (OJ L 113, 29.4.2019, p. 6)	31 December 2020 ⁽²⁾
29	Council Regulation (EU) No 729/2014 of 24 June 2014 on denominations and technical specifications of euro coins intended for circulation (OJ L 194, 2.7.2014, p. 1)	31 December 2013 ⁽²⁾

Section of the Annex to the Monetary Agreement in accordance with the ad hoc arrangement of the Joint Committee on a request from the Holy See and Vatican City State on the inclusion of relevant rules applicable to entities carrying out financial activities on a professional basis

	Relevant parts of the following legal instruments	Deadline for implementing
30	Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions (OJ L 372, 31.12.1986, p. 1) Amended by:	31 December 2016 ⁽²⁾
31	Directive 2001/65/EC of the European Parliament and of the Council of 27 September 2001 (OJ L 283, 27.10.2001, p. 28)	
32	Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 (OJ L 178, 17.7.2003, p. 16)	
33	Directive 2006/46/EC of the European Parliament and of the Council of 14 June 2006 (OJ L 224, 16.8.2006, p. 1)	
34	Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338)	31 December 2017 ⁽²⁾

	Relevant parts of the following legal instruments	Deadline for implementing
35	Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1) and the related level 2 measures as appropriate Amended by:	31 December 2017 ^(?)
36	Regulation (EU) 2017/2395 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 as regards transitional arrangements for mitigating the impact of the introduction of IFRS 9 on own funds and for the large exposures treatment of certain public sector exposures denominated in the domestic currency of any Member State (OJ L 345, 27.12.2017, p. 27)	30 June 2019 ⁽⁶⁾
37	Regulation (EU) 2017/2401 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 on prudential requirements for credit institutions and investment firms (OJ L 347, 28.12.2017, p. 1)	31 March 2020 ⁽⁶⁾
38	Regulation (EU) 2019/630 of the European Parliament and of the Council of 17 April 2019 amending Regulation (EU) No 575/2013 as regards minimum loss coverage for non-performing exposures (OJ L 111, 25.4.2019, p. 4)	31 December 2020 ⁽⁷⁾
39	Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC (OJ L 173, 12.6.2014, p. 1) and the related level 2 measures as appropriate Amended by:	30 September 2018 ⁽⁴⁾
40	Regulation (EU) 2016/1033 of the European Parliament and of the Council of 23 June 2016 amending Regulation (EU) No 600/2014 on markets in financial instruments, Regulation (EU) No 596/2014 on market abuse and Regulation (EU) No 909/2014 on improving securities settlement in the European Union and on central securities depositories (OJ L 175, 30.6.2016, p. 1)	30 September 2018 ⁽⁵⁾
41	Directive 2014/57/EU of the European Parliament and of the Council of 16 April 2014 on criminal sanctions for market abuse (market abuse directive) (OJ L 173, 12.6.2014, p. 179)	30 September 2018 ⁽⁴⁾
	Legislation on collection of statistical information (*)	
42	Guideline ECB/2013/24 of the European Central Bank of 25 July 2013 on the statistical reporting requirements of the European Central Bank in the field of quarterly financial accounts (OJ L 2, 7.1.2014, p. 34) Amended by:	31 December 2016 ⁽²⁾
43	Guideline (EU) 2016/66 of the European Central Bank of 26 November 2015 amending Guideline ECB/2013/24 on the statistical reporting requirements of the ECB in the field of quarterly financial accounts (ECB/2015/40) (OJ L 14, 21.1.2016, p. 36)	31 March 2017 ⁽⁴⁾

	Relevant parts of the following legal instruments	Deadline for implementing
44	Regulation (EU) No 1071/2013 of the European Central Bank of 24 September 2013 concerning the balance sheet of the monetary financial institutions sector (ECB/2013/33) (OJ L 297, 7.11.2013, p. 1) Amended by:	31 December 2016 ⁽²⁾
45	Regulation (EU) No 1375/2014 of the European Central Bank of 10 December 2014 amending Regulation (EU) No 1071/2013 concerning the balance sheet of the monetary financial institutions sector (ECB/2013/33) (ECB/2014/51) (OJ L 366, 20.12.2014, p. 77)	
46	Regulation (EU) No 1072/2013 of the European Central Bank of 24 September 2013 concerning statistics on interest rates applied by monetary financial institutions (ECB/2013/34) (OJ L 297, 7.11.2013, p. 51) Amended by:	31 December 2016 ⁽²⁾
47	Regulation (EU) No 756/2014 of the European Central Bank of 8 July 2014 amending Regulation (EU) No 1072/2013 (ECB/2013/34) concerning statistics on interest rates applied by monetary financial institutions (ECB/2014/30) (OJ L 205, 12.7.2014, p. 14)	
48	Guideline ECB/2014/15 of the European Central Bank of 4 April 2014 on monetary and financial statistics (OJ L 340, 26.11.2014, p. 1) Amended by:	31 December 2016 ⁽²⁾
49	Guideline (EU) 2015/571 of the European Central Bank of 6 November 2014 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2014/43) (OJ L 93, 9.4.2015, p. 82)	
50	Guideline (EU) 2016/450 of the European Central Bank of 4 December 2015 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2015/44) (OJ L 86, 1.4.2016, p. 42)	31 March 2017 ⁽⁴⁾
51	Guideline (EU) 2017/148 of the European Central Bank of 16 December 2016 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2016/45) (OJ L 26, 31.1.2017, p. 1)	1 November 2017 ⁽⁵⁾
52	Guideline (EU) 2018/877 of the European Central Bank of 1 June 2018 amending Guideline ECB/2014/15 on monetary and financial statistics (ECB/2018/17) (OJ L 154, 18.6.2018, p. 22)	1 October 2019* ⁽⁶⁾

⁽¹⁾ These deadlines were agreed by the Joint Committee of 2013.

