

Official Journal of the European Union

L 177



English edition

Legislation

Volume 63

5 June 2020

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EN

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

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I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2020/740 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 25 May 2020****on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and Article 194(2) thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) The Union is committed to building an Energy Union with a forward-looking climate policy. Fuel efficiency is a crucial element of the Union's 2030 climate and energy policy framework and is key to moderating energy demand.
- (2) The Commission has reviewed Regulation (EC) No 1222/2009 of the European Parliament and of the Council ⁽³⁾ and has identified the need to update its provisions to improve its effectiveness.
- (3) It is appropriate to replace Regulation (EC) No 1222/2009 in order to clarify and update some of its provisions, taking into account technological progress with regard to tyres.
- (4) The transport sector accounts for a third of the Union's energy consumption. Road transport was responsible for about 22 % of the Union's total greenhouse gas emissions in 2015. Tyres, mainly because of their rolling resistance, account for 20 to 30 % of the fuel consumption of vehicles. A reduction in the rolling resistance of tyres would therefore contribute significantly to the fuel efficiency of road transport and thus to the reduction of greenhouse gas emissions and to the decarbonisation of the transport sector.
- (5) In order to meet the challenge of reducing the CO₂ emissions of road transport, it is appropriate that Member States, in cooperation with the Commission, provide for incentives to innovate with regard to fuel-efficient and safe C1 tyres, C2 tyres and C3 tyres.

⁽¹⁾ OJ C 62, 15.2.2019, p. 280.

⁽²⁾ Position of the European Parliament of 26 March 2019 (not yet published in the Official Journal) and position of the Council at first reading of 25 February 2020 (OJ C 105, 31.3.2020, p. 1). Position of the European Parliament of 13 May 2020 (not yet published in the Official Journal).

⁽³⁾ Regulation (EC) No 1222/2009 of the European Parliament and of the Council of 25 November 2009 on the labelling of tyres with respect to fuel efficiency and other essential parameters (OJ L 342, 22.12.2009, p. 46).

- (6) Tyres are characterised by a number of interrelated parameters. Improving one parameter, such as rolling resistance, may have an adverse impact on other parameters, such as wet grip, while improving wet grip performance may have an adverse impact on external rolling noise. Tyre manufacturers should be encouraged to optimise all parameters beyond the current standards.
- (7) Fuel-efficient tyres can be cost-effective, since the fuel savings that they generate more than offset the increased purchase price resulting from the higher production costs of such tyres.
- (8) Regulation (EC) No 661/2009 of the European Parliament and of the Council ⁽⁴⁾ lays down minimum requirements for the rolling resistance of tyres. Technological developments make it possible to reduce the energy losses that are due to tyre rolling resistance significantly beyond those minimum requirements. To reduce the environmental impact of road transport, it is therefore appropriate to update the provisions on the labelling of tyres to encourage end-users to purchase more fuel-efficient tyres by providing them with harmonised information on the rolling resistance parameter.
- (9) Improving the labelling of tyres will enable consumers to obtain more relevant and more comparable information on fuel efficiency, safety and noise and to take cost-effective and environmentally friendly decisions when purchasing tyres.
- (10) Traffic noise is a significant nuisance and has a harmful effect on health. Regulation (EC) No 661/2009 lays down minimum requirements for the external rolling noise of tyres. Technological developments make it possible to reduce external rolling noise significantly beyond those minimum requirements. To reduce traffic noise, it is therefore appropriate to update the provisions on the labelling of tyres to encourage end-users to purchase tyres with lower external rolling noise by providing them with harmonised information on the external rolling noise parameter.
- (11) The provision of harmonised information on external rolling noise also facilitates the implementation of measures to limit traffic noise and contributes to increased awareness of the effect of tyres on traffic noise within the framework of Directive 2002/49/EC of the European Parliament and of the Council ⁽⁵⁾.
- (12) Regulation (EC) No 661/2009 also lays down minimum requirements for the wet grip of tyres. Technological developments make it possible to improve wet grip significantly beyond those minimum requirements, and thus to reduce wet braking distances. To improve road safety, it is therefore appropriate to update the provisions on the labelling of tyres to encourage end-users to purchase tyres with higher wet grip performance by providing them with harmonised information on the wet grip parameter.
- (13) In order to ensure alignment with the international framework, Regulation (EC) No 661/2009 refers to Regulation No 117 of the Economic Commission for Europe of the United Nations (UNECE) ⁽⁶⁾, which sets out the relevant measurement methods for the rolling resistance, external rolling noise, and wet and snow grip performance of tyres.
- (14) Information on the performance of tyres that are specifically designed for use in severe snow and ice conditions should be included on the tyre label. Information on snow grip performance should be based on Regulation No 117 of the Economic Commission for Europe of the United Nations (UNECE), in its most up-to-date version applicable to the Union, (UNECE Regulation No 117), and the 'Alpine Symbol' pictogram contained therein should be included on the tyre label of a tyre which satisfies the minimum snow grip index values set out in that Regulation. Information on ice grip performance should, once the standard is formally adopted, be based on ISO standard ISO 19447 and the ice grip pictogram should be included on the tyre label of a tyre which satisfies the minimum ice grip index values set out in that ISO standard. Until adoption of ISO standard ISO 19447, ice grip performance should be assessed against reliable, accurate and reproducible methods, which take into account the generally recognised state of the art. The tyre label of a tyre which satisfies the minimum ice grip performance standards should show the ice grip pictogram set out in Annex I.

⁽⁴⁾ Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 200, 31.7.2009, p. 1).

⁽⁵⁾ Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise (OJ L 189, 18.7.2002, p. 12).

⁽⁶⁾ Regulation No 117 of the Economic Commission for Europe of the United Nations (UNECE) – Uniform provisions concerning the approval of tyres with regard to rolling sound emissions and/or to adhesion on wet surfaces and/or to rolling resistance [2016/1350] (OJ L 218, 12.8.2016, p. 1).

