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⁽¹⁾ Text with EEA relevance

I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 302/2008**of 2 April 2008****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes

the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 April 2008.

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

Done at Brussels, 2 April 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

to Commission Regulation of 2 April 2008 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	JO	63,1
	MA	43,8
	TN	125,1
	TR	115,3
	ZZ	86,8
0707 00 05	JO	178,8
	MA	140,9
	TR	197,7
	ZZ	172,5
0709 90 70	MA	49,6
	TR	87,5
	ZZ	68,6
0805 10 20	EG	45,9
	IL	55,4
	MA	59,2
	TN	58,0
	TR	58,2
	ZZ	55,3
0805 50 10	AR	53,2
	IL	117,7
	TR	133,1
	ZA	138,5
	ZZ	110,6
0808 10 80	AR	83,4
	BR	80,2
	CA	80,7
	CL	88,2
	CN	86,1
	MK	52,8
	US	114,1
	UY	63,4
	ZA	91,2
	ZZ	82,2
0808 20 50	AR	77,5
	CL	84,0
	CN	62,8
	ZA	97,3
	ZZ	80,4

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 303/2008

of 2 April 2008

establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases ⁽¹⁾, and in particular Article 5(1) thereof,

Whereas:

including, *inter alia*, refrigeration, air conditioning and heat pump equipment. The level of qualification needed for personnel recovering refrigerant in such plants is lower compared to that needed by personnel carrying out on-site recovery, because of the types of automated recovery equipment available in fridge decommissioning treatment plants.

- (1) For the purposes of the requirements of Regulation (EC) No 842/2006, it is necessary to lay down rules on the qualification of personnel carrying out activities, at the location of the operation of equipment containing certain fluorinated greenhouse gases, which potentially affect their leakage.
- (2) Different categories of certified personnel should be provided for, in order to ensure that personnel are qualified for the activities which they undertake while avoiding disproportionate costs.
- (3) Personnel not yet certified but enrolled in a training course for the purpose of obtaining a certificate should be, for a limited time, allowed to undertake activities for which such certification is required to gain the practical skills needed for the examination, provided that they are supervised by certified personnel.
- (4) Personnel qualified to undertake brazing, soldering or welding should be allowed to undertake those specialised activities in the context of one of the activities for which certification is required, provided that they are supervised by certified personnel.
- (5) Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE) ⁽²⁾ sets out technical requirements for companies undertaking treatment and storage of waste appliances in treatment plants,
- (6) A number of Member States do not currently have qualification or certification systems in place. A limited period should therefore be allowed for personnel and companies to obtain a certificate.
- (7) For the purpose of avoiding undue administrative burden, it should be allowed to build a certification system on existing qualification schemes provided that the skills and knowledge covered and the relevant qualification system are equivalent to the minimum standards envisaged by this Regulation.
- (8) Examination is an effective means of testing the ability of a candidate to carry out properly the actions which can directly cause leakage, as well as those that can indirectly cause leakage.
- (9) To enable training and certification of personnel currently active in the areas covered by this Regulation without interrupting their professional activity, an adequate interim period is required during which certification should be based on existing qualification schemes and professional experience.
- (10) Officially designated evaluation and certification bodies should ensure compliance with the minimum requirements set out in this Regulation and thereby contribute to the effective and efficient mutual recognition of certificates throughout the Community.
- (11) Mutual recognition should not apply to interim certificates since the requirements for obtaining those certificates may be significantly lower than existing requirements in some Member States.

⁽¹⁾ OJ L 161, 14.6.2006, p. 1.

⁽²⁾ OJ L 37, 13.2.2003, p. 24. Directive as amended by Directive 2003/108/EC (OJ L 345, 31.12.2003, p. 106).

- (12) Information on the certification system issuing certificates subject to mutual recognition should be notified to the Commission in the format established by Commission Regulation (EC) No 308/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States ⁽¹⁾. Information on interim certification systems should be notified to the Commission.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18(1) of Regulation (EC) No 2037/2000 of the European Parliament and of the Council ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes minimum requirements for the certification referred to in Article 5(1) of Regulation (EC) No 842/2006 in relation to stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases as well as the conditions for mutual recognition of certificates issued in accordance with those requirements.

Article 2

Scope

1. This Regulation shall apply to personnel carrying out the following activities:
- (a) leakage checking of applications containing 3 kg or more of fluorinated greenhouse gases and of applications containing 6 kg or more of fluorinated greenhouse gases with hermetically sealed systems, which are labelled as such;
 - (b) recovery;
 - (c) installation;
 - (d) maintenance or servicing.
2. It shall also apply to companies carrying out the following activities:
- (a) installation;
 - (b) maintenance or servicing.

3. This Regulation shall not apply to any manufacturing and repairing activity undertaken at manufacturer's sites for stationary refrigeration, air conditioning or heat pump equipment containing fluorinated greenhouse gases.

Article 3

Definitions

For the purposes of this Regulation the following definitions shall apply:

1. 'installation' means joining two or more pieces of equipment or circuits containing or designed to contain fluorinated greenhouse gas refrigerant, with a view to assembling a system in the location where it will be operated, including the action by which refrigerant conductors of a system are joined together to complete a refrigerant circuit irrespective of the need to charge the system after assembly;
2. 'maintenance or servicing' means all activities, excluding recovery and checks for leakage as defined in Articles 2(14) and 3(2) of Regulation (EC) No 842/2006 respectively, that entail breaking into the circuits containing or designed to contain fluorinated greenhouse gases, in particular supplying the system with fluorinated greenhouse gases, removing one or more pieces of circuit or equipment, re-assembling two or more pieces of circuit or equipment, as well as repairing leakages.

Article 4

Certification of personnel

1. Personnel carrying out the activities referred to in Article 2(1) shall hold a certificate as referred to in Article 5 or Article 6 for the corresponding category as set out in paragraph 2 of this Article.
2. Certificates attesting that the holder fulfils the requirements to undertake one or more of the activities referred to in Article 2(1) shall be granted for the following categories of personnel:
 - (a) Category I certificate holders may carry out all the activities provided for in Article 2(1);
 - (b) Category II certificate holders may carry out the activities provided for in point (a) of Article 2(1) provided that it does not entail breaking into the refrigeration circuit containing fluorinated greenhouse gases. Category II certificate holders may carry out the activities in points (b), (c) and (d) of Article 2(1) in relation to refrigeration, air conditioning and heat pump equipment containing less than 3 kg, or, if hermetically sealed systems which are labelled as such are concerned, less than 6 kg of fluorinated greenhouse gases;

⁽¹⁾ See page 28 of this Official Journal.

⁽²⁾ OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Commission Decision 2007/540/EC (OJ L 198, 31.7.2007, p. 35).

(c) Category III certificate holders may carry out the activity provided for in point (b) of Article 2(1) in relation to refrigeration, air conditioning and heat pump equipment containing less than 3 kg, or, if hermetically sealed systems which are labelled as such are concerned, less than 6 kg of fluorinated greenhouse gases;

(d) Category IV certificate holders may carry out the activity provided for in point (a) of Article 2(1) provided that it does not entail breaking into the refrigeration circuit containing fluorinated greenhouse gases.

3. Paragraph 1 shall not apply:

(a) for a maximum period of two years, to personnel undertaking one of the activities referred to in Article 2(1) and enrolled in a training course for the purpose of obtaining a certificate covering the relevant activity, provided that they carry out the activity under the supervision of a person holding a certificate covering this activity;

(b) to personnel undertaking brazing, soldering or welding of parts of a system or piece of equipment in the context of one of the activities referred to in Article 2(1), which hold the qualification required under national legislation to undertake such activities, provided that they are supervised by a person holding a certificate covering the relevant activity;

(c) to personnel undertaking recovery of fluorinated greenhouse gases from equipment covered by Directive 2002/96/EC with a fluorinated greenhouse charge of less than 3 kg, in premises covered by a permit in accordance with Article 6(2) of that Directive, provided that they are employed by the company holding the permit and have completed a training course on the minimum skills and knowledge corresponding to Category III as set out in the Annex to this Regulation verified by an attestation of competence issued by the permit holder.

4. Member States may decide that paragraph 1 shall not apply for a period which shall not exceed the date referred to in Article 5(4) of Regulation (EC) No 842/2006, to personnel undertaking one or more of the activities provided for in Article 2(1) of this Regulation before the date referred to in Article 5(2) of Regulation (EC) No 842/2006.

Such personnel shall, for the period referred to in the first subparagraph, be deemed certified as regards those activities for the purposes of the requirements of Regulation (EC) No 842/2006.

Article 5

Personnel certificates

1. A certification body as referred to in Article 10 shall issue a certificate to personnel who have passed a theoretical and practical examination organised by an evaluation body as referred to in Article 11, covering the minimum skills and knowledge set out in the Annex, for the category concerned.

2. The certificate shall contain at least the following:

(a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any;

(b) the category of personnel certification as specified in Article 4(2) and the associated activities which the holder of the certificate is entitled to perform;

(c) issuing date and issuer's signature.