⁽²⁾ These deadlines were agreed by the Joint Committee of 2014.

⁽³⁾ These deadlines were agreed by the Joint Committee of 2015.

⁽⁴⁾ These deadlines were agreed by the Joint Committee of 2016.

⁽⁵⁾ These deadlines were agreed by the Joint Committee of 2017.

⁽⁶⁾ These deadlines were agreed by the Joint Committee of 2018.

⁽⁷⁾ These deadlines were agreed by the Joint Committee of 2019.

^(*) As agreed under the template on simplified statistical reporting.

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/wp29-gen/wp29fdocstts.html>

Regulation No 122 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform technical prescriptions concerning the approval of vehicles of categories M, N and O with regard to their heating systems [2020/110]

Incorporating all valid text up to:

Supplement 5 to the original version of the Regulation — Date of entry into force: 15 October 2019

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1. SCOPE
 - 1.1. This regulation applies to all vehicles in categories M, N and O ⁽¹⁾ in which a heating system is fitted.
Type approvals are granted according to:
 - 1.2. Part I — Approval of a vehicle type with regard to its heating system.
 - 1.3. Part II — Approval of a heating system with regard to its operational safety.
2. DEFINITIONS: GENERAL
For the purposes of this Regulation:
 - 2.1. 'Vehicle' means a vehicle of category M, N or O ⁽¹⁾ in which a heating system is fitted.
 - 2.2. 'Manufacturer' means the person or body who is responsible to the approval authority for all aspects of the type approval process and for ensuring conformity of production. It is not essential that the person or body is directly involved in all stages of the construction of the vehicle or component which is the subject of the approval process.
 - 2.3. 'Interior' means the enclosed parts of a vehicle used for the accommodation of the vehicle occupants and/or the load.
 - 2.4. 'Heating system for the passenger compartment' means any type of device designed to increase the temperature of the passenger compartment.
 - 2.5. 'Heating system for the load area' means any type of device designed to increase the temperature of the load area.
 - 2.6. 'Load area' means the interior part of the vehicle used to accommodate the non-passenger load.
 - 2.7. 'Passenger compartment' means the interior part of the vehicle used to accommodate the driver and any passengers.
 - 2.8. 'Gaseous fuel' includes fuels that are gaseous at normal temperature and pressure (288,2 K and 101,33 kPa), such as liquefied petroleum gas (LPG) and compressed natural gas (CNG).
 - 2.9. 'Overheating' means the condition that exists when the air inlet for the heating air to the combustion heater is completely blocked.
3. APPLICATION FOR APPROVAL
 - 3.1. Application for approval of a type of vehicle with regard to its heating system
 - 3.1.1. The application for approval of a vehicle type with regard to its heating system shall be submitted by the manufacturer of the vehicle or by his duly accredited representative.
 - 3.1.2. It shall be accompanied by the undermentioned documents in triplicate and by the following particulars:
 - 3.1.2.1. a detailed description of the vehicle type with respect to its structure, dimensions, configuration and constituent materials;
 - 3.1.2.2. drawings of the heating system and its general arrangement
 - 3.1.3. A model for the information document is given in Annex 1, Part 1, Appendix 1.
 - 3.1.4. A vehicle representative of the type to be approved must be submitted to the technical service responsible for conducting the type-approval tests.

⁽¹⁾ As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3.), document ECE/TRANS/WP.29/78/Rev.6, para. 2.
<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29resolutions.html>

- 3.1.5. If the vehicle to be approved is equipped with a heater with an ECE type approval, the type approval number and the maker's type designations of this type of heater shall be enclosed in the application for the vehicle type approval.
- 3.1.6. If the vehicle to be approved is equipped with a heater without ECE type approval, one sample representative of the type to be approved shall be submitted to the technical service.
- 3.2. Application for approval of a type of heater
 - 3.2.1. The application for approval of a type of heater as a component shall be submitted by the manufacturer of the heating system.
 - 3.2.2. It shall be accompanied by the undermentioned documents in triplicate and by the following particulars:
 - 3.2.2.1. a detailed description of the heating system type with respect to its structure, dimensions, configuration and constituent materials;
 - 3.2.2.2. drawings of the heating system and its general arrangement
 - 3.2.3. A model for the information document is given in Annex 1 Part 1, Appendix 2.
 - 3.2.4. One sample heater representative of the type to be approved shall be submitted to the technical service.
 - 3.2.5. The sample shall be clearly and indelibly marked with the applicant's trade name or mark and the type designation.
4. APPROVAL
 - 4.1. If the type submitted for approval to this Regulation meets the requirements of the relevant part(s) of this Regulation, approval of that type shall be granted.
 - 4.2. An approval number shall be assigned to each type approved. Its first two digits (at present 00, corresponding to the Regulation in its original form) 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. The same Contracting Party shall not assign the same number to another type of vehicle or heating system as defined in this Regulation.
 - 4.3. Notice of approval or of extension of approval of a type pursuant to this Regulation shall be communicated to the Contracting Parties to the Agreement applying this Regulation, by means of one of the forms conforming to the models in Annex 1, Part 2, as appropriate, to this Regulation.
 - 4.4. There shall be affixed, conspicuously and in a readily accessible location specified on the approval form, to every vehicle conforming to a type approved under this Regulation and to every component supplied separately conforming to a type approved under this Regulation, a circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted type approval ⁽²⁾.
 - 4.5. In the case of a component type-approval, the number of this Regulation, followed by the letter 'R', a dash and the approval number according to paragraph 4.2.