- (15) The abrasion of tyres during use is a significant source of microplastics, which are harmful to the environment and human health. The Commission's Communication 'A European Strategy for Plastics in a Circular Economy' therefore mentions the need to address the unintentional release of microplastics from tyres, inter alia through information measures such as labelling and through minimum requirements for tyres. Linked to tyre abrasion is the concept of mileage, namely the number of kilometres a tyre will last before it needs to be replaced because of tread wear. In addition to tyre abrasion and tread wear, the lifespan of a tyre depends on a range of factors, such as the wear resistance of the tyre, including the compound, tread pattern and structure, road conditions, maintenance, tyre pressure and driving behaviour.
- (16) However, a suitable testing method to measure tyre abrasion and mileage is not currently available. Therefore, the Commission should mandate the development of such a testing method, taking into full consideration the state of the art and internationally developed or proposed standards and regulations, as well as the work carried out by industry.
- (17) Re-treaded tyres constitute a substantial part of the market for heavy-duty vehicle tyres. The re-treading of tyres extends their lifespan and contributes to circular economy objectives, such as waste reduction. Applying labelling requirements to such tyres would bring substantial energy savings. This Regulation should provide for the future inclusion of a suitable testing method to measure the performance of re-treaded tyres, which is not currently available.
- (18) The energy label provided for under Regulation (EU) 2017/1369 of the European Parliament and of the Council ⁽⁷⁾, which ranks the energy consumption of products on a scale from 'A' to 'G', is recognised by over 85 % of Union consumers as a clear and transparent information tool and has proven to be effective in promoting more efficient products. The tyre label should be of the same design to the extent possible, while recognising the specificities of tyre parameters.
- (19) The provision of comparable information on tyre parameters in the form of a standard tyre label is likely to influence purchasing decisions by end-users in favour of more fuel-efficient, longer-lasting, safer and quieter tyres. This, in turn, is likely to encourage tyre manufacturers to optimise tyre parameters, which would pave the way for a more sustainable consumption and production of tyres.
- (20) The need for greater information on fuel efficiency and other parameters is relevant for all end-users, including purchasers of replacement tyres, purchasers of tyres fitted on new vehicles, and fleet managers and transport undertakings, who cannot easily compare the parameters of different tyre brands in the absence of a labelling and harmonised testing regime. It is therefore appropriate to require that a tyre label be provided for all tyres offered with or fitted on vehicles.
- (21) Currently, tyre labels are required for tyres for cars (C1 tyres) and vans (C2 tyres) but not for heavy-duty vehicles (C3 tyres). C3 tyres consume more fuel and cover more kilometres per year than C1 tyres or C2 tyres, and therefore the potential to reduce fuel consumption and greenhouse gas emissions from heavy-duty vehicles is significant. Therefore, C3 tyres should be included in the scope of this Regulation. Including C3 tyres fully in the scope of this Regulation is also in line with Regulation (EU) 2018/956 of the European Parliament and of the Council ⁽⁸⁾, which provides for the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles, and with Regulation (EU) 2019/1242 of the European Parliament and of the Council ⁽⁹⁾, which sets CO₂ emission performance standards for new heavy-duty vehicles.
- (22) Many end-users make tyre purchasing decisions without seeing the actual tyre and therefore do not see the tyre label affixed to it. In such situations, end-users should be shown the tyre label before taking their purchasing decisions. The display of a tyre label on tyres at the point of sale, as well as in technical promotional material, should ensure that distributors as well as potential end-users receive harmonised information on the relevant tyre parameters at the time and place of the purchasing decision.

⁽⁷⁾ Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).

⁽⁸⁾ Regulation (EU) 2018/956 of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles (OJ L 173, 9.7.2018, p. 1).

⁽⁹⁾ Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC (OJ L 198, 25.7.2019, p. 202).

- (23) Some end-users make tyre purchasing decisions before arriving at the point of sale, or purchase tyres by mail order or on the internet. To ensure that those end-users can also make an informed choice on the basis of harmonised information on, inter alia, fuel efficiency, wet grip and external rolling noise, tyre labels should be displayed in all technical promotional material and visual advertisements for specific tyre types, including where such material is made available on the internet. Where visual advertisements pertain to a tyre family, and not only to a specific tyre type, the tyre label does not have to be shown.
- (24) Potential end-users should be provided with information explaining each component of the tyre label and its relevance. That information should be provided in all technical promotional material, for example on suppliers' websites, but should not be required in visual advertisements. Technical promotional material should not be understood to include advertisements via billboards, newspapers, magazines or radio or television broadcasts.
- (25) Without prejudice to the market surveillance obligations of Member States or to the obligation of suppliers to check product conformity, suppliers should make the requisite product compliance information electronically available in the product database. The information that is relevant to consumers and distributors should be made publicly available in the public part of the product database. That information should be made available as open data so as to give mobile application developers and comparison tools the opportunity to use it. Easy direct access to the public part of the product database should be facilitated by user-oriented tools that are included on the printed tyre label, such as a dynamic quick response code (QR code).
- (26) The compliance part of the product database should be subject to strict data protection rules. The required specific parts of the technical documentation in the compliance part of the product database should be made available both to market surveillance authorities and to the Commission. Where technical information is too sensitive to include it in the category of technical documentation, market surveillance authorities should have access to that information when necessary in accordance with the duty of cooperation on suppliers or by way of additional parts of the technical documentation uploaded to the product database by suppliers on a voluntary basis.
- (27) The sale of tyres through internet sales platforms, rather than directly from suppliers, is growing. Therefore, hosting service providers should enable the display of the tyre label and product information sheet provided by the supplier close to the price indication. They should inform the distributor of the obligation to display the tyre label and product information sheet, but should not be responsible for the accuracy or content of that tyre label or product information sheet. The obligations imposed on hosting service providers under this Regulation should remain limited to what is reasonable and should not amount to a general obligation to monitor the information that they store or to actively seek facts or circumstances indicating activities that do not comply with the requirements of this Regulation. However, Article 14(1) of Directive 2000/31/EC of the European Parliament and of the Council ⁽¹⁰⁾ requires hosting service providers that wish to benefit from the liability exemption contained in that provision to act expeditiously to remove or disable access to information that they store at the request of recipients of their services where such information does not comply with the requirements of this Regulation, such as those relating to missing, incomplete or incorrect tyre labels or product information sheets. They should do so as soon as they obtain actual knowledge of such information or, as regards claims for damages, as soon as they become aware of such information, for example through specific information provided by a market surveillance authority. Suppliers selling directly to end-users via their own website are subject to the same distance selling obligations as distributors.
- (28) Rolling resistance, wet grip, external rolling noise and other parameters should be measured in accordance with reliable, accurate and reproducible methods that take into account the generally recognised state-of-the-art measurement and calculation methods. As far as possible, such methods should reflect average consumer behaviour and be robust in order to deter both intentional and unintentional circumvention. Tyre labels should reflect the comparative performance of the tyres in actual use, within the constraints arising from the need for reliable, accurate and reproducible laboratory testing, in order to enable end-users to compare different tyres and to limit testing costs for manufacturers.