3. Where an existing examination-based certification system covers the minimum skills and knowledge set out in the Annex for a particular category and meets the requirements of Articles 10 and 11, but the related attestation does not contain the elements laid down in paragraph 2 of this Article, a certification body referred to in Article 10 may issue a certificate to the holder of this qualification for the corresponding category without repeating examination.

4. Where an existing examination based certification system meets the requirements of Articles 10 and 11 and partially covers the minimum skills of a particular category as set out in the Annex, certification bodies may issue a certificate for the corresponding category provided that the applicant passes a supplementary examination of the skills and knowledge not covered by the existing certification by an evaluation body referred to in Article 11.

Article 6

Interim certificates for personnel

1. Member States may apply a system of interim certification for personnel referred to in Article 2(1) in accordance with paragraphs 2 or 3, or paragraphs 2 and 3, of this Article.

The interim certificates referred to in paragraphs 2 and 3 shall expire on 4 July 2011 at the latest.

2. Personnel holding an attestation issued under existing qualification schemes for activities referred to in Article 2(1) shall be deemed holders of an interim certificate.

Member States shall identify attestations qualifying as interim certificates for the corresponding category referred to in Article 4(2).

3. Personnel with professional experience in the activities corresponding to the categories referred to in Article 4(2), acquired before the date referred to in Article 5(2) of Regulation (EC) No 842/2006, shall be issued with an interim certificate by an entity designated by the Member State.

The interim certificate shall indicate the category referred to in Article 4(2) and the expiry date.

Article 7

Certification of companies

1. Companies referred to in Article 2(2) shall hold a certificate as referred to in Article 8 or Article 9.

2. Member States may decide that paragraph 1 shall not apply for a period which shall not exceed the date referred to in Article 5(4) of Regulation (EC) No 842/2006, to companies involved in one or more of the activities provided for in Article 2(2) of this Regulation before the date referred to in Article 5(2) of Regulation (EC) No 842/2006.

Article 8

Company certificates

1. A certification body as referred to in Article 10 shall issue a certificate to a company for one or more of the activities referred to in Article 2(2) provided that it fulfils the following requirements:

- (a) employment of personnel certified in accordance with Article 5, for the activities requiring certification, in a sufficient number to cover the expected volume of activities;
- (b) proof that the necessary tools and procedures are available to the personnel engaged in activities for which certification is required.

2. The certificate shall contain at least the following:

- (a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any;
- (b) the activities which the holder of the certificate is entitled to perform;
- (c) issuing date and issuer's signature.

Article 9

Interim certificates for companies

1. Member States may apply an interim certification system for companies referred to in Article 2(2) in accordance with paragraphs 2 or 3, or paragraphs 2 and 3, of this Article.

The interim certificates referred to in paragraphs 2 and 3 shall expire on 4 July 2011 at the latest.

2. Companies certified under existing certification schemes for activities referred to in Article 2(2) shall be deemed holders of an interim certificate.

Member States shall identify attestations qualifying as interim certificates for the activities referred to in Article 2(2) which the holder is entitled to carry out.

3. Companies employing personnel holding a certificate for the activities for which certification is required for the purposes of Article 2(2) shall be issued with an interim certificate by an entity designated by the Member State.

The interim certificate shall indicate the activities which the holder is entitled to carry out and the expiry date.

Article 10

Certification body

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

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

2. The certification body shall establish and apply procedures for the issuance, suspending and withdrawing of certificates.

3. The certification body shall maintain records that allow verifying the status of a certified person or company. The records shall demonstrate that the certification process has been effectively fulfilled. Records shall be kept for a minimum period of five years.

*Article 11***Evaluation body**

1. An evaluation body designated by the competent authority of a Member State or other entities entitled to do so, shall organise examinations for the personnel referred to in Article 2(1). A certification body as referred to in Article 10 may also qualify as an evaluation body.

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

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

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

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

*Article 12***Notification**

1. By 4 July 2008, Member States shall notify the Commission of their intention to apply an interim certification system according to Articles 6 or 9, or both.

2. By 4 January 2009, Member States shall notify the Commission, where applicable, of designated entities entitled to issue interim certificates and of enacted national provisions according to which documents issued by existing certification systems are deemed as interim certificates.

3. By 4 January 2009, Member States shall notify the Commission of the names and contact details of certification bodies for personnel and companies covered by Article 10 and of the titles of certificates for personnel complying with the requirements of Article 5 and companies complying with the requirements of Article 8, using the format established by Regulation (EC) No 308/2008.

4. Member States shall update the notification submitted pursuant to paragraph 3, with relevant new information, and submit it to the Commission without delay.

*Article 13***Conditions for mutual recognition**

1. Mutual recognition of certificates issued in other Member States shall only apply to certificates issued in accordance with Article 5 for personnel and Article 8 for companies.

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

*Article 14***Entry into force**

This Regulation shall enter into force on the 20th 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, 2 April 2008.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

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

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

SKILLS AND KNOWLEDGE		CATEGORIES			
		I	II	III	IV
1	Basic thermodynamics				
1.01	Know the basic ISO standard units as for temperature, pressure, mass, density, energy	T	T	—	T
1.02	Understand basic theory of refrigeration systems: basic thermodynamics (key terms, parameters and processes such as Superheat, High Side, Heat of Compression, Enthalpy, Refrigeration Effect, Low Side, Sub-cooling), properties and thermodynamic transformations of refrigerants including identification of zeotropic blends and fluid states.	T	T	—	—
1.03	Use relevant tables and diagrams and interpret them in the context of indirect leakage checking (including checking of the good operation of the system): log p/h diagram, saturation tables of a refrigerant, diagram of a single compression refrigeration cycle.	T	T	—	—
1.04	Describe the function of the main components in the system (compressor, evaporator, condenser, thermostatic expansion valves) and the thermodynamic transformations of the refrigerant.	T	T	—	—
1.05	Know the basic operation of the following components used in a refrigeration system and their role and importance for refrigerant leakage prevention and identification: (a) valves (ball valves, diaphragms, globe valves, relief valves), (b) temperature and pressure controls, (c) sight glasses and moisture indicators, (d) defrost controls, (e) system protectors, (f) measuring devices as manifold thermometer, (g) oil control systems, (h) receivers, (i) liquid and oil separators		—	—	—
2	Environmental impact of refrigerants and corresponding environmental regulations				
2.01	Have a basic knowledge of climate change and the Kyoto Protocol	T	T	T	T
2.02	Have a basic knowledge of the concept of Global Warming Potential (GWP), the use of fluorinated greenhouse gases and other substances as refrigerants, the impact of the emissions of fluorinated greenhouse gases on the climate (order of magnitude of their GWP) and relevant provisions of Regulation (EC) No 842/2006 and relevant Regulations implementing provisions of this Regulation.	T	T	T	T

SKILLS AND KNOWLEDGE		CATEGORIES			
		I	II	III	IV
3	Checks before putting in operation, after a long period of non-use, after maintenance or repair intervention, or during operation				
3.01	Carry out a pressure test to check the strength of the system	P	P	—	—
3.02	Carry out a pressure test to check the tightness of the system				
3.03	Use a vacuum pump				
3.04	Evacuate the system to remove air and moisture according to standard practice				
3.05	Fill in the data in the equipment records and fill in a report about one or more tests and checks carried out during the examination.	T	T	—	—
4	Checks for leakage				
4.01	Know potential leakage points of refrigeration, air-conditioning and heat pump equipment	T	T	—	T
4.02	Check equipment records prior to a check for leakage and identify the relevant information on any repeating issues or problem areas to pay special attention to	T	T	—	T
4.03	Make a visual and manual inspection of the whole system in accordance with the Commission Regulation (EC) No 1516/2007 of 19 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases ⁽¹⁾	P	P	—	P
4.04	Carry out a check for leakage of the system using an indirect method in accordance with the Commission Regulation (EC) No 1516/2007 and the instruction manual of the system	P	P	—	P
4.05	Use portable measuring devices such as manometer sets, thermometers and multi-meters for measuring Volt/Amp/Ohm in the context of indirect methods for leakage checking, and interpret the measured parameters.	P	P	—	P
4.06	Carry out a check for leakage of the system using one of the direct methods referred to in Commission Regulation (EC) No 1516/2007	P	—	—	—
4.07	Carry out a check for leakage of the system using one of the direct methods which does not entail breaking into the refrigeration circuit, referred to in Commission Regulation (EC) No 1516/2007	—	P	—	P
4.08	Use an electronic leak detection device	P	P	—	P
4.09	Fill in the data in the equipment records	T	T	—	T
5	Environment-friendly handling of the system and refrigerant during installation, maintenance, servicing or recovery				
5.01	Connect and disconnect gauges and lines with minimal emissions	P	P	—	—
5.02	Empty and fill a refrigerant cylinder in both liquid and vapour state	P	P	P	—
5.03	Use a recovery set to recover refrigerant and connect and disconnect recovery set with minimal emissions	P	P	P	—
5.04	Drain F-gas contaminated oil out of a system	P	P	P	—
5.05	Identify refrigerant state (liquid, vapour) and condition (subcooled, saturated or superheated) prior to charging, to ensure correct method and volume of charge. Fill the system with refrigerant (both in the liquid and vapour phase) without loss of refrigerant	P	P	—	—