⁽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. 6, Annex 3 — <http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29resolutions.html>

- 4.6. If a type conforms to a type approved under one or more other Regulations annexed to the Agreement, in the country which has granted approval under this Regulation, the symbol prescribed in paragraph 4.2 need not be repeated; in such a case, the Regulation(s) under which approval has been granted in the country which has granted approval under this Regulation shall be placed in vertical columns to the right of the symbol prescribed in paragraph 4.2.
- 4.7. The approval mark shall be clearly legible and be indelible.
- 4.8. In the case of a vehicle, the approval mark shall be placed close to or on the vehicle data plate affixed by the manufacturer.
- 4.9. Annex 2 to this Regulation gives examples of arrangements of approval marks.
5. PART I: APPROVAL OF A VEHICLE TYPE WITH REGARD TO ITS HEATING SYSTEM
- 5.1. Definition
- For the purpose of Part I of this Regulation,
- 5.1.1. 'Vehicle type with regard to heating system' means vehicles which do not differ in essential respects such as the functioning principle(s) of the heating system.
- 5.2. Specifications
- 5.2.1. The passenger compartment of every vehicle shall be fitted with a heating system. If a heating system for the load area is provided in a vehicle, it shall comply with this Regulation.
- 5.2.2. The heating system of the vehicle to be type approved shall meet the technical requirements of Part II of this Regulation.
- 5.3. Vehicle Installation Requirements for Combustion Heaters, Electric Heaters and Heat Pump Heating Systems
- 5.3.1. Scope
- 5.3.1.1. Subject to paragraph 5.3.1.2, heaters shall be installed according to the requirements of paragraph 5.3.
- 5.3.1.2. Vehicles of category O having liquid fuel heaters are deemed to comply with the requirements of paragraph 5.3.
- 5.3.2. Positioning of heater
- 5.3.2.1. Body sections and any other components in the vicinity of the heater must be protected from excessive heat and the possibility of fuel or oil contamination.
- 5.3.2.2. The heater shall not constitute a risk of fire, even in the case of overheating. This requirement shall be deemed to be met if the installation ensures an adequate distance to all parts and suitable ventilation, by the use of fire resistant materials or by the use of heat shields.
- 5.3.2.3. In the case of M2 and M3 vehicles, the combustion heater must not be positioned in the passenger compartment. However, an installation in an effectively sealed envelope which also complies with the conditions in paragraph 5.3.2.2 may be used.
- 5.3.2.4. The label referred to in Annex 7, paragraph 4, or a duplicate, must be positioned so that it can be easily read when the combustion heater is installed in the vehicle.
- 5.3.2.5. Every reasonable precaution should be taken in positioning the heater to minimize the risk of injury and damage to personal property.
- 5.3.3. Fuel supply of Combustion Heaters

- 5.3.3.1. The fuel filler must not be situated in the passenger compartment and must be provided with an effective cap to prevent fuel spillage.
 - 5.3.3.2. In the case of liquid fuel heaters, where a supply separate from that of the vehicle is provided, the type of fuel and its filler point must be clearly labelled.
 - 5.3.3.3. A notice, indicating that the heater must be shut down before refuelling, must be affixed to the fuelling point. In addition a suitable instruction must be included in the manufacturer's operating manual.
 - 5.3.4. Exhaust system of Combustion Heaters
 - 5.3.4.1. The exhaust outlet must be located so as to prevent emissions from entering the vehicle through ventilators, heated air inlets or opening windows.
 - 5.3.5. Combustion air inlet of Combustion Heaters
 - 5.3.5.1. The air for the combustion chamber of the heater must not be drawn from the passenger compartment of the vehicle.
 - 5.3.5.2. The air inlet must be so positioned or guarded that blocking by rubbish or luggage is unlikely.
 - 5.3.6. Heating air inlet
 - 5.3.6.1. The heating air supply may be fresh or re-circulated air and must be drawn from a clean area not likely to be contaminated by exhaust fumes emitted either by the propulsion engine, the combustion heater or any other vehicle source.
 - 5.3.6.2. The inlet duct must be protected by mesh or other suitable means.
 - 5.3.7. Heating air outlet
 - 5.3.7.1. Any ducting used to route the hot air through the vehicle must be so positioned or protected that no injury or damage could be caused if it were to be touched.
 - 5.3.7.2. The air outlet must be so positioned or guarded that blocking by rubbish or luggage is unlikely.
 - 5.3.8. Automatic control of the combustion heating system
 - 5.3.8.1. The heating system must be switched off automatically and the supply of fuel must be stopped within five seconds when the vehicle's engine stops running. If a manual device is already activated, the heating system can stay in operation.
6. PART II: APPROVAL OF A HEATING SYSTEM WITH REGARD TO ITS OPERATIONAL SAFETY
- 6.1. Definitions

For the purpose of Part II of this Regulation,

 - 6.1.1. 'Heating system' means any type of device which is designed to increase the temperature of the interior of a vehicle, including any load area.
 - 6.1.2. 'Combustion heater' means a device directly using liquid or gaseous fuel and not using the waste heat from the engine used for propulsion of the vehicle.
 - 6.1.3. 'Type of heating systems' means devices which do not differ in essential respects such as:
 - energy supply (e.g. liquid fuel or electricity),
 - transfer medium (e.g. air or water),

— vehicle location (e.g. passenger compartment or load area).

6.1.4. 'Waste-heat heating system' means any type of device using the waste heat from the engine used for propulsion of the vehicle to increase the temperature of the interior of the vehicle, this may include water, oil or air as the transfer medium.

6.1.5. 'Electric heater' means a device using electric energy from an onboard or external source to increase the temperature of the interior of the vehicle. Electrical devices which are installed in addition to the main heating system and whose main function is not to heat the interior of the vehicle are not considered as electric heaters according to this Regulation. For example, electric devices installed in components for the sole purpose of heating that component are not considered as electric heaters according to this Regulation.

6.1.6. 'Heat pump heating system' means any type of thermodynamic heating device deemed to make use of renewable energy that draws calories from one environment (air or water) in order to transfer them to another with a view to increasing the temperature of the interior of the vehicle. Heat pump heating systems which are installed in addition to the main heating system and whose main function is not to heat the interior of the vehicle are not considered as heat pump heating systems according to this Regulation.