⁽¹⁰⁾ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce) (OJ L 178, 17.7.2000, p. 1).

- (29) Where they have sufficient reason to believe that a supplier has not ensured the accuracy of the tyre label and in order to give additional confidence to consumers, national authorities as defined in point (37) of Article 3 of Regulation (EU) 2018/858 of the European Parliament and of the Council ⁽¹¹⁾ should check whether the classes for rolling resistance, wet grip and external rolling noise displayed on the tyre label, as well as the pictograms for other parameters, correspond to the documentation provided by the supplier based on test results and calculations. Such checks may take place during the type-approval process and do not necessarily require the physical testing of the tyre.
- (30) Compliance by suppliers, wholesalers, dealers and other distributors with the provisions on the labelling of tyres is essential in order to ensure a level playing field in the Union. Member States should therefore monitor such compliance through regular *ex-post* controls and market surveillance in accordance with Regulation (EU) 2019/1020 of the European Parliament and of the Council ⁽¹²⁾.
- (31) In order to facilitate the monitoring of compliance, to provide a useful tool to end-users and to allow alternative ways for distributors to receive product information sheets, tyres should be included in the product database established under Regulation (EU) 2017/1369. That Regulation should therefore be amended accordingly.
- (32) In order for end-users to have confidence in the tyre label, other labels that mimic the tyre label should not be allowed. For the same reason, other labels, marks, symbols or inscriptions that are likely to mislead or confuse end-users with respect to the parameters covered by the tyre label should not be allowed.
- (33) The penalties applicable to infringements of this Regulation and of the delegated acts adopted pursuant thereto should be effective, proportionate and dissuasive.
- (34) In order to promote energy efficiency, climate change mitigation, road safety and environmental protection, Member States should be able to create incentives for the use of energy-efficient and safe tyres. Member States are free to decide on the nature of such incentives. Such incentives should comply with Union State aid rules and should not constitute unjustifiable market barriers. This Regulation does not prejudice the outcome of any State aid procedures that may be undertaken in accordance with Articles 107 and 108 of the Treaty on the Functioning of the European Union (TFEU) in respect of such incentives.
- (35) In order to amend the content and format of the tyre label, to introduce requirements with respect to re-treaded tyres, tyre abrasion and mileage, and to adapt the Annexes to technological progress, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ⁽¹³⁾. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
- (36) Once reliable, accurate and reproducible methods to test and measure tyre abrasion and mileage are available, the Commission should assess the feasibility of adding information on tyre abrasion and mileage to the tyre label. When proposing a delegated act to add tyre abrasion and mileage to the tyre label, the Commission should take that assessment into account, and should collaborate closely with industry, relevant standardisation organisations, such as the European Committee for Standardization (CEN), the United Nations Economic Commission for Europe (UNECE) or the International Organisation for Standardisation (ISO), and representatives of other stakeholders interested in the development of suitable testing methods. Information on tyre abrasion and mileage should be unambiguous and should not negatively affect the clear intelligibility and effectiveness of the tyre label as a whole towards end-users. Such information would also enable end-users to make an informed choice with regard to tyres, their lifespan and the unintentional release of microplastics. This would help protect the environment and at the same time allow end-users to estimate the operating costs of tyres over a longer period.

⁽¹¹⁾ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1).

⁽¹²⁾ Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).

⁽¹³⁾ OJ L 123, 12.5.2016, p. 1.

- (37) Tyres which were already placed on the market before the date of application of this Regulation should not need to be provided with a new tyre label.
- (38) The size of the tyre label should remain the same as that set out in Regulation (EC) No 1222/2009. Details regarding snow grip and ice grip, and the QR code, should be included on the tyre label.
- (39) The Commission should carry out an evaluation of this Regulation. In accordance with paragraph 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making, that evaluation should be based on efficiency, effectiveness, relevance, coherence and value added and should provide the basis for impact assessments of options for further action.
- (40) Since the objective of this Regulation, namely to increase safety, the protection of health, and the economic and environmental efficiency of road transport by providing information to end-users to allow them to choose more fuel-efficient, longer-lasting, safer and quieter tyres, cannot be sufficiently achieved by the Member States because it requires harmonised information for end-users, but can rather, by reason of the need for a harmonised regulatory framework and a level playing field for manufacturers, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). A Regulation remains the appropriate legal instrument as it imposes clear and detailed rules which preclude divergent transposition by Member States and thus ensures a higher degree of harmonisation across the Union. A harmonised regulatory framework at Union rather than at Member State level reduces costs for suppliers, ensures a level playing field and ensures the free movement of goods across the internal market. In accordance with the principle of proportionality, as set out in Article 5 TEU, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (41) Regulation (EC) No 1222/2009 should therefore be repealed with effect from the date of the application of this Regulation,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes a framework for the provision of harmonised information on tyre parameters through labelling to allow end-users to make an informed choice when purchasing tyres, for the purpose of increasing safety, the protection of health, and the economic and environmental efficiency of road transport, by promoting fuel-efficient, long-lasting and safe tyres with low noise levels.