SKILLS AND KNOWLEDGE		CATEGORIES			
		I	II	III	IV
5.06	Use scales to weight refrigerant	P	P	P	—
5.07	Fill in the equipment records with all relevant information concerning the refrigerant recovered or added	T	T	—	—
5.08	Know requirements and procedures for handling, storage and transportation of contaminated refrigerant and oils	T	T	T	—
6	Component: installation, putting into operation and maintenance of reciprocating, screw and scroll compressors, single and two-stage				
6.01	Explain the basic functioning of a compressor (including capacity control and lubricating system) and risks of refrigerant leakage or release associated to it.	T	T	—	—
6.02	Install a compressor properly, including control and safety equipment, so that no leak or major release occur once the system is put into operation	P	—	—	—
6.03	Adjust the safety and control switches	P	—	—	—
6.04	Adjust the suction and discharge valves				
6.05	Check the oil return system				
6.06	Start up and shut down a compressor and check the good working conditions of the compressor, including by making measurements during operation of compressor	P	—	—	—
6.07	Write a report about the condition of the compressor which identifies any problems in the functioning of the compressor that could damage the system and eventually lead to refrigerant leakage or release should no action be taken	T	—	—	—
7	Component: installation, putting into operation and maintenance of air cooled and water cooled condensers				
7.01	Explain the basic functioning of a condenser and risks of leakage associated to it	T	T	—	—
7.02	Adjust a discharge pressure control of the condenser	P	—	—	—
7.03	Install a condenser, properly, including control and safety equipment, so that no leak or major release occur when the system has been put into operation	P	—	—	—
7.04	Adjust the safety and control switches	P	—	—	—
7.05	Check the discharge and liquid lines				
7.06	Purge non condensable gases out of the condenser using a refrigeration purging device	P	—	—	—
7.07	Start up and shut down a condenser and check the good working condition of the condenser including by making measurements during operation	P	—	—	—
7.08	Check the surface of the condenser	P	—	—	—
7.09	Write a report about the condition of the condenser which identifies any problems in the functioning that could damage the system and eventually lead to refrigerant leakage or release should no action be taken	T	—	—	—
8	Component: installation, putting into operation and maintenance of air cooled and water cooled evaporators				
8.01	Explain the basic functioning of an evaporator (including defrosting system) and risks of leakage associated to it	T	T	—	—

SKILLS AND KNOWLEDGE		CATEGORIES			
		I	II	III	IV
8.02	Adjust an evaporating pressure control of the evaporator	P	—	—	—
8.03	Install an evaporator including control and safety equipment, so that no leak or major release occur when the system has been put into operation	P	—	—	—
8.04	Adjust the safety and control switches	P	—	—	—
8.05	Check the liquid and suction pipelines in the correct position				
8.06	Check the hot gas defrost pipeline				
8.07	Adjust evaporation pressure regulation valve				
8.08	Start up and shut down an evaporator and check the good working condition of the evaporator, including by making measurement during operation	P	—	—	—
8.09	Check the surface of the evaporator	P	—	—	—
8.10	Write a report about the condition of the evaporator which identifies any problems in the functioning that could damage the system and eventually lead to refrigerant leakage or release should no action be taken	T	—	—	—
9	Component: installation, putting into operation and servicing of Thermostatic Expansion Valves (TEV) and other components				
9.01	Explain the basic functioning of different kinds of expansion regulators (thermostatic expansion valves, capillary tubes) and risks of leakage associated to it	T	T	—	—
9.02	Install valves in the correct position	P	—	—	—
9.03	Adjust a mechanical/electronic TEV	P	—	—	—
9.04	Adjust mechanical and electronic thermostats				
9.05	Adjust a pressure regulated valve				
9.06	Adjust mechanical and electronic pressure limiters				
9.07	Check the functioning of an oil separator	P	—	—	—
9.08	Check the condition of a filter dryer				
9.09	Write a report about the condition of these components which identifies any problems in the functioning that could damage the system and eventually lead to refrigerant leakage or release should no action be taken	T	—	—	—
10	Piping: building a leak tight piping system in a refrigeration installation				
10.01	Weld, braze and/or solder leak free joints on metallic tubes and pipes that can be used in refrigeration, air-conditioning or heat pump systems	P	P	—	—
10.02	Make/check pipe and component supports	P	P	—	—

(1) OJ L 335, 20.12.2007, p. 10.

COMMISSION REGULATION (EC) No 304/2008**of 2 April 2008**

establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary fire protection systems and fire extinguishers containing certain fluorinated greenhouse gases

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases ⁽¹⁾, and in particular Article 5(1) thereof,

Whereas:

- (1) For the purposes of the requirements of Regulation (EC) No 842/2006, it is necessary to lay down rules on the qualification of personnel carrying out activities, at the location of the operation of systems containing certain fluorinated greenhouse gases, which potentially affect their leakage.
- (2) Personnel not yet certified but enrolled in a training course for the purpose of obtaining a certificate should be, for a limited time, allowed to undertake activities for which such certification is required to gain the practical skills needed for the examination, provided that they are supervised by certified personnel.
- (3) A number of Member States do not currently have qualification or certification systems in place. A limited period should therefore be allowed for personnel and companies to obtain a certificate.
- (4) For the purpose of avoiding undue administrative burden, it should be allowed to build a certification system on existing qualification schemes provided that the skills and knowledge covered and the relevant qualification system are equivalent to the minimum standards envisaged by this Regulation.
- (5) Examination is an effective means of testing the ability of a candidate to carry out properly the actions which can directly cause leakage, as well as those that can indirectly cause leakage.
- (6) To enable training and certification of personnel currently active in the areas covered by this Regulation without interrupting their professional activity, an

adequate interim period is required during which certification should be based on existing qualification schemes and professional experience.

- (7) Officially designated evaluation and certification bodies should ensure compliance with the minimum requirements set out in this Regulation and thereby contribute to the effective and efficient mutual recognition of certificates throughout the Community.
- (8) Mutual recognition should not apply to interim certificates since the requirements for obtaining those certificates may be significantly lower than existing requirements in some Member States.
- (9) Information on the certification system issuing certificates subject to mutual recognition should be notified to the Commission in the format established by Commission Regulation (EC) No 308/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States ⁽²⁾. Information on interim certification systems should be notified to the Commission.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18(1) of Regulation (EC) No 2037/2000 of the European Parliament and of the Council ⁽³⁾,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter**

This Regulation establishes minimum requirements for the certification referred to in Article 5(1) of Regulation (EC) No 842/2006 in relation to stationary fire protection systems and fire extinguishers containing certain fluorinated greenhouse gases as well as the conditions for mutual recognition of certificates issued in accordance with those requirements.

⁽¹⁾ OJ L 161, 14.6.2006, p. 1.

⁽²⁾ See page 28 of this Official Journal.

⁽³⁾ OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Commission Decision 2007/540/EC (OJ L 198, 31.7.2007, p. 35).

Article 2

Scope

1. This Regulation shall apply to personnel carrying out the following activities with regard to fire protection systems:

- (a) leakage checking of applications containing three kilograms or more of fluorinated greenhouse gases;
- (b) recovery, also with regard to fire extinguishers;
- (c) installation;
- (d) maintenance or servicing.

2. It shall also apply to companies carrying out the following activities with regard to fire protection systems:

- (a) installation;
- (b) maintenance or servicing.

3. This Regulation shall not apply to any manufacturing and repairing activity undertaken at manufacturers' sites for containers or associated components of stationary fire protection systems containing certain fluorinated greenhouse gases.

Article 3

Definitions

For the purposes of this Regulation the following definitions shall apply:

- 1. 'installation' means connecting for the first time at the location in which they will operate, one or more containers containing or designed to contain fluorinated greenhouse gas extinguishing agent with associated components, excluding those components which do not affect the containment of the extinguishing agent prior to its release for the purpose of fire extinguishing.
- 2. 'maintenance or servicing' means all activities that entail work on the containers containing or designed to contain fluorinated greenhouse gas extinguishing agent or on the associated components, excluding those components which do not affect the containment of the extinguishing agent prior to its release for the purpose of fire extinguishing.

Article 4

Certification of personnel

1. Personnel carrying out the activities referred to in Article 2(1) shall hold a certificate as referred to in Article 5 or Article 6.

2. Paragraph 1 shall not apply for a maximum period of one year to personnel undertaking one of the activities referred to in Article 2(1), enrolled in a training course for the purpose of obtaining a certificate covering the relevant activity, provided that they carry out the activity under the supervision of a person holding a certificate covering the relevant activity.