6.2. Specifications: General

The requirements for heating systems are that:

- the heated air entering the passenger compartment shall be no more polluted than the air at the point of inlet to the vehicle,
- the driver and passengers, during road use, will not be able to come into contact with parts of the vehicle or heated air liable to cause burns,
- the exhaust emissions from combustion heaters are within acceptable limits.

The test procedures for verification of each of these requirements are set out in Annexes 4, 5 and 6.

6.2.1. The following table indicates which annexes apply to each type of heating system within each vehicle category:

<i>Heating system</i>	<i>Vehicle category</i>	<i>Annex 4 Air quality</i>	<i>Annex 5 Temperature</i>	<i>Annex 6 Exhaust</i>	<i>Annex 8 LPG safety</i>
Engine waste heat — water	M				
	N				
	O				
Engine waste heat — air See Note 1	M	Yes	Yes		
	N	Yes	Yes		
	O				
Engine waste heat — oil	M	Yes	Yes		
	N	Yes	Yes		
	O				
Gaseous fuel heater See Note 2	M	Yes	Yes	Yes	Yes
	N	Yes	Yes	Yes	Yes
	O	Yes	Yes	Yes	Yes
Liquid fuel heater See Note 2	M	Yes	Yes	Yes	
	N	Yes	Yes	Yes	
	O	Yes	Yes	Yes	

Heating system	Vehicle category	Annex 4 Air quality	Annex 5 Temperature	Annex 6 Exhaust	Annex 8 LPG safety
Electric heater See Note 2	M		Yes		
	N		Yes		
	O		Yes		
Heat pump	M	Yes	Yes		
	N	Yes	Yes		
	O	Yes	Yes		

Note 1: Heating systems which comply with the requirements of Annex 3 are exempt from these test requirements.

Note 2: Heaters located outside the passenger compartment, using water as a transfer medium, are deemed to comply with Annexes 4 and 5.

6.3. Specifications: Combustion heaters

Additional requirements for combustion heaters are laid down in Annex 7.

7. MODIFICATION AND EXTENSION OF APPROVAL OF A VEHICLE OR COMPONENT TYPE

7.1. Every modification of the type shall be notified to the Type Approval Authority which approved the type. That Authority may then either:

7.1.1. consider that the modifications made are unlikely to have an appreciable adverse effect and that, in any case, the vehicle or component still complies with the requirements; or

7.1.2. require a further test report from the technical service responsible for conducting the tests.

7.2. Confirmation or refusal of approval, specifying the modifications, shall be communicated by the procedure specified in paragraph 4.3 to the Contracting Parties to the Agreement which apply this Regulation.

7.3. The competent authority issuing the extension of approval shall assign a series number for such an extension and inform thereof the other Contracting Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in Annex 1, Part 2, Appendix 1 or 2 as appropriate to this Regulation.

8. CONFORMITY OF PRODUCTION

The conformity of production procedures shall comply with those set out in the Agreement, Appendix 2 (E/ECE/324-E/ECE/TRANS/505/Rev.2), with the following requirements:

8.1. Vehicles and components approved to this regulation shall be so manufactured as to conform to the type approved by meeting the requirements set forth in paragraphs 5 and 6 above.

8.2. The competent authority which has granted type-approval may at any time verify the conformity control methods applicable to each production facility. The normal frequency of these verifications shall be once per two years.

9. PENALTIES FOR NON-CONFORMITY OF PRODUCTION

9.1. The approval granted in respect of a vehicle type pursuant to this Regulation may be withdrawn if the requirements laid down in paragraphs 5 and 6 above are not complied with.

9.2. If a Contracting Party to the Agreement applying this Regulation withdraws an approval it has previously granted, it shall forthwith notify the other Contracting Parties applying this Regulation, by means of a communication form conforming to the model in Annex 1, Part 2, Appendix 1 or 2 to this Regulation.

10. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a type of vehicle or component under this Regulation, he shall so inform the authority which 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 1, Part 2, Appendix 1 or 2 to this Regulation.

11. NAMES AND ADDRESSES OF TECHNICAL SERVICES CONDUCTING APPROVAL TESTS, AND OF TYPE APPROVAL AUTHORITIES

The Contracting Parties to the Agreement which apply this Regulation shall communicate to the Secretariat of the United Nations 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, issued in other countries, are to be sent.

ANNEX 1

PART 1

APPENDIX 1

MODEL INFORMATION DOCUMENT

(for a vehicle type in accordance with paragraph 4.3 of the Regulation relating to the ECE Type Approval of a heating system and of a vehicle with regard to its heating system)

If the heating system or its component parts have electronic controls, information concerning their performance must be supplied

0. GENERAL

0.1. Make (trade name of manufacturer):

0.2. Type and general commercial description(s):

0.3. Means of identification of type, if marked on the vehicle:

0.4. Location of that marking:

0.5. Category of vehicle ⁽¹⁾:

0.6. Name and address of manufacturer:

0.7. Address(es) of assembly plant(s):

1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE

1.1. Photographs and/or drawings of a representative vehicle:

2. POWER PLANT

2.1. Manufacturer's engine code:
(as marked on the engine, or other means of identification)

2.2. Working principle: positive ignition/compression ignition, four stroke/two stroke ⁽²⁾

2.3. Number and arrangement of cylinders:

2.4. Maximum net power: kW at min⁻¹
(manufacturer's declared value)

2.5. Cooling system (liquid/air) ⁽²⁾

2.6. Nominal setting of the engine temperature control mechanism:

2.7. Pressure charger: Yes/No ⁽²⁾

2.7.1. Type(s)

2.7.2. Description of the system (e.g. maximum charge pressure: kPa, wastegate if applicable)

3. BODYWORK

3.1. A brief description of the vehicle with regard to the heating system if the heating system uses the heat of the engine cooling fluid