Article 2

Scope

1. This Regulation applies to C1 tyres, C2 tyres and C3 tyres that are placed on the market.

Requirements for re-treaded tyres apply once a suitable testing method to measure the performance of such tyres is available in accordance with Article 13.

2. This Regulation does not apply to:

- (a) off-road professional tyres;
- (b) tyres designed to be fitted only on vehicles registered for the first time before 1 October 1990;
- (c) T-type temporary-use spare tyres;
- (d) tyres whose speed rating is less than 80 km/h;
- (e) tyres whose nominal rim diameter does not exceed 254 mm or is 635 mm or more;
- (f) tyres fitted with additional devices to improve traction properties, such as studded tyres;
- (g) tyres designed only to be fitted on vehicles intended exclusively for racing;
- (h) second-hand tyres, unless such tyres are imported from a third country.

*Article 3***Definitions**

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

- (1) 'C1 tyres', 'C2 tyres' and 'C3 tyres' means tyres belonging to the respective classes set out in Article 8(1) of Regulation (EC) No 661/2009;
- (2) 're-treaded tyre' means a used tyre that is reconditioned by replacing the worn tread with new material;
- (3) 'T-type temporary-use spare tyre' means a temporary-use spare tyre designed for use at inflation pressures higher than those established for standard and reinforced tyres;
- (4) 'off-road professional tyre' means a special-use tyre used primarily in severe off-road conditions;
- (5) 'tyre label' means a graphic diagram, in printed or electronic form, including in the form of a sticker, which includes symbols in order to inform end-users about the performance of a tyre or batch of tyres in relation to the parameters set out in Annex I;
- (6) 'point of sale' means a location where tyres are displayed or stored and are offered for sale, including car show rooms where tyres that are not fitted on vehicles are offered for sale to end-users;
- (7) 'technical promotional material' means documentation, in printed or electronic form, that is produced by a supplier to supplement advertising material with the information set out in Annex IV;
- (8) 'product information sheet' means a standard document containing the information set out in Annex III in printed or electronic form;
- (9) 'technical documentation' means documentation sufficient to enable market surveillance authorities to assess the accuracy of the tyre label and the product information sheet, including the information set out in point (2) of Annex VII;
- (10) 'product database' means the product database established pursuant to Article 12 of Regulation (EU) 2017/1369;
- (11) 'distance selling' means the offer for sale, hire or hire purchase by mail order, catalogue, internet, telemarketing or by any other method by which the potential end-user cannot be expected to see the tyre displayed;
- (12) 'manufacturer' means a manufacturer as defined in point (8) of Article 3 of Regulation (EU) 2019/1020;
- (13) 'importer' means an importer as defined in point (9) of Article 3 of Regulation (EU) 2019/1020;
- (14) 'authorised representative' means a natural or legal person established within the Union who has received a written mandate from a manufacturer to act on the manufacturer's behalf in relation to specified tasks with regard to the manufacturer's obligations under the requirements of this Regulation;
- (15) 'supplier' means a manufacturer established in the Union, an authorised representative of a manufacturer who is not established in the Union, or an importer, who places a product on the Union market;
- (16) 'distributor' means a natural or legal person in the supply chain, other than the supplier, who makes a product available on the market;
- (17) 'making available on the market' means making available on the market as defined in point (1) of Article 3 of Regulation (EU) 2019/1020;
- (18) 'placing on the market' means placing on the market as defined in point (2) of Article 3 of Regulation (EU) 2019/1020;
- (19) 'end-user' means a consumer, fleet manager or road transport undertaking that buys or is expected to buy a tyre;
- (20) 'parameter' means a tyre characteristic that has a significant impact on the environment, road safety or health during the use of the tyre, such as tyre abrasion, mileage, rolling resistance, wet grip, external rolling noise, snow grip or ice grip;
- (21) 'tyre type' means a version of a tyre for which the technical characteristics on the tyre label, the product information sheet and the tyre type identifier are the same for all units of that version;
- (22) 'verification tolerance' means the maximum admissible deviation between the measurement and calculation results of the verification tests performed by, or on behalf of, market surveillance authorities, and the values of the declared or published parameters, reflecting deviation arising from interlaboratory variation;

- (23) 'tyre type identifier' means a code, usually alphanumeric, which distinguishes a specific tyre type from other tyre types that have the same trade name or the same trademark as that of the supplier;
- (24) 'equivalent tyre type' means a tyre type which is placed on the market by the same supplier as another tyre type with a different tyre type identifier and which has the same technical characteristics that are relevant to the tyre label and the same product information sheet.

Article 4

Obligations of tyre suppliers

1. Suppliers shall ensure that C1 tyres, C2 tyres and C3 tyres that are placed on the market are accompanied free of charge:
 - (a) for each individual tyre, by a tyre label, in the form of a sticker, that complies with the requirements set out in Annex II, indicating the information and class for each of the parameters set out in Annex I, and by a product information sheet; or
 - (b) for each batch of one or more identical tyres, by a printed tyre label that complies with the requirements set out in Annex II, indicating the information and class for each of the parameters set out in Annex I, and by a product information sheet.
2. For tyres sold or offered for sale by distance selling, suppliers shall ensure that the tyre label is displayed close to the price indication and that the product information sheet can be accessed, including, upon request from the end-user, in printed form. The size of the tyre label shall be such that it is clearly visible and legible and shall be proportionate to the size specified in point 2.1 of Annex II.

For tyres sold or offered for sale on the internet, suppliers may make the tyre label for a specific tyre type available in a nested display.

3. Suppliers shall ensure that any visual advertisement for a specific tyre type shows the tyre label. If the visual advertisement indicates the price of that tyre type, the tyre label shall be displayed close to the price indication.

For visual advertisements on the internet, suppliers may make the tyre label available in a nested display.