3. Member States may decide that paragraph 1 shall not apply for a period which shall not exceed the date referred to in Article 5(4) of Regulation (EC) No 842/2006, to personnel undertaking one or more of the activities provided for in Article 2(1) of this Regulation before the date referred to in Article 5(2) of Regulation (EC) No 842/2006.

Such personnel shall, for the period referred to in the first subparagraph, be deemed certified as regards those activities for the purposes of the requirements of Regulation (EC) No 842/2006.

Article 5

Personnel certificates

1. A certification body as referred to in Article 10 shall issue a certificate to personnel who have passed a theoretical and practical examination organised by an evaluation body as referred to in Article 11, covering the minimum skills and knowledge set out in the Annex.

2. The certificate shall contain at least the following:

- (a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any;
- (b) the activities which the holder of the certificate is entitled to perform;
- (c) issuing date and issuer's signature.

3. Where an existing examination-based certification system covers the minimum skills and knowledge set out in the Annex and meets the requirements of Articles 10 and 11, but the related attestation does not contain the elements laid down in paragraph 2 of this Article, a certification body referred to in Article 10 may issue a certificate to the holder of this qualification without repeating examination.

4. Where an existing examination based certification system meets the requirements of Articles 10 and 11 and partially covers the minimum skills as set out in the Annex, certification bodies may issue a certificate provided that the applicant passes a supplementary examination of the skills and knowledge not covered by the existing certification organised by an evaluation body referred to in Article 11.

*Article 6***Interim certificates for personnel**

1. Member States may apply a system of interim certification for personnel referred to in Article 2(1) in accordance with paragraphs 2 or 3, or paragraphs 2 and 3, of this Article.

The interim certificates referred to in paragraphs 2 and 3 shall expire on 4 July 2010 at the latest.

2. Personnel holding an attestation issued under existing qualification schemes for activities referred to in Article 2(1) shall be deemed holders of an interim certificate.

Member States shall identify attestations qualifying as interim certificates for the activities referred to in Article 2(1) which the holder is entitled to carry out.

3. Personnel with professional experience in the activities, acquired before the date referred to in Article 5(2) of Regulation (EC) No 842/2006, shall be issued with an interim certificate by an entity designated by the Member State.

The interim certificate shall indicate the activities covered and the expiry date.

*Article 7***Certification of companies**

1. Companies referred to in Article 2(2) shall hold a certificate as referred to in Article 8 or Article 9.

2. Member States may decide that paragraph 1 shall not apply for a period which shall not exceed the date referred to in Article 5(4) of Regulation (EC) No 842/2006, to companies involved in one or more of the activities provided for in Article 2(2) of this Regulation before the date referred to in Article 5(2) of Regulation (EC) No 842/2006.

*Article 8***Company certificates**

1. A certification body as referred to in Article 10 shall issue a certificate to a company for one or more of the activities referred to in Article 2(2) provided that it fulfils the following requirements:

(a) employment of personnel certified in accordance with Article 5, for the activities requiring certification, in a sufficient number to cover the expected volume of activities;

(b) proof that the necessary tools and procedures are available to the personnel engaged in activities for which certification is required.

2. The certificate shall contain at least the following:

(a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any;

(b) the activities which the holder of the certificate is entitled to perform;

(c) issuing date and issuer's signature.

*Article 9***Interim certificates for companies**

1. Member States may apply an interim certification system for companies referred to in Article 2(2) in accordance with paragraphs 2 or 3, or paragraphs 2 and 3, of this Article.

The interim certificates referred to in paragraphs 2 and 3 shall expire on 4 July 2010 at the latest.

2. Companies certified under existing certification schemes for activities referred to in Article 2(2) shall be deemed holders of an interim certificate.

Member States shall identify attestations qualifying as interim certificates for the activities referred to in Article 2(2) which the holder is entitled to carry out.

3. Companies employing personnel holding a certificate for the activities for which certification is required for the purposes of Article 2(2) shall be issued with an interim certificate by an entity designated by the Member State.

The interim certificate shall indicate the activities which the holder is entitled to carry out and the expiry date.

*Article 10***Certification body**

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

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

2. The certification body shall establish and apply procedures for the issuance, suspending and withdrawing of certificates.

3. The certification body shall maintain records that allow verifying the status of a certified person or company. The records shall demonstrate that the certification process has been effectively fulfilled. Records shall be kept for a minimum period of five years.

Article 11

Evaluation body

1. An evaluation body designated by the competent authority of a Member State or other entities entitled to do so, shall organise examinations for the personnel referred to in Article 2(1). A certification body as referred to in Article 10 may also qualify as an evaluation body.

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

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

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

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

Article 12

Notification

1. By 4 July 2008, Member States shall notify the Commission of their intention to apply an interim certification system according to Articles 6 or 9, or both.

2. By 4 January 2009, Member States shall notify the Commission, where applicable, of designated entities entitled to issue interim certificates and of enacted national provisions according to which documents issued by existing certification systems are deemed as interim certificates.

3. By 4 January 2009, Member States shall notify the Commission of the names and contact details of certification bodies for personnel and companies covered by Article 10 and of the titles of certificates for personnel complying with the requirements of Article 5 and companies complying with the requirements of Article 8, using the format established by Regulation (EC) No 308/2008.

4. Member States shall update the notification submitted pursuant to paragraph 3, with relevant new information, and submit it to the Commission without delay.

Article 13

Conditions for mutual recognition

1. Mutual recognition of certificates issued in other Member States shall only apply to certificates issued in accordance with Article 5 for personnel and Article 8 for companies.

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

Article 14

Entry into force

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

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

Done at Brussels, 2 April 2008.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

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

The examination referred to in Articles 5(1) and 11(2) shall comprise the following:

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

Minimum knowledge and skills		Test type
1.	Basic knowledge of relevant environment issues (climate change, Kyoto Protocol, global warming potential of fluorinated greenhouse gases)	T
2.	Basic knowledge of relevant technical standards	T
3.	Basic knowledge of relevant provisions of Regulation (EC) No 842/2006 and of the relevant Regulations implementing provisions of Regulation (EC) No 842/2006	T
4.	Good knowledge of the different types of fire protection equipment containing fluorinated greenhouse gases on the market	T
5.	Good knowledge of types of valves, actuation mechanisms, safe handling, prevention of discharge and leakage	T
6.	Good knowledge of equipment and tools required for safe handling and work practices	T
7.	Ability to install fire protection system containers designed to contain fluorinated greenhouse gases	P
8.	Knowledge of correct practices to move pressurised containers containing fluorinated greenhouse gases	T
9.	Ability to check system records prior to a check for leakage and identify the relevant information on any repeating issues or problem areas to pay attention to	T
10.	Ability to make a visual and manual checking of the system for leakage in accordance with Commission Regulation (EC) No 1497/2007 of 18 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary fire protection systems containing certain fluorinated greenhouse gases ⁽¹⁾	P
11.	Knowledge of environmentally friendly practices for the recovery of fluorinated greenhouse gases from and charging of fire protection systems	T
⁽¹⁾ OJ L 333, 19.12.2007, p. 4.		

COMMISSION REGULATION (EC) No 305/2008**of 2 April 2008****establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gases from high-voltage switchgear****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases ⁽¹⁾, and in particular Article 5(1) thereof,

Whereas:

- (1) For the purposes of the requirements of Regulation (EC) No 842/2006, it is necessary to lay down rules on the qualification of personnel carrying out activities on equipment containing certain fluorinated greenhouse gases which can potentially cause leakage.
- (2) Personnel not yet certified but enrolled in a training course for the purpose of obtaining a certificate should be, for a limited time, allowed to undertake activities for which such certification is required to gain the practical skills needed for the examination, provided that they are supervised by certified personnel.
- (3) A number of Member States do not currently have qualification or certification systems in place. A limited period should therefore be allowed for personnel to obtain a certificate.
- (4) For the purpose of avoiding undue administrative burden, it should be allowed to build a certification system on existing qualification schemes provided that the skills and knowledge covered and the relevant qualification system are equivalent to the minimum standards envisaged by this Regulation.
- (5) Entities manufacturing or operating high voltage switchgear could be designated as evaluation or certification bodies or both, provided that they fulfil the relevant requirements.
- (6) Examination is an effective means of testing the ability of a candidate to carry out properly the actions which can directly cause leakage, as well as those that can indirectly cause leakage.

- (7) Officially designated evaluation and certification bodies should ensure compliance with the minimum requirements set out in this Regulation and thereby contribute to the effective and efficient mutual recognition of certificates throughout the Community.
- (8) Information on the certification system issuing certificates subject to mutual recognition should be notified to the Commission in the format established by Commission Regulation (EC) No 308/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States ⁽²⁾.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18(1) of Regulation (EC) No 2037/2000 of the European Parliament and of the Council ⁽³⁾,

HAS ADOPTED THIS REGULATION:

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

This Regulation establishes minimum requirements for the certification of personnel recovering certain fluorinated greenhouse gases from high-voltage switchgear as well as the conditions for mutual recognition of certificates issued in accordance with those requirements.