3.2. A brief description of the vehicle type with regard to the heating system if the cooling air or the exhaust gases of the engine are used as the heat source, including:

3.2.1. Layout of the heating system showing its position in the vehicle:

3.2.2. Layout drawing of the heat exchanger for heating systems using the exhaust gases for heating or of the parts where the heat exchange takes place (for heating systems using the engine cooling air for heating):

3.2.3. Sectional drawing of the heat exchanger or the parts respectively where the heat exchange takes place, indicating the thickness of the wall, materials used and the characteristics of the surface:

3.2.4. Specifications shall be given for further important components of the heating system, such as e.g. the heater fan, with regard to their method of construction and technical data

3.3. A brief description of the vehicle type with regard to the combustion heating system and the automatic control:

3.3.1. layout drawing of the combustion heater, the air inlet system, the exhaust system, the fuel tank, the fuel supply system (including the valves) and the electrical connections showing their positions in the vehicle.

3.4. Maximum electrical consumption: kW

(1) As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3.), document ECE/TRANS/WP.29/78/Rev.6, para. 2.

(2) Strike out which does not apply.



APPENDIX 2

MODEL INFORMATION DOCUMENT

(for a heating system type in accordance with paragraph 4.3 of the Regulation relating to the ECE Type approval of heating system with regard to its operational safety)

If the heating system or its component parts have electronic controls, information concerning their performance must be supplied

1. GENERAL

1.1. Make (trade name of manufacturer):

1.2. Type and general commercial description(s):

1.3. Name and address of manufacturer:

1.4. In the case of components, location and method of affixing of the ECE approval mark:

1.5. Address(es) of assembly plant(s):

2. COMBUSTION HEATER (IF ANY)

2.1. Make (trade name of manufacturer):

2.2. Type and general commercial description(s):

2.3. Means of identification of type, if marked on the heating system:

2.4. Location of that marking:

2.5. Name and address of manufacturer:

2.6. Address(es) of assembly plant(s):

2.7. Test pressure (in the case of a combustion heater fuelled by liquefied petroleum gas or similar, the pressure applied at the gas inlet connector of the heater):

2.8. Detailed description, layout drawings and mounting description of the combustion heater and all its components:

—

PART 2

APPENDIX 1

COMMUNICATION

(maximum format: A4 (210 x 297 mm))



Issued by: Name of administration:
.....
.....

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

of a vehicle type pursuant to Regulation No 122

Approval No Extension No

Reason for extension:

SECTION I

GENERAL

- 1.1. Make (trade name of manufacturer):
1.2. Type:
1.3. Means of identification of type, if marked on the vehicle/component/separate technical unit (2) (3):
1.3.1. Location of that marking:
1.4. Category of vehicle (4)
1.5. Name and address of manufacturer:
1.6. Location of the ECE approval mark:
1.7. Address(es) of assembly plant(s):

SECTION II

- 1. Additional information (where applicable)
2. Technical service responsible for carrying out the tests:
3. Date of test report:
4. Number of test report:
5. Remarks (if any):

6. Place:
7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.
10. The vehicle is approved according to the requirements of Annex 9 (ADR): Yes/No ⁽²⁾.

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

⁽²⁾ Strike out which does not apply.

⁽³⁾ If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered in this information document, such characters shall be represented in the documentation by the symbol '?' (e.g. ABC??123??)

⁽⁴⁾ As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3.), document ECE/TRANS/WP.29/78/Rev.6, para. 2.

APPENDIX 2

COMMUNICATION

(Maximum format: A4 (210 mm x 297 mm))



Issued by: Name of administration:
.....
.....

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

of a component type pursuant to Regulation No 122

Approval No Extension No

Reason for extension:

SECTION I

GENERAL

- 1.1. Make (trade name of manufacturer):
1.2. Type:
1.3. Means of identification of type, if marked on the device (3):
1.3.1. Location of that marking:
1.4. Name and address of manufacturer:
1.5. Location of the ECE approval mark:
1.6. Address(es) of assembly plant(s):

SECTION II

- 1. Additional information (where applicable)
2. Technical service responsible for carrying out the tests:
.....
3. Date of test report:
4. Number of test report:
5. Remarks (if any):
6. Place:

7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

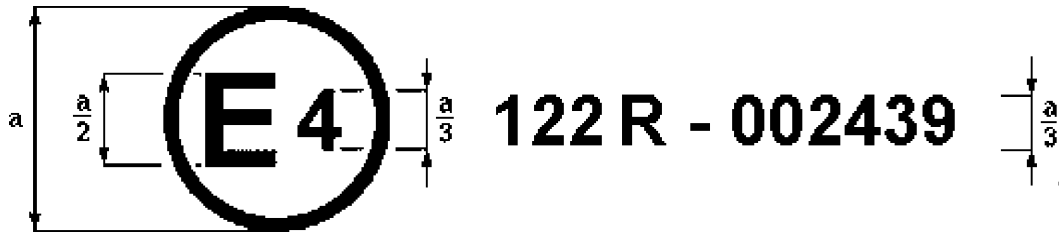
-
- (¹) Distinguishing number of the country which has granted, extended, refused or withdrawn approval (see approval provisions in the Regulation).
- (²) Strike out which does not apply.
- (³) If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered in this information document, such characters shall be represented in the documentation by the symbol '?' (e.g. ABC??123??).
-

ANNEX 2

ARRANGEMENTS OF APPROVAL MARKS

MODEL A

(See paragraph 4.5 of this Regulation)

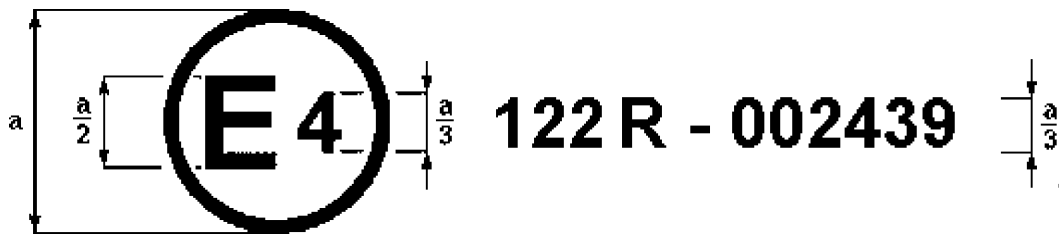


a = 8 mm min

The above approval mark affixed to a heating system shows that the component type concerned has, with regard to its constructional features, been approved in the Netherlands (E 4) pursuant to Regulation No 122 under approval number 002439. The approval number indicates that the approval was granted according to the requirements of Regulation No 122 in its original form.