4. Suppliers shall ensure that any technical promotional material concerning a specific tyre type displays the tyre label of that tyre type and includes the information set out in Annex IV.
5. Suppliers shall provide to a relevant national authority as defined in point (37) of Article 3 of Regulation (EU) 2018/858 the values used to determine the related classes and any additional performance information that the supplier declares on the tyre label of tyre types in accordance with Annex I to this Regulation, as well as the tyre label that complies with the requirements set out in Annex II to this Regulation. That information shall be submitted to the relevant national authority on the basis of Article 5(1) and (2) of this Regulation before the placing on the market of the tyre types in question, so that the authority may verify the accuracy of the tyre label.
6. Suppliers shall ensure the accuracy of the tyre labels and product information sheets that they provide.
7. Suppliers may make technical documentation available to the authorities of Member States other than those authorities indicated in paragraph 5 or to relevant national accredited bodies on request.
8. Suppliers shall cooperate with market surveillance authorities and shall take immediate action to remedy any case of non-compliance with this Regulation for which they are responsible, at their own initiative or when required to do so by market surveillance authorities.
9. Suppliers shall not provide or display other labels, marks, symbols or inscriptions that do not comply with this Regulation and that would be likely to mislead or confuse end-users with respect to the parameters set out in Annex I.
10. Suppliers shall not provide or display labels that mimic the tyre label provided for under this Regulation.

*Article 5***Obligations of tyre suppliers in relation to the product database**

1. From 1 May 2021, suppliers shall enter the information set out in Annex VII into the product database before placing on the market a tyre produced after that date.
2. For tyres that are produced between 25 June 2020 and 30 April 2021, the supplier shall enter the information set out in Annex VII into the product database by 30 November 2021.
3. For tyres that are placed on the market before 25 June 2020, the supplier may enter the information set out in Annex VII into the product database.
4. Until the information referred to in paragraphs 1 and 2 has been entered into the product database, the supplier shall make an electronic version of the technical documentation available for inspection within 10 working days of receiving a request from a market surveillance authority.
5. Where type-approval authorities or market surveillance authorities need information other than that set out in Annex VII in order to carry out their tasks under this Regulation, the supplier shall provide them with that information on request.
6. A tyre for which changes are made that are relevant for the tyre label or the product information sheet shall be considered to be a new tyre type. The supplier shall indicate in the product database when it has ceased to place on the market units of a certain tyre type.
7. After the final unit of a tyre type has been placed on the market, the supplier shall keep the information concerning that tyre type in the compliance part of the product database for a period of five years.

*Article 6***Obligations of tyre distributors**

1. Distributors shall ensure that:
 - (a) at the point of sale, tyres bear a tyre label, in the form of a sticker, that complies with the requirements set out in Annex II, provided by the supplier in accordance with point (a) of Article 4(1) in a clearly visible position and legible in its entirety, and that the product information sheet is available, including, upon request, in printed form; or
 - (b) before the sale of a tyre that is part of a batch of one or more identical tyres, a printed tyre label that complies with the requirements set out in Annex II, is shown to the end-user and is clearly displayed close to the tyre at the point of sale, and that the product information sheet is available.

2. Distributors shall ensure that any visual advertisement for a specific tyre type shows the tyre label. If the visual advertisement indicates the price of that tyre type, the tyre label shall be displayed close to the price indication.

For visual advertisements on the internet for a specific tyre type, distributors may make the tyre label available in a nested display.

3. Distributors shall ensure that any technical promotional material concerning a specific tyre type displays the tyre label and includes the information set out in Annex IV.

4. Distributors shall ensure that where tyres offered for sale are not visible to the end-user at the time of sale, they provide the end-user with a copy of the tyre label before the sale.

5. Distributors shall ensure that any paper-based distance selling shows the tyre label and that end-users can access the product information sheet through a free access website, and can request a printed copy of the product information sheet.

6. Distributors that use telemarketing-based distance selling shall inform end-users of the classes for each of the parameters on the tyre label, and inform end-users that they can access the tyre label and the product information sheet through a free access website, and by requesting a printed copy.

7. For tyres sold or offered for sale on the internet, distributors shall ensure that the tyre label is displayed close to the price indication and that the product information sheet can be accessed. The size of the tyre label shall be such that it is clearly visible and legible and shall be proportionate to the size specified in point 2.1 of Annex II.

Distributors may make the tyre label for a specific tyre type available in a nested display.

Article 7

Obligations of vehicle suppliers and vehicle distributors

Where end-users intend to acquire a new vehicle, vehicle suppliers and vehicle distributors shall provide, before the sale, those end-users with the tyre label for the tyres offered with or fitted on the vehicle and any relevant technical promotional material, and shall ensure that the product information sheet is available.

Article 8

Obligations of hosting service providers

Where a service provider as referred to in Article 14 of Directive 2000/31/EC allows the selling of tyres through its internet site, that service provider shall enable the display of the tyre label and the product information sheet provided by the supplier close to the price indication and shall inform the distributor of the obligation to display the tyre label and the product information sheet.

Article 9

Testing and measurement methods

The information to be provided under Articles 4, 6 and 7 on the parameters indicated on the tyre label shall be obtained in accordance with the testing methods referred to in Annex I and the laboratory alignment procedure referred to in Annex V.

Article 10

Verification procedure

For each of the parameters set out in Annex I, Member States shall apply the verification procedure set out in Annex VI when assessing the conformity of the declared classes with this Regulation.

Article 11

Obligations of Member States

1. Member States shall not impede the placing on the market or putting into service of tyres within their territories, where such tyres comply with this Regulation.
2. Where Member States provide incentives with regard to tyres, such incentives shall target only tyres in class A or B with respect to rolling resistance or wet grip within the meaning of Parts A and B of Annex I, respectively. Taxation and fiscal measures shall not constitute incentives for the purposes of this Regulation.
3. Without prejudice to Regulation (EU) 2019/1020, where the relevant national authority as defined in point (37) of Article 3 of Regulation (EU) 2018/858 has sufficient reason to believe that a supplier has not ensured the accuracy of the tyre label in accordance with Article 4(6) of this Regulation, it shall verify that the classes and any additional performance information declared on the tyre label correspond to the values and to the documentation submitted by the supplier, in accordance with Article 4(5) of this Regulation.
4. In accordance with Regulation (EU) 2019/1020, Member States shall ensure that the national market surveillance authorities establish a system of routine and ad hoc inspections of points of sale for the purposes of ensuring compliance with this Regulation.
5. Member States shall lay down the rules on penalties and enforcement mechanisms applicable to infringements of this Regulation and of the delegated acts adopted pursuant thereto, and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, by 1 May 2021, notify the Commission of those rules and of those measures that have not previously been notified to the Commission, and shall notify it, without delay, of any subsequent amendment affecting them.