*Article 2***Definitions**

For the purposes of this Regulation 'high voltage switchgear' means switching devices and their combination with associated control, measuring, protective and regulating equipment, and assemblies of such devices and equipment with associated inter-connections, accessories, enclosures and supporting structures, intended for use in connection with generation, transmission, distribution and conversion of electric energy at rated voltages above 1 000 V.

⁽²⁾ See page 28 of this Official Journal.

⁽³⁾ OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Commission Decision 2007/540/EC (OJ L 198, 31.7.2007, p. 35).

⁽¹⁾ OJ L 161, 14.6.2006, p. 1.

*Article 3***Certification of personnel**

1. Personnel carrying out the activity referred to in Article 1 shall hold a certificate as referred to in Article 4.

2. Paragraph 1 shall not apply for a maximum period of one year to personnel enrolled in a training course for the purpose of obtaining a certificate provided that they carry out the activity under the supervision of a person holding a certificate.

3. Member States may decide that paragraph 1 shall not apply for a period which shall not exceed the date referred to in Article 5(4) of Regulation (EC) No 842/2006, to personnel undertaking the activity provided for in Article 1 of this Regulation before the date referred to in Article 5(2) of Regulation (EC) No 842/2006.

Such personnel shall, for the period referred to in the first subparagraph, be deemed certified as regards this activity for the purposes of the requirements of Regulation (EC) No 842/2006.

*Article 4***Issuance of certificates to personnel**

1. A certification body as referred to in Article 5 shall issue a certificate to personnel who have passed a theoretical and practical examination organised by an evaluation body as referred to in Article 6, covering the minimum skills and knowledge set out in the Annex.

2. The certificate shall contain at least the following:

- (a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any;
- (b) the activity which the holder of the certificate is entitled to perform;
- (c) issuing date and issuer's signature.

3. Where an existing examination-based certification system covers the minimum skills and knowledge set out in the Annex and meets the requirements of Articles 5 and 6, but the related attestation does not contain the elements laid down in paragraph 2 of this Article, a certification body referred to in Article 5 may issue a certificate to the holder of this qualification without repeating examination.

4. Where an existing examination based certification system meets the requirements of Articles 5 and 6 and partially covers the minimum skills as set out in the Annex, certification bodies may issue a certificate provided that the applicant passes a supplementary examination, of the skills and knowledge not covered by the existing certification, organised by an evaluation body referred to in Article 6.

*Article 5***Certification body**

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

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

2. The certification body shall establish and apply procedures for the issuance, suspending and withdrawing of certificates.

3. The certification body shall maintain records that allow verifying the status of a certified person. The records shall demonstrate that the certification process has been effectively fulfilled. Records shall be kept for a minimum period of five years.

*Article 6***Evaluation body**

1. An evaluation body designated by the competent authority of a Member State or other entities entitled to do so, shall organise examinations for the personnel referred to in Article 1. A certification body as referred to in Article 5 may also qualify as an evaluation body.

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

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

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

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

Article 7

Notification

1. By 4 January 2009, Member States shall notify the Commission of the names and contact details of certification bodies for personnel covered by Article 5 and of the titles of certificates for personnel complying with the requirements of Article 4, using the format established by Regulation (EC) No 308/2008.

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

Article 8

Conditions for mutual recognition

1. Mutual recognition of certificates issued in other Member States shall apply to certificates issued in accordance with Article 4.

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

Article 9

Entry into force

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

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

Done at Brussels, 2 April 2008.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

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

The examination referred to in Articles 4(1) and 6(2) shall comprise the following:

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

No	Minimum knowledge and skills	Test type
1	Basic knowledge of relevant environmental issues (climate change, Kyoto Protocol, Global Warming Potential), the relevant provisions of Regulation (EC) No 842/2006 and of the relevant Regulations implementing provisions of Regulation (EC) No 842/2006	T
2	Physical, chemical and environmental characteristics of SF ₆	T
3	Use of SF ₆ in electric power equipment (insulation, arc quenching)	T
4	SF ₆ quality, according to the relevant industrial standards ⁽¹⁾	T
5	Understanding of the design of electric power equipment	T
6	Checking the SF ₆ quality	P
7	Recovery of SF ₆ and SF ₆ mixtures and purification of SF ₆	P
8	Storage and transportation of SF ₆	T
9	Operation of SF ₆ recovery equipment	P
10	Operation of tight drilling systems, if necessary	P
11	Re-use of SF ₆ and different re-use categories	T
12	Working on open SF ₆ compartments	P
13	Neutralising SF ₆ by-products	T
14	Monitoring of SF ₆ and appropriate data recording obligations under national or Community legislation, or international agreements	T
⁽¹⁾ For instance IEC 60376 and IEC 60480.		

COMMISSION REGULATION (EC) No 306/2008**of 2 April 2008****establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gas-based solvents from equipment****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases ⁽¹⁾, and in particular Article 5(1) thereof,

Whereas:

(1) For the purposes of the requirements of Regulation (EC) No 842/2006, it is necessary to lay down rules on the qualification of personnel carrying out activities, on equipment containing certain fluorinated greenhouse gases, which can potentially cause leakage.

(2) Personnel not yet certified but enrolled in a training course for the purpose of obtaining a certificate should be, for a limited time, allowed to undertake activities for which such certification is required to gain the practical skills needed for the examination, provided that they are supervised by certified personnel.

(3) A number of Member States do not currently have qualification or certification systems in place. A limited period should therefore be allowed for personnel to obtain a certificate.

(4) For the purpose of avoiding undue administrative burden, it should be allowed to build a certification system on existing qualification schemes provided that the skills and knowledge covered and the relevant qualification system are equivalent to the minimum standards envisaged by this Regulation.

(5) Entities manufacturing or operating equipment containing fluorinated greenhouse gas based solvents could be designated as evaluation or certification bodies, or both, provided that they fulfil the relevant requirements.

(6) In order to avoid unnecessary administrative costs, a Member State, in which currently no fluorinated greenhouse gas-based solvents are used, should be

entitled not to establish the full certification system, provided the Member State makes the necessary arrangement to ensure that certificates could be issued without undue delays in case they might be requested in future, therefore not creating undue market entry barriers.

(7) Examination is an effective means of testing the ability of a candidate to carry out properly the actions which can directly cause leakage, as well as those that can indirectly cause leakage.

(8) Officially designated evaluation and certification bodies should ensure compliance with the minimum requirements set out in this Regulation and thereby contribute to the effective and efficient mutual recognition of certificates throughout the Community.

(9) Information on the certification system issuing certificates subject to mutual recognition should be notified to the Commission in the format established by Commission Regulation (EC) No 308/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States ⁽²⁾.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18(1) of Regulation (EC) No 2037/2000 of the European Parliament and of the Council ⁽³⁾,

HAS ADOPTED THIS REGULATION:

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

This Regulation establishes minimum requirements for the certification of personnel recovering certain fluorinated greenhouse gas-based solvents from equipment as well as the conditions for mutual recognition of certificates issued in accordance with those requirements.

⁽²⁾ See page 28 of this Official Journal.

⁽³⁾ OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Commission Decision 2007/540/EC (OJ L 198, 31.7.2007, p. 35).

⁽¹⁾ OJ L 161, 14.6.2006, p. 1.

*Article 2***Certification of personnel**

1. Personnel carrying out the activity referred to in Article 1 shall hold a certificate as referred to in Article 4.
2. Paragraph 1 shall not apply for a maximum period of 1 year to personnel enrolled in a training course for the purpose of obtaining a certificate provided that they carry out the activity under the supervision of a person holding a certificate.
3. Member States may decide that paragraph 1 shall not apply for a period which shall not exceed the date referred to in Article 5(4) of Regulation (EC) No 842/2006, to personnel undertaking the activity provided for in Article 1 of this Regulation before the date referred to in Article 5(2) of Regulation (EC) No 842/2006.

Such personnel shall, for the period referred to in the first subparagraph, be deemed certified as regards this activity for the purposes of the requirements of Regulation (EC) No 842/2006.

*Article 3***Issuance of certificates to personnel**

1. A certification body as referred to in Article 4 shall issue a certificate to personnel who have passed a theoretical and practical examination organised by an evaluation body as referred to in Article 5, covering the minimum skills and knowledge set out in the Annex.
2. The certificate shall contain at least the following:
 - (a) the name of the certification body, the full name of the holder, a certificate number, and the date of expiry if any;
 - (b) the activity which the holder of the certificate is entitled to perform;
 - (c) issuing date and issuer's signature.
3. Where an existing examination-based certification system covers the minimum skills and knowledge set out in the Annex and meets the requirements of Articles 4 and 5, but the related attestation does not contain the elements laid down in paragraph 2 of this Article, a certification body referred to in Article 4 may issue a certificate to the holder of this qualification without repeating examination.
4. Where an existing examination based certification system meets the requirements of Articles 4 and 5 and partially covers the minimum skills as set out in the Annex, certification bodies may issue a certificate provided that the applicant passes a supplementary examination, of the skills and knowledge not covered by the existing certification, organised by an evaluation body referred to in Article 5.