MODEL B

(See paragraph 4.4 of this Regulation)

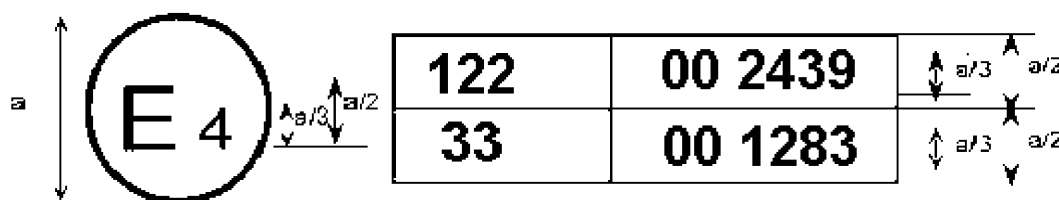


a = 8 mm min

The above approval mark affixed to a vehicle shows that the vehicle type concerned has, with regard to its heating system(s), been approved in the Netherlands (E 4) for Class III, pursuant to Regulation No 122. The number 00 indicates that the approval was granted according to the requirements of Regulation No 122 in its original form.

MODEL C

(See paragraph 4.6 of this Regulation)



a = 8 mm min.

The above approval mark affixed to a vehicle shows that the vehicle type concerned has been approved in the Netherlands (E 4) pursuant to Regulations Nos 122 and 33 (*).The numbers 00 indicate that, at the dates when the respective approvals were given, both Regulations were in their original forms.

(*) This number is given merely as an example.

ANNEX 3

REQUIREMENTS FOR WASTE HEATING SYSTEMS — AIR

1. The requirements set out in paragraph 6.2 of this Regulation are considered satisfied in respect of heating systems which include a heat exchanger, the primary circuit of which is passed over by exhaust gases or polluted air, provided that the following conditions are satisfied:
 2. the walls of the primary circuit of the heat exchanger must be leak tight at any pressure up to and including 2 bar;
 3. the walls of the primary circuit of the heat exchanger must not include any detachable component;
 4. the wall of the heat exchanger where the exchange of heat takes place must be at least 2 mm thick if made of non-alloy steels;
 - 4.1. in cases where other materials are used (including composite or coated materials), the thickness of the wall must be such as to ensure that the heat exchanger has the same service life as in the case referred to in paragraph 4;
 - 4.2. if the wall of the heat exchanger where the exchange of heat takes place is enamelled, the wall where such enamel has been applied must be at least 1 mm thick and this enamel must be durable, leak tight and not porous;
 5. the pipe conducting the exhaust gases must include a corrosion test zone at least 30 mm long, this zone being situated directly downstream of the heat exchanger, uncovered and easily accessible;
 - 5.1. the wall of this corrosion test zone must not be thicker than the pipes for the exhaust gases situated inside the heat exchanger and the materials and surface properties of this section must be comparable with those of these pipes;
 - 5.2. if the heat exchanger forms a single unit with the vehicle exhaust silencer, the external wall of the latter must be regarded as the zone complying with point 5.1 where any corrosion should occur.
6. In the case of waste heat heating systems using the cooling air of the engine for heating purposes, the conditions of paragraph 6.2 of this Regulation are considered satisfied without the use of a heat exchanger provided that the following conditions are satisfied:
 - 6.1. the cooling air which is used for heating purposes comes into contact only with surfaces of the engine which do not include any detachable part, and
 - 6.2. the connections between the walls of this cooling air circuit and the surfaces used for the transfer of heat are gastight and oil-resistant.

These conditions are considered satisfied if, for example:

- a sheath around each sparking plug draws off any gas leaks outside the heating air circuit,
- the joint between the cylinder head and the exhaust manifold is situated outside the heating air circuit,
- there is double leak protection between the cylinder head and the cylinder and any leaks from the first joint are drawn off outside the heating air circuit, or
- the leak protection between the cylinder head and the cylinder still holds when the cylinder head nuts are cold-tightened at one-third of the nominal torque prescribed by the manufacturer, or
- the area where the cylinder head is joined to the cylinder is situated outside the heating air circuit.

—

ANNEX 4

TEST PROCEDURE FOR AIR QUALITY

1. In the case of vehicle type-approval the following test shall be carried out:
 - 1.1. Operate the heater for one hour at maximum output in conditions of still air (wind speed ≤ 2 m/s), with all windows closed and, in the case of a combustion heater, the propulsion engine switched off. If, however, having selected the maximum output the heater switches off automatically in less than an hour, the measurements may be made before switch-off.
 - 1.2. The proportion of CO in the ambient air shall be measured by taking samples from:
 - 1.2.1. a point outside the vehicle as close as possible to the heating air inlet, and
 - 1.2.2. a point inside the vehicle less than 1 m from the heated air outlet.
 - 1.3. Readings shall be taken for a representative time of 10 minutes.
 - 1.4. The reading from position described in paragraph 1.2.2 shall be less than 20 ppm CO higher than from position described in paragraph 1.2.1.
 2. In the case of type-approval of heaters as components the following test shall be carried out after the tests of Annexes 5, 6 and paragraph 1.3 of Annex 7.
 - 2.1. The primary circuit of the heat exchanger shall be subjected to a leakage test to ensure that polluted air cannot enter the heated air intended for the passenger compartment.
 - 2.2. This requirement shall be considered to be fulfilled if, at a gauge pressure of 0,5 hPa, the leakage rate from the heat exchanger is less than or equal to 30 dm³/h.
-