*Article 12***Union market surveillance and control of products entering the Union market**

1. Regulation (EU) 2019/1020 shall apply to the tyres covered by this Regulation and the relevant delegated acts adopted pursuant thereto.
2. The Commission shall encourage and support cooperation and the exchange of information on market surveillance relating to the labelling of tyres between the authorities of the Member States that are responsible for market surveillance or are in charge of the control of tyres entering the Union market, and between those authorities and the Commission, in particular by involving the Administrative Cooperation Group for the Labelling of Tyres more closely.
3. Member States' national market surveillance strategies established pursuant to Article 13 of Regulation (EU) 2019/1020 shall include actions to ensure the effective enforcement of this Regulation.
4. Market surveillance authorities may recover the costs of document inspection and physical product testing from the supplier in cases of non-compliance by the supplier with this Regulation or the relevant delegated acts adopted pursuant thereto.

*Article 13***Delegated acts**

1. The Commission is empowered to adopt delegated acts in accordance with Article 14 in order to amend:
 - (a) Annex II with regard to the content and format of the tyre label;
 - (b) parts D and E of Annex I and Annexes II, III, IV, V, VI and VII, by adapting the values, calculation methods and requirements set out therein to technological progress.
2. By 26 June 2022, the Commission shall adopt delegated acts in accordance with Article 14 in order to supplement this Regulation by introducing new information requirements for re-treaded tyres in the Annexes, provided that a suitable testing method is available.
3. The Commission is also empowered to adopt delegated acts in accordance with Article 14 in order to include parameters or information requirements for tyre abrasion and mileage, as soon as reliable, accurate and reproducible methods to test and measure tyre abrasion and mileage are available for use by European or international standardisation organisations and provided that the following conditions are met:
 - (a) a thorough impact assessment has been carried out by the Commission; and
 - (b) a proper consultation of the relevant stakeholders has been conducted by the Commission.
4. Where appropriate, when preparing delegated acts, the Commission shall test the content and format of tyre labels with representative groups of Union customers to ensure that the tyre labels are clearly understandable, and shall publish the results.

*Article 14***Exercise of the delegation**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 13 shall be conferred on the Commission for a period of five years from 25 June 2020. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
3. The delegation of power referred to in Article 13 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 15

Evaluation and report

By 1 June 2025, the Commission shall carry out an evaluation of this Regulation and submit a report to the European Parliament, the Council and the European Economic and Social Committee.

That report shall assess how effectively this Regulation and the delegated acts adopted pursuant thereto have led end-users to choose higher-performing tyres, taking into account the impact of this Regulation and the delegated acts adopted pursuant thereto on business, fuel consumption, safety, greenhouse gas emissions, consumer awareness and market surveillance activities. The report shall also assess the costs and benefits of mandatory independent third-party verification of the information provided in the tyre label, taking into account experience gained with regard to the broader framework provided by Regulation (EC) No 661/2009.

Article 16

Amendment to Regulation (EU) 2017/1369

In Article 12(2) of Regulation (EU) 2017/1369, point (a) is replaced by the following:

- ‘(a) to support market surveillance authorities in carrying out their tasks under this Regulation and the relevant delegated acts, including enforcement thereof, and under Regulation (EU) 2020/740 of the European Parliament and of the Council (*).

(*) Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009 (OJ L 177, 5.6.2020, p. 1).’

Article 17

Repeal of Regulation (EC) No 1222/2009

Regulation (EC) No 1222/2009 is repealed with effect from 1 May 2021.

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

Article 18

Entry into force

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

It shall apply from 1 May 2021.

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

Done at Brussels, 25 May 2020.

For the European Parliament

The President

D. M. SASSOLI

For the Council

The President

A. METELKO-ZGOMBIĆ

ANNEX I

TESTING, GRADING AND MEASUREMENT OF TYRE PARAMETERS

Part A: Fuel efficiency classes and rolling resistance coefficient

The fuel efficiency class shall be determined and illustrated on the tyre label on the basis of the rolling resistance coefficient (RRC in N/kN) according to the 'A' to 'E' scale specified in the table below and measured in accordance with Annex 6 to UNECE Regulation No 117 and aligned in accordance with the laboratory alignment procedure set out in Annex V.

If a tyre type belongs to more than one tyre class (e.g. C1 and C2), the grading scale used to determine the fuel efficiency class of that tyre type shall be that which is applicable to the highest tyre class (e.g. C2, not C1).

	C1 tyres	C2 tyres	C3 tyres
Fuel efficiency class	RRC in N/kN	RRC in N/kN	RRC in N/kN
A	$RRC \leq 6,5$	$RRC \leq 5,5$	$RRC \leq 4,0$
B	$6,6 \leq RRC \leq 7,7$	$5,6 \leq RRC \leq 6,7$	$4,1 \leq RRC \leq 5,0$
C	$7,8 \leq RRC \leq 9,0$	$6,8 \leq RRC \leq 8,0$	$5,1 \leq RRC \leq 6,0$
D	$9,1 \leq RRC \leq 10,5$	$8,1 \leq RRC \leq 9,0$	$6,1 \leq RRC \leq 7,0$
E	$RRC \geq 10,6$	$RRC \geq 9,1$	$RRC \geq 7,1$

Part B: Wet grip classes

1. The wet grip class shall be determined and illustrated on the tyre label on the basis of the wet grip index (G) according to the 'A' to 'E' scale specified in the table below, calculated in accordance with point 2 and measured in accordance with Annex 5 to UNECE Regulation No 117.