*Article 4***Certification body**

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

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

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

*Article 5***Evaluation body**

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

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

2. Examinations shall be planned and structured in a manner which ensures that the minimum skills and knowledge set out in the Annex are covered.
3. The evaluation body shall adopt reporting procedures and keep records to enable the documentation of the individual and overall results of the evaluation.
4. The evaluation body shall ensure that examiners assigned to a test have due knowledge of the relevant examination methods and examination documents as well as an appropriate competence in the field to be examined. It shall also ensure that the necessary equipment, tools and materials are available for the practical tests.

*Article 6***Notification**

1. By 4 January 2009, Member States shall notify the Commission of the names and contact details of certification bodies for personnel covered by Article 4 and of the titles of certificates for personnel complying with the requirements of Article 3, using the format established by Regulation (EC) No 308/2008.

2. If fluorinated greenhouse gas-based solvents are not used in a Member State, this Member State may decide not to designate the certification or the evaluation body referred to in Article 4 and 5, or both, before the need for such certification arises in the future. In this case the Member State concerned shall provide for the necessary arrangements under its national legislation in order to ensure the issuance of such certificates without undue delays in the event such certification would be requested in the future.

By 4 January 2009, the Member State shall notify to the Commission the intention to make use of and the arrangements made to comply with this paragraph. In that case, paragraph 1 shall not apply.

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

Article 7

Conditions for mutual recognition

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

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

Article 8

Entry into force

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

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

Done at Brussels, 2 April 2008.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

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

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

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

No	Minimum knowledge and skills	Test type
1.	Basic knowledge of relevant environment issues (climate change, Kyoto Protocol, Global Warming Potential), the relevant provisions of Regulation (EC) No 842/2006 and of the relevant Regulations implementing provisions of Regulation (EC) No 842/2006	T
2.	Physical, chemical and environmental characteristics of fluorinated greenhouse gases used as solvents	T
3.	Use of fluorinated greenhouse gases as solvents	T
4.	Recovery of fluorinated greenhouse gas-based solvents	P
5.	Storage and transportation of fluorinated greenhouse gas-based solvents	T
6.	Operation of recovery equipment in relation to equipment containing fluorinated greenhouse gas-based solvents	P

COMMISSION REGULATION (EC) No 307/2008**of 2 April 2008**

establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements for training programmes and the conditions for mutual recognition of training attestations for personnel as regards air-conditioning systems in certain motor vehicles containing certain fluorinated greenhouse gases

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases ⁽¹⁾, and in particular Article 5(1) thereof,

Whereas:

(1) Directive 2006/40/EC relating to emissions from air-conditioning systems in motor vehicles and amending Council Directive 70/156/EEC ⁽²⁾ provides for the mandatory introduction of air-conditioning systems with low global warming potential to motor vehicles as of 2011. As a short-term measure, Regulation (EC) No 842/2006 requires to lay down rules on the appropriate qualification of personnel recovering fluorinated greenhouse gases from such systems.

(2) Personnel enrolled in a training course for the purpose of obtaining a training attestation should be, for a limited time, allowed to undertake activities covered by the training course and for which a training attestation is required, provided that they are supervised by personnel holding such an attestation.

(3) To enable training and attestation of personnel currently active in the areas covered by this Regulation without interrupting their professional activity, an adequate interim period is required during which personnel trained under existing qualification schemes or with professional experience may be considered as appropriately qualified for the purpose of Regulation (EC) No 842/2006.

(4) For the purpose of avoiding undue administrative burden, it should be allowed to recognise existing qualification schemes provided that the skills and knowledge covered, and the relevant qualification system are equivalent to the minimum standards envisaged by this Regulation.

(5) Officially designated attestation bodies should ensure compliance with the minimum requirements set out in this Regulation and thereby contribute to the effective and efficient mutual recognition of training attestations throughout the Community.

(6) Information on the attestation systems issuing attestations subject to mutual recognition should be notified to the Commission in the format established by Commission Regulation (EC) No 308/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States ⁽³⁾. Information on the recognition of existing qualification systems or professional experience, for an interim period, should be notified to the Commission.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18(1) of Regulation (EC) No 2037/2000 of the European Parliament and of the Council ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter**

This Regulation establishes minimum requirements for training programmes of personnel recovering certain fluorinated greenhouse gases from air-conditioning systems in motor vehicles falling within the scope of Directive 2006/40/EC as well as the conditions for mutual recognition of training attestations issued in accordance with those requirements.

*Article 2***Training of personnel**

1. Only personnel holding a training attestation as referred to in Article 3 shall be considered appropriately qualified to carry out the activity referred to in Article 1.

⁽¹⁾ OJ L 161, 14.6.2006, p. 1.

⁽²⁾ OJ L 161, 14.6.2006, p. 12.

⁽³⁾ See page 28 of this Official Journal.

⁽⁴⁾ OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Commission Decision 2007/540/EC (OJ L 198, 31.7.2007, p. 35).

2. Paragraph 1 shall not apply for a maximum period of 12 months to personnel enrolled in a training course for the purpose of obtaining a training attestation provided that they carry out the activity under the supervision of a person considered appropriately qualified.

3. Member States may decide that until 4 July 2010 at the latest, paragraph 1 shall not apply to:

- (a) personnel holding an attestation issued under existing qualification schemes for the activity referred to in Article 1, identified as such by the Member State; or
- (b) personnel with professional experience in the activity referred to in Article 1, acquired before 4 July 2008.

Such personnel shall, for the period referred to in the first subparagraph, be considered appropriately qualified to carry out the activity referred to in Article 1.

Article 3

Issuance of training attestations to personnel

1. An attestation body shall be provided for by a national law or regulation, or designated by the competent authority of a Member State or other entities entitled to do so.
2. The attestation body referred to in paragraph 1 shall issue a training attestation to personnel who have completed a training course, covering the minimum skills and knowledge set out in the Annex.
3. The training attestation shall contain at least the following:
 - (a) the name of the attestation body, the full name of the holder and a registration number;
 - (b) the activity which the holder of the training attestation is entitled to perform;
 - (c) issuing date and issuer's signature.
4. Where an existing training course covers the minimum skills and knowledge set out in the Annex, but the related

attestation does not contain the elements laid down in paragraph 3 of this Article, an attestation body referred to in paragraph 1 may issue a training attestation to the holder of this qualification without repeating the training course.

Article 4

Notification

1. By 4 July 2008, Member States shall notify the Commission of their intention to apply points (a) or (b) of the first subparagraph of Article 2(3) by identifying existing qualification systems or conditions based on professional experience on the basis of which personnel are deemed appropriately qualified.
2. By 4 January 2009, Member States shall notify the Commission of the names and contact details of attestation bodies for personnel covered by Article 3(1) and of the titles of training attestations for personnel complying with the requirements of Article 3(2) and of the Annex, using the format established by Regulation (EC) No 308/2008.
3. Member States shall update the notification submitted pursuant to paragraph 2, with relevant new information, and submit it to the Commission without delay.

Article 5

Conditions for mutual recognition

1. Member States shall give mutual recognition to training attestations issued in other Member States in accordance with Article 3.
2. Member States may require holders of training attestations issued in another Member State to provide a translation of the attestation in another official Community language.

Article 6

Entry into force

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

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

Done at Brussels, 2 April 2008.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX

Minimum requirements as to the skills and knowledge to be covered by the training programmes

The training course referred to in Article 3(2) shall cover the following:

- (a) a theoretical module as indicated in the column 'Module type' by (T);
- (b) a practical module where the applicant shall perform the corresponding task with the relevant material, tools and equipment, as indicated in the column 'Module type' by (P).

Minimum knowledge and skills		Module type
1. Operation of air-conditioning systems containing fluorinated greenhouse gases in motor vehicles, environmental impact of fluorinated greenhouse gas refrigerants and corresponding environmental regulations		
1.1.	Basic knowledge of the operation of air-conditioning systems in motor vehicles	T
1.2.	Basic knowledge of the use and properties of the fluorinated greenhouse gases used as refrigerants in air-conditioning systems in motor vehicles, the impact of the emissions of these gases on the environment (order of magnitude of their Global Warming Potential in relation to climate change)	T
1.3.	Basic knowledge of the relevant provisions of Regulation (EC) No 842/2006 and Directive 2006/40/EC	T
2. Environment-friendly recovery of fluorinated greenhouse gases		
2.1.	Knowledge of common procedures for recovering fluorinated greenhouse gases	T
2.2.	Handling a refrigerant cylinder	P
2.3.	Connecting and disconnecting a recovery set to and from the service ports of a motor vehicle air-conditioning system containing fluorinated greenhouse gases	P
2.4.	Operating a recovery set	P

COMMISSION REGULATION (EC) No 308/2008**of 2 April 2008****establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the format for notification of the training and certification programmes of the Member States****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases ⁽¹⁾, and in particular Article 5(5) thereof,

Whereas:

(1) The notification format should consist of the essential information required, to allow the authentication of a certificate or attestation complying with the minimum requirements and the conditions for mutual recognition established by the Commission, pursuant to Regulation (EC) No 842/2006.