ANNEX 5

TEST PROCEDURE FOR TEMPERATURE

1. Operate the heater for one hour at maximum output in conditions of still air (wind speed ≤ 2 m/s), with all windows closed. If, however, having selected the maximum output the heater switches off automatically in less than an hour, the measurements may be made earlier. If the heated air is drawn from outside the vehicle the test shall be carried out at an ambient temperature of not less than 15 °C.
2. The surface temperature of any part of the heating system likely to come into contact with any driver of the vehicle during normal road use shall be measured with a contact thermometer. No such part or parts shall exceed a temperature of 70 °C for uncoated metal or 80 °C for other materials.
 - 2.1. In the case of part or parts of the heating system behind the driver's seat, and in the case of overheating, the temperature shall not exceed 110 °C.
 - 2.2. In the case of vehicles of categories M₁ and N, no part of the system likely to come into contact with seated passengers during normal road use of the vehicle, with the exception of the outlet grille, shall exceed a temperature of 110 °C.
 - 2.3. In the case of vehicles of categories M₂ and M₃, no part of the system likely to come into contact with passengers during normal road use of the vehicle shall exceed a temperature of 70 °C for uncoated metal or 80 °C for other materials.
3. In the case of exposed parts of the heating system outside the passenger compartment, and in the case of overheating, the temperature shall not exceed 110 °C.

The temperature of the heated air entering the passenger compartment shall not exceed 150 °C to be measured at the centre of the outlet.

ANNEX 6

TEST PROCEDURE FOR EXHAUST EMISSION OF COMBUSTION HEATERS

1. Operate heater for one hour at maximum output in conditions of still air (wind speed ≤ 2 m/s) and an ambient temperature of 20 ± 10 °C. If, however, having selected the maximum output the heater switches off automatically in less than an hour, the measurements may be made before switch-off.
2. The dry and undiluted exhaust emissions, measured using an appropriate meter, shall not exceed the values indicated in the following table:

Parameter	Heaters using gaseous fuels	Heaters using liquid fuel
CO	0,1 % vol.	0,1 % vol.
NO _x	200 ppm	200 ppm
HC	100 ppm	100 ppm
Bacharach reference unit (1)	1	4

(1) Reference unit 'Bacharach' ASTM D 2156 is used.

3. The test shall be repeated in conditions equivalent to a vehicle speed of 100 km/h (or maximum design speed of the vehicle in cases where the maximum speed is less than 100 km/h). Under these conditions the CO value must not exceed 0,2 % vol. If the test has been carried out on the heater as a component, then it need not be repeated in the case of the vehicle type in which the heater is installed.

ANNEX 7

ADDITIONAL REQUIREMENTS FOR COMBUSTION HEATERS

1. Operating and maintenance instructions shall be supplied with every heater and, in the case of heaters intended for the after-market, installation instructions shall also be supplied.
 2. Safety equipment shall be installed (either as part of the combustion heater or as part of the vehicle) to control the operation of every combustion heater in an emergency. It shall be designed such that, if no flame is obtained at start-up or if the flame goes out during operation, the ignition and switching times for the supply of fuel are not exceeded by four minutes in the case of liquid fuel heaters or, in the case of gaseous fuel heaters, one minute if the flame supervision device is thermoelectric or 10 seconds if it is automatic.
 3. The combustion chamber and the heat exchanger of heaters using water as a transfer medium shall be capable of withstanding a pressure of twice the normal operating pressure or 2 bar (gauge), whichever is greater. The test pressure shall be noted in the information document.
 4. The heater must have a manufacturer's label showing the manufacturer's name, the model number and type together with its rated output in kilowatts. The fuel type must also be stated and, where relevant, the operating voltage and gas pressure.
 5. Delayed shut-off of combustion air blowers
 - 5.1. If a combustion air blower is fitted a delayed shut-off must be provided even in the event of overheating and in the event of interruption of the fuel supply.
 - 5.2. Other measures to prevent damage due to deflagration and exhaust corrosion can be applied if the manufacturer provides evidence to the satisfaction of the approval authority of their equivalent effect.
 6. Requirements for electrical supply
 - 6.1. All technical requirements affected by the voltage must be within the voltage range of ± 16 per cent of the rated figure. However, if under voltage and/or over voltage protection is provided, the requirements shall be met at rated voltage and in the immediate vicinity of the cut-off points.
 7. Warning light
 - 7.1. A clearly visible tell-tale in the operator's field of view shall inform when the combustion heater is switched on or off.
-