2. Calculation of wet grip index (G)

$$G = G(T) - 0,03$$

where:

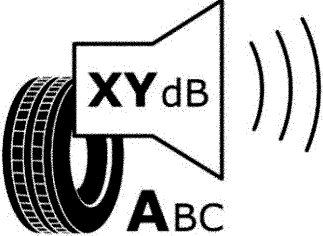
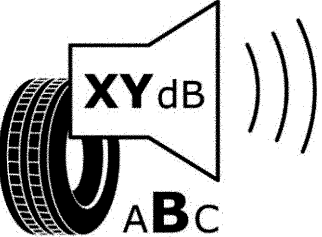
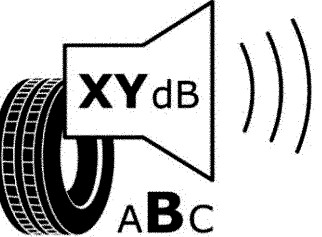
$G(T)$ = wet grip index of the candidate tyre as measured in one test cycle

	C1 tyres	C2 tyres	C3 tyres
Wet grip class	G	G	G
A	$1,55 \leq G$	$1,40 \leq G$	$1,25 \leq G$
B	$1,40 \leq G \leq 1,54$	$1,25 \leq G \leq 1,39$	$1,10 \leq G \leq 1,24$
C	$1,25 \leq G \leq 1,39$	$1,10 \leq G \leq 1,24$	$0,95 \leq G \leq 1,09$
D	$1,10 \leq G \leq 1,24$	$0,95 \leq G \leq 1,09$	$0,80 \leq G \leq 0,94$
E	$G \leq 1,09$	$G \leq 0,94$	$G \leq 0,79$

Part C: External rolling noise classes and measured value

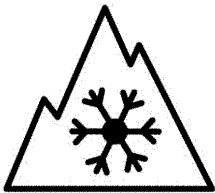
The external rolling noise measured value (N, in dB(A)) shall be declared in decibels and calculated in accordance with Annex 3 to UNECE Regulation No 117.

The external rolling noise class shall be determined and illustrated on the tyre label on the basis of the limit values (LV) set out in Part C of Annex II to Regulation (EC) No 661/2009 as follows:

$N \leq LV - 3$	$LV - 3 < N \leq LV$	$N > LV$
		

Part D: Snow grip

The snow grip performance shall be tested in accordance with Annex 7 to UNECE Regulation No 117.
A tyre which satisfies the minimum snow grip index values set out in UNECE Regulation No 117 shall be classified as a tyre for use in severe snow conditions and the following pictogram shall be included on the tyre label.



Part E: Ice grip

The ice grip performance shall be tested in accordance with reliable, accurate and reproducible methods, including, where appropriate, international standards, which take into account the generally recognised state of the art.
The tyre label of a tyre which satisfies the relevant minimum ice grip index values shall include the following pictogram.

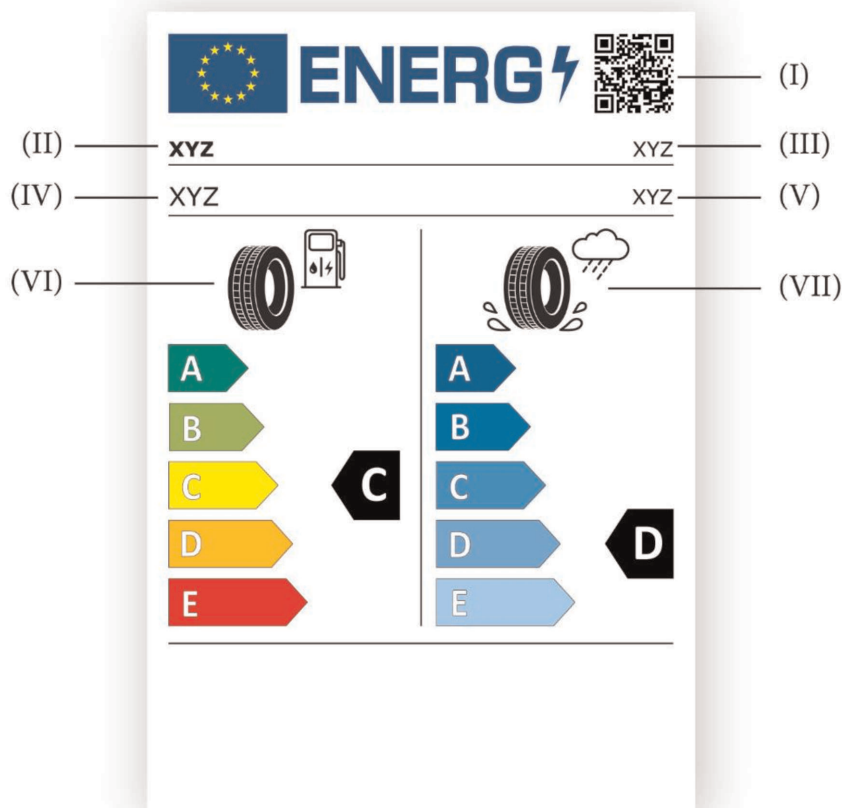


ANNEX II

CONTENT AND FORMAT OF THE TYRE LABEL

1. Content of the tyre label

1.1. Information to be included in the upper part of the tyre label:



I. QR code;

II. Trade name or trademark of the supplier;

III. Tyre type identifier;

IV. Tyre size designation, load-capacity index and speed category symbol, as indicated in Regulation No 30 of the Economic Commission for Europe of the United Nations (UN/ECE) ⁽¹⁾, in its most up-to-date version applicable to the Union, (UNECE Regulation No 30) and Regulation No 54 of the Economic Commission for Europe of the United Nations (UNECE) ⁽²⁾, in its most up-to-date version applicable to the Union, (UNECE Regulation No 54) for C1 tyres, C2 tyres and C3 tyres, as applicable;

V. Tyre class: i.e. C1, C2 or C3;

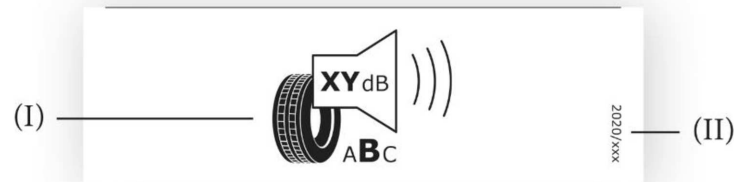
VI. Fuel efficiency pictogram, scale and performance class;

⁽¹⁾ Regulation No 30 of the Economic Commission for Europe of the United Nations (UN/ECE) – Uniform provisions concerning the approval of pneumatic tyres for motor vehicles and their trailers (OJ L 201, 30.7.2008, p. 70).