(2) The Commission adopted minimum requirements and conditions for mutual recognition for the certification of companies and personnel. In particular, the Commission adopted Commission Regulation (EC) No 303/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases ⁽²⁾; Commission Regulation (EC) No 304/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of companies and personnel as regards stationary fire protection systems and fire extinguishers containing certain fluorinated greenhouse gases ⁽³⁾; Commission Regulation (EC) No 305/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gases from high-voltage switchgear ⁽⁴⁾; Commission Regulation (EC) No 306/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements and the conditions for mutual recognition for the certification of personnel recovering certain fluorinated greenhouse gas-based solvents from equipment ⁽⁵⁾; as well as Commission Regulation (EC) No 307/2008 of 2 April 2008 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, minimum requirements for training programmes and the conditions for mutual recognition of training attestations for personnel as regards air-conditioning systems in certain motor vehicles containing certain fluorinated greenhouse gases ⁽⁶⁾.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18(1) of Regulation (EC) No 2037/2000 of the European Parliament and of the Council ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall use for the notifications referred to in Article 5(2) of Regulation (EC) No 842/2006 the following forms:

1. for stationary refrigeration, air conditioning and heat pump equipment the notification form specified in Annex I of this Regulation;
2. for stationary fire protection systems and fire extinguishers the notification form specified in Annex II of this Regulation;
3. for high voltage switchgear the notification form specified in Annex III of this Regulation;

⁽¹⁾ OJ L 161, 14.6.2006, p. 1.

⁽²⁾ See page 3 of this Official Journal.

⁽³⁾ See page 12 of this Official Journal.

⁽⁴⁾ See page 17 of this Official Journal.

⁽⁵⁾ See page 21 of this Official Journal.

⁽⁶⁾ See page 25 of this Official Journal.

⁽⁷⁾ OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Commission Decision 2007/540/EC (OJ L 198, 31.7.2007, p. 35).

4. for equipment containing fluorinated greenhouse gas-based solvents the notification form specified in Annex IV of this Regulation;
5. for air conditioning systems in motor vehicles the notification form specified in Annex V of this Regulation.

Article 2

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

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

Done at Brussels, 2 April 2008.

For the Commission
Stavros DIMAS
Member of the Commission

ANNEX I

STATIONARY REFRIGERATION, AIR CONDITIONING AND HEAT PUMP EQUIPMENT

NOTIFICATION

FOR THE ESTABLISHMENT OR ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND CERTIFICATION REQUIREMENTS FOR COMPANIES AND PERSONNEL INVOLVED IN ACTIVITIES COVERED BY ARTICLE 5(1) OF REGULATION (EC) No 842/2006 ON CERTAIN FLUORINATED GREENHOUSE GASES

GENERAL INFORMATION

(a) Member State	
(b) Notifying authority	
(c) Date of notification	

PART A

Personnel

The following certification system(s) for **personnel** involved in the installation, maintenance or servicing, leakage checking of stationary refrigeration, air conditioning and heat pump equipment which contain certain fluorinated greenhouse gases or the recovery of those gases from such equipment, satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 5 and 13 of Regulation (EC) No 303/2008 ⁽¹⁾.

Certificate title	Personnel certification body (name and contact details)

PART B

Companies

The following certification system(s) for **companies** involved in the installation, maintenance or servicing of stationary refrigeration, air conditioning and heat pump equipment, which contain certain fluorinated greenhouse gases satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 8 and 13 of Regulation (EC) No 303/2008.

Certificate title	Company certification body (name and contact details)

⁽¹⁾ OJ L 92, 3.4.2008, p. 3.

ANNEX II

STATIONARY FIRE PROTECTION SYSTEMS AND FIRE EXTINGUISHERS

NOTIFICATION

FOR THE ESTABLISHMENT/ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND CERTIFICATION REQUIREMENTS FOR COMPANIES AND PERSONNEL INVOLVED IN ACTIVITIES COVERED BY ARTICLE 5(1) OF REGULATION (EC) No 842/2006 ON CERTAIN FLUORINATED GREENHOUSE GASES

GENERAL INFORMATION

(a) Member State	
(b) Notifying authority	
(c) Date of notification	

PART A

Personnel

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

Certificate title	Personnel certification body (name and contact details)

PART B

Companies

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

Certificate title	Company certification body (name and contact details)

⁽¹⁾ OJ L 92, 3.4.2008, p. 12.

ANNEX III

HIGH VOLTAGE SWITCHGEAR**NOTIFICATION****FOR THE ESTABLISHMENT/ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND
CERTIFICATION REQUIREMENTS FOR PERSONNEL INVOLVED IN ACTIVITIES COVERED BY ARTICLE 5(1)
OF REGULATION (EC) No 842/2006 ON CERTAIN FLUORINATED GREENHOUSE GASES**

GENERAL INFORMATION

(a) Member State	
(b) Notifying authority	
(c) Date of notification	

The following certification system(s) for **personnel** involved in the recovery of certain fluorinated greenhouse gases from high voltage switchgear, satisfy the minimum requirements and the conditions of mutual recognition set out in Articles 4 and 8 of Regulation (EC) No 305/2008 ⁽¹⁾.

Certificate title	Personnel certification body (name and contact details)

⁽¹⁾ OJ L 92, 3.4.2008, p. 17.

ANNEX IV

EQUIPMENT CONTAINING FLUORINATED GREENHOUSE GAS-BASED SOLVENTS**NOTIFICATION****FOR THE ESTABLISHMENT/ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND
CERTIFICATION REQUIREMENTS FOR PERSONNEL INVOLVED IN ACTIVITIES COVERED BY ARTICLE 5(1)
OF REGULATION (EC) No 842/2006 ON CERTAIN FLUORINATED GREENHOUSE GASES**

GENERAL INFORMATION

(a) Member State	
(b) Notifying authority	
(c) Date of notification	

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

Certificate title	Personnel certification body (name and contact details)

⁽¹⁾ OJ L 92, 3.4.2008, p. 21.

ANNEX V

AIR-CONDITIONING SYSTEMS IN MOTOR VEHICLES

NOTIFICATION

FOR THE ESTABLISHMENT/ADAPTATION BY MEMBER STATES OF THEIR TRAINING AND
QUALIFICATION REQUIREMENTS FOR PERSONNEL INVOLVED IN ACTIVITIES COVERED BY
ARTICLE 5(1) OF REGULATION (EC) No 842/2006 ON CERTAIN FLUORINATED GREENHOUSE GASES

GENERAL INFORMATION

(a) Member State	
(b) Notifying authority	
(c) Date of notification	

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

Attestation title	Personnel attestation body (name and contact details)

⁽¹⁾ OJ L 92, 3.4.2008, p. 25.

COMMISSION REGULATION (EC) No 309/2008**of 2 April 2008****entering a name in the register of protected designations of origin and protected geographical indications Isle of Man Manx Loaghtan Lamb (PDO)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the second subparagraph of Article 7(5) thereof,

Whereas:

(1) Pursuant to Article 6(2) of Regulation (EC) No 510/2006 and in accordance with Article 17(2) thereof, the United Kingdom's application to register the name 'Isle of Man Manx Loaghtan Lamb' was published in the *Official Journal of the European Union* ⁽²⁾.

(2) Italy objected to this registration in accordance with Article 7(1) of Regulation (EC) No 510/2006, in particular on the grounds specified in Article 7(3)(a) thereof, namely non-compliance with the conditions referred to in Article 2 of the said Regulation.

(3) By letter dated 1 June 2007, the Commission invited the interested parties to engage in appropriate consultations.

(4) An agreement was reached between the United Kingdom and Italy, which was notified to the Commission by the letter received on 4 December 2007.

(5) Under this agreement, Italy considered that the information provided by the United Kingdom was satisfactory and it therefore withdrew its objection.

(6) The agreement reached by the interested parties does not require amendment of the information published pursuant to Article 6(2) of Regulation (EC) No 510/2006. The name 'Isle of Man Manx Loaghtan Lamb' should therefore be registered pursuant to Article 7(4) of the said Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The name specified in the Annex to this Regulation shall be entered in the Register.

Article 2

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

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

Done at Brussels, 2 April 2008.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ C 3, 6.1.2006, p. 3.