ANNEX 8

SAFETY REQUIREMENTS FOR LPG COMBUSTION HEATERS AND LPG HEATING SYSTEMS

1. LPG HEATING SYSTEMS FOR ROAD USE IN MOTOR VEHICLES AND THEIR TRAILERS
 - 1.1. If an LPG heating system in a motor vehicle or trailer can also be used when the vehicle is in motion, the LPG combustion heater and its supply system shall comply with the following requirements:
 - 1.1.1. The LPG combustion heater shall comply with the requirements of the harmonized standard EN 624:2011 (Specifications for dedicated LPG appliances. Room sealed LPG space heating equipment for installation in vehicles and boats).
 - 1.1.2. In cases of a permanently installed LPG container all components of the system that are in contact with LPG in the liquid phase (all components from the filling unit to the vapouriser/pressure regulator) and the associated liquid phase installation shall comply with the technical requirements of Regulation No 67, Parts I and II and Annexes 3 to 10, 13 and 15 to 17. However, the installation of a LPG container in vehicles of category O shall comply with the technical requirements of the harmonized standard EN 1949:2011.
 - 1.1.3. The gaseous phase installation of the LPG heating system in a vehicle shall comply with the requirements of the harmonized standard EN 1949:2011¹. (Specifications for the installation of LPG systems for habitation purposes in leisure accommodation vehicles and accommodation purposes in other vehicles).
 - 1.1.4. The LPG supply system shall be so designed that the LPG is supplied with the required pressure and in the correct phase for the installed LPG combustion heater. It is permitted to withdraw LPG from the permanently installed LPG container simultaneously in either gaseous or liquid phase. There shall be no connection of the gas installation between motor vehicle and trailer.
 - 1.1.5. The liquid outlet of the permanently installed LPG container to supply LPG to the heater shall be provided with a remotely controlled service valve with excess flow valve as required in paragraph 17.6.1.1 of Regulation No 67. The remotely controlled service valve with excess flow valve shall be controlled such that it is automatically closed within five seconds of the vehicle engine stopping, irrespective of the position of the ignition switch. If within these five seconds the on-switch of the heater or LPG supply system is activated, the heating system may stay in operation. The heating can always be restarted. This paragraph does not apply to trailers. Trailers shall have a label in the vicinity of the filling point which states to switch off the heater while refilling the permanently installed LPG container.
 - 1.1.6. If the LPG is supplied in the gaseous phase from the permanently installed LPG container or separate portable LPG cylinder(s), appropriate provisions shall be taken to ensure that:
 - 1.1.6.1. No liquid LPG can enter the pressure regulator or LPG combustion heater. A separator may be used, and
 - 1.1.6.2. No uncontrolled release due to an accidental disconnection can occur. Means shall be provided to stop the flow of LPG by installing a device directly after or in a cylinder or container mounted regulator. If the regulator is mounted remote from the cylinder or container, a device shall be installed directly before the hose or pipe from the cylinder or container (high pressure protection) and an additional device shall be installed in, or after the regulator if needed for protecting the low pressure part of the installation (low pressure protection).
 - 1.1.7. If the LPG is supplied in liquid phase, the vapouriser and pressure-regulator unit shall be heated as appropriate by a suitable heat source.
 - 1.1.8. In motor vehicles that use LPG in their propulsion system, the LPG combustion heater may be connected to the same permanently installed LPG container that supplies LPG to the engine, provided that the safety requirements of the propulsion system are met. If a separate LPG container is used for heating, this container shall be provided with its own filling unit.

2. LPG HEATING SYSTEMS FOR STATIONARY USE ONLY IN MOTOR VEHICLES AND THEIR TRAILERS
 - 2.1. The LPG-combustion heater and its supply system of an LPG heating system that is intended to be used only when the vehicle is not in motion, shall comply with the following requirements:
 - 2.1.1. Permanent labels shall be attached on the compartment where the portable LPG cylinders are stored and in close proximity to the control device for the heating system, giving instructions that the LPG heater shall not be in operation and that the valve of the portable LPG cylinder shall be closed when the vehicle is in motion.
 - 2.1.2. The LPG combustion heater shall comply with the requirements of paragraph 1.1.1 above.
 - 2.1.3. The gaseous phase installation of the LPG heating system shall comply with the requirements of paragraph 1.1.3 above.
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ANNEX 9

ADDITIONAL PROVISIONS APPLICABLE TO CERTAIN VEHICLES AS SPECIFIED IN THE ADR

1. SCOPE

This annex applies to certain vehicles for which the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) contains specific requirements concerning combustion heaters and their installation.

2. DEFINITIONS

For the purpose of this Annex, the vehicle designations EX/II, EX/III, AT, FL, OX and MEMU are as defined in Chapter 9.1 of the ADR.

Vehicles approved as being in compliance with the requirements applicable to EX/III vehicles under this Annex shall be deemed to comply with the requirements applicable to MEMU vehicles.

3. TECHNICAL PROVISIONS

3.1. General (EX/II, EX/III, AT, FL, OX and MEMU vehicles)

3.1.1. ⁽¹⁾ The combustion heaters and their exhaust gas routing shall be designed, located, protected or covered so as to prevent any unacceptable risk of heating or ignition of the load. This requirement shall be considered as fulfilled if the fuel tank and the exhaust system of the appliance conform to the following provisions:

— Any fuel tanks for supplying the appliance shall meet the following requirements:

(a) In the event of any leakage, the fuel shall drain to the ground without coming into contact with hot parts of the vehicle or the load;

(b) Fuel tanks containing petrol shall be equipped with an effective flame trap at the filler opening or with a closure enabling the opening to be kept hermetically sealed.

— The exhaust system as well as the exhaust pipes shall be so directed or protected to avoid any danger to the load through heating or ignition. Parts of the exhaust system situated directly below the fuel tank (diesel) shall have a clearance of at least 100 mm or be protected by a thermal shield.

3.1.2. The combustion heater shall be switched on manually. Programming devices shall be prohibited.

3.2. EX/II, EX/III and MEMU vehicles

Combustion heaters using gaseous fuels are not permitted.

3.3. FL vehicles

3.3.1. The combustion heaters shall be put out of operation by at least the following methods:

(a) Intentional manual switching off from the driver's cab;

(b) Stopping of the vehicle engine; in this case the heating device may be restarted manually by the driver;

(c) Start up of a feed pump on the motor vehicle for the dangerous goods carried.

3.3.2. After running is permitted after the combustion heaters have been put out of operation. For the methods of paragraph 3.3.1(b) and (c) the supply of combustion air shall be interrupted by suitable measures after an after-running cycle of not more than 40 seconds. Only heaters for which proof has been furnished that the heat exchanger is resistant to the reduced after-running cycle of 40 seconds for the time of their normal use shall be used.

⁽¹⁾ Compliance with this paragraph shall be verified on the completed vehicle.

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