ANNEX

Class 1.1 — Fresh meat (and offal)

UNITED KINGDOM

Isle of Man Manx Loaghtan Lamb (PDO)

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 19 March 2008

concerning emergency vaccination against low pathogenic avian influenza in mallard ducks in Portugal and certain measures restricting the movements of such poultry and their products

(notified under document number C(2008) 1077)

(Only the Portuguese text is authentic)

(2008/285/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

and that a significant and immediate threat of spread of avian influenza exists.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC ⁽¹⁾, and in particular Article 54(2) thereof,

Whereas:

- (1) Directive 2005/94/EC sets out the minimum control measures to be applied in the event of an outbreak of avian influenza in poultry or other captive birds.
- (2) Since September 2007, outbreaks of low pathogenic avian influenza have occurred in certain poultry holdings in the central-western part of Portugal, in particular in holdings that keep poultry intended for re-stocking supplies of game. Portugal has taken measures in accordance with Directive 2005/94/EC to control the spread of that disease.
- (3) Portugal has carried out a risk assessment and identified that holdings keeping mallard ducks (*Anas platyrhynchos*) intended for re-stocking supplies of game (mallard ducks), are at an increased risk of infection from avian influenza viruses, in particular by contact with wild birds

- (4) Early detection systems and biosecurity measures to reduce the risk of transmission of avian influenza to poultry flocks are in place in Portugal in the areas that have been defined by that Member State as high risk areas pursuant to Commission Decision 2005/734/EC of 19 October 2005 laying down biosecurity measures to reduce the risk of transmission of highly pathogenic avian influenza caused by Influenza virus A subtype H5N1 from birds living in the wild to poultry and other captive birds and providing for an early detection system in areas at particular risk ⁽²⁾.
- (5) In relation to trade in poultry intended for re-stocking supplies of game, additional measures have been taken by Portugal pursuant to Commission Decision 2006/605/EC of 6 September 2006 on certain protection measures in relation to intra-Community trade in poultry intended for re-stocking of wild game supplies ⁽³⁾.
- (6) Portugal has by letter dated 25 January 2008, submitted an emergency vaccination plan to the Commission for approval and a revised version of that plan was submitted on 31 January 2008.

⁽¹⁾ OJ L 10, 14.1.2006, p. 16.

⁽²⁾ OJ L 274, 20.10.2005, p. 105. Decision as last amended by Decision 2007/803/EC (OJ L 323, 8.12.2007, p. 42).

⁽³⁾ OJ L 246, 8.9.2006, p. 12.

- (7) According to that emergency vaccination plan, Portugal intends to introduce emergency vaccination on one holding in the region of Lisboa e Vale do Tejo, Ribatejo Norte, Vila Nova da Barquinha keeping valuable breeding mallard ducks and using a bivalent vaccine directed against avian influenza virus of subtypes H7 and H5 which is to be applied until 31 July 2008.
- (8) In its scientific opinions on the use of vaccination to control avian influenza issued by the European Food Safety Authority in 2005 ⁽¹⁾ and 2007 ⁽²⁾, the Animal Health and Welfare Panel stated that emergency and preventive vaccination against avian influenza is a valuable tool to complement the control measures for that disease.
- (9) In addition, the Commission has examined the emergency vaccination plan submitted by Portugal, together with the Portuguese authorities, and after its amendment is satisfied that it conforms with relevant Community legislation. In view of the epidemiological situation as regards low pathogenic avian influenza in Portugal, the type of holding to be vaccinated and the limited scope of the vaccination plan, it is appropriate to approve the emergency vaccination plan submitted by Portugal to supplement the control measures already taken by that Member State.
- (10) For the purposes of the emergency vaccination to be carried out by Portugal, only vaccines authorised in accordance with Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products ⁽³⁾ or Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency ⁽⁴⁾ should be used.
- (11) In addition, surveillance and monitoring in the holding keeping the vaccinated mallard ducks and in unvaccinated poultry holdings, as set out in the emergency vaccination plan, should be carried out.
- (12) It is also appropriate to introduce certain restrictions on the movement of vaccinated mallard ducks, their hatching eggs and mallard ducks derived from vaccinated poultry. Due to the small number of mallard ducks present on the holding where emergency vaccination is to be carried out, as well as for reasons of traceability and logistics, vaccinated birds should not be moved from that holding.
- (13) In order to reduce the economic impact on the holding concerned certain derogations from movement

restrictions for mallard ducks derived from vaccinated mallard ducks should be provided for, since such movements do not pose a specific risk for spread of disease and provided that surveillance and monitoring measures are carried out and that the specific animal health requirements for intra-Community trade are complied with.

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

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

1. This Decision lays down certain measures to be applied in Portugal where emergency vaccination of mallard ducks (*Anas platyrhynchos*) intended for re-stocking supplies of game (mallard ducks) is carried out in a holding, which is at particular risk for introduction of avian influenza. Those measures include certain restrictions on the movement within and dispatch from Portugal of the vaccinated mallard ducks, their hatching eggs and mallard ducks derived thereof.

2. This Decision shall apply without prejudice to the protection measures to be taken by Portugal in accordance with Directive 2005/94/EC and Decision 2006/605/EC.

Article 2

Approval of the emergency vaccination plan

1. The plan for emergency vaccination against low pathogenic avian influenza in Portugal, as submitted by Portugal to the Commission on 25 January 2008, in its revised version submitted on 31 January 2008, to be implemented on a holding in the region of Lisboa e Vale do Tejo, Ribatejo Norte, Vila Nova da Barquinha until 31 July 2008 (the emergency vaccination plan) is approved.

2. The Commission shall publish the emergency vaccination plan.

Article 3

Conditions for implementing the emergency vaccination plan

1. Portugal shall ensure that the mallard ducks are vaccinated in accordance with the emergency vaccination plan with a bivalent inactivated heterologous vaccine containing both avian influenza subtypes H5 and H7 authorised by that Member State in accordance with Directive 2001/82/EC or Regulation (EC) No 726/2004.

⁽¹⁾ The EFSA Journal (2005) 266, 1-21; Scientific Opinion on Animal health and welfare aspects of Avian Influenza.

⁽²⁾ The EFSA Journal (2007) 489, Scientific Opinion on Vaccination against avian influenza of H5 and H7 subtypes in domestic poultry and captive birds.

⁽³⁾ OJ L 311, 28.11.2001, p. 1. Directive as last amended by Directive 2004/28/EC (OJ L 136, 30.4.2004, p. 58).

⁽⁴⁾ OJ L 136, 30.4.2004, p. 1. Regulation as last amended by Regulation (EC) No 1394/2007 (OJ L 324, 10.12.2007, p. 121).

2. Portugal shall ensure that surveillance and monitoring of the holding keeping the vaccinated mallard ducks and in unvaccinated poultry holdings, as set out in the emergency vaccination plan, is carried out.

3. Portugal shall ensure that the emergency vaccination plan is implemented efficiently.

Article 4

Marking and restrictions on the movement and dispatch and disposal of vaccinated mallard ducks

The competent authority shall ensure that vaccinated mallard ducks on the holding referred to in Article 2(1) are:

- (a) marked individually;
- (b) not moved to other poultry holdings within Portugal or dispatched to other Member States.

After their reproductive period, such ducks shall be killed humanely on the holding referred to in Article 2(1) and their carcasses safely disposed of.

Article 5

Restrictions on the movement and dispatch of hatching eggs originating from the holding referred to in Article 2(1)

The competent authority shall ensure that hatching eggs originating from mallard ducks on the holding referred to in Article 2(1) may only be moved to a hatchery within Portugal and not dispatched to other Member States.

Article 6

Restrictions on the movement and dispatch of mallard ducks derived from vaccinated mallard ducks

1. The competent authority shall ensure that mallard ducks derived from vaccinated mallard ducks may only be moved after hatching to a holding located in the monitoring area established in Portugal around the holding referred to in Article 2(1), as set out in the emergency vaccination plan.

2. By way of derogation from paragraph 1 and provided that the mallard ducks derived from vaccinated mallard ducks are more than four month old, they may be:

- (a) released into the wild in Portugal; or
- (b) dispatched to other Member States provided that:

- (i) the results of the surveillance and monitoring measures set out in the emergency vaccination plan, including laboratory tests, are favourable; and
- (ii) the conditions for dispatch of poultry for re-stocking supplies of wild game laid down in Decision 2006/605/EC are met.

Article 7

Health certification for intra-Community trade in mallard ducks derived from vaccinated mallard ducks

Portugal shall ensure that health certificates for intra-Community trade in poultry intended for re-stocking supplies of game referred to in Article 6(2)(b) include the following sentence:

‘The animal health conditions of this consignment are in accordance with Decision 2008/285/EC’.

Article 8

Reports

Portugal shall submit to the Commission a report on the implementation of the emergency vaccination plan within one month from the date of application of this Decision and give quarterly reports at the Standing Committee on the Food Chain and Animal Health thereafter.

Article 9

Addresses

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 19 March 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 163/2008 of 22 February 2008 concerning an authorisation of the preparation Lanthanum carbonate octahydrate (Lantharenol) as a feed additive***(Official Journal of the European Union L 50 of 23 February 2008)*

On page 5, in the Annex, in the last column of the table, 'End of period of authorisation':

for: '6 March 2018',

read: '14 March 2018'.