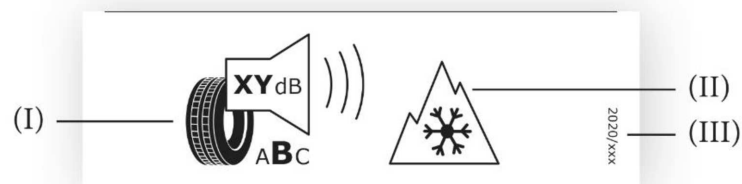
⁽²⁾ Regulation No 54 of the Economic Commission for Europe of the United Nations (UNECE) – Uniform provisions concerning the approval of pneumatic tyres for commercial vehicles and their trailers (OJ L 183, 11.7.2008, p. 41).

VII. Wet grip pictogram, scale and performance class.

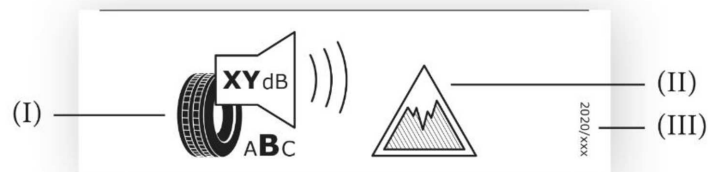
- 1.2. Information to be included in the bottom part of the tyre label for all tyres other than tyres which satisfy the minimum snow grip index values set out in UNECE Regulation No 117, or the relevant minimum ice grip index values, or both:



- I. External rolling noise pictogram, value (expressed in dB(A) and rounded to the nearest integer) and performance class;
- II. The serial number of this Regulation: '2020/740'.
- 1.3. Information to be included in the bottom part of the tyre label for tyres which satisfy the minimum snow grip index values set out in UNECE Regulation No 117:

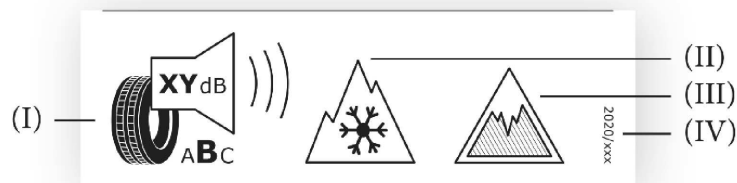


- I. External rolling noise pictogram, value (expressed in dB(A) and rounded to the nearest integer) and performance class;
- II. Snow grip pictogram;
- III. The serial number of this Regulation: '2020/740'.
- 1.4. Information to be included in the bottom part of the tyre label for tyres which satisfy the relevant minimum ice grip index values:

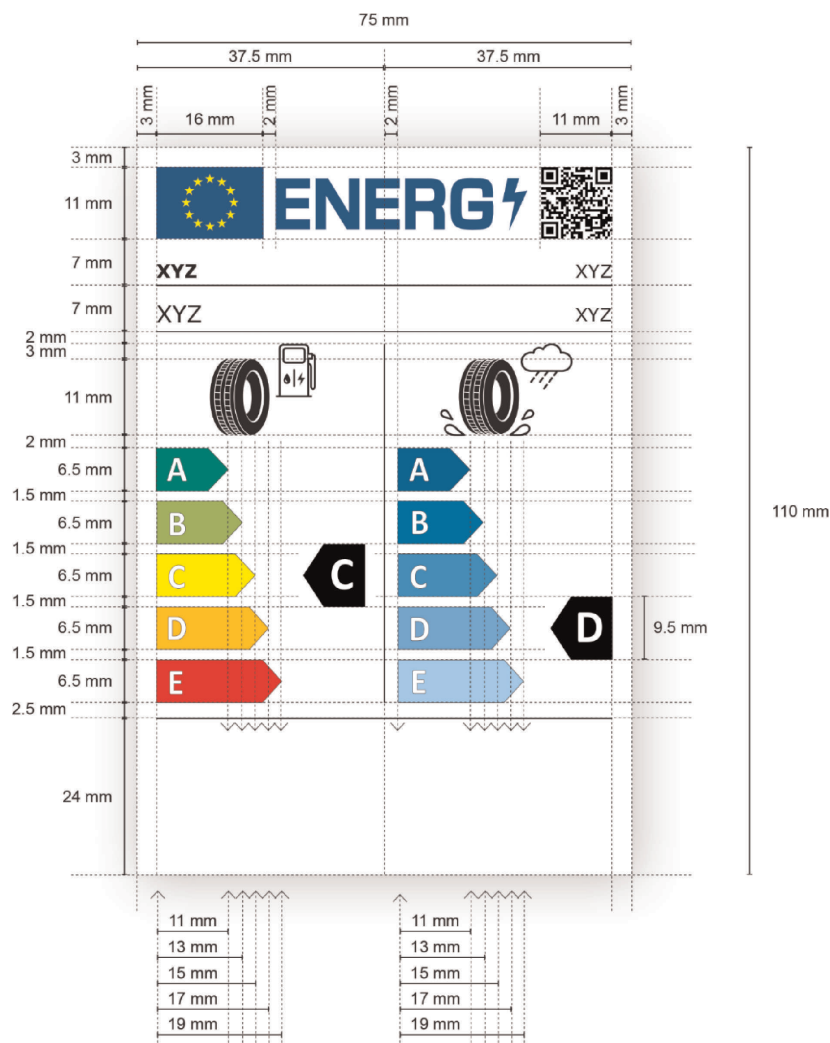


- I. External rolling noise pictogram, value (expressed in dB(A) and rounded to the nearest integer) and performance class;
- II. Ice grip pictogram;
- III. The serial number of this Regulation: '2020/740'.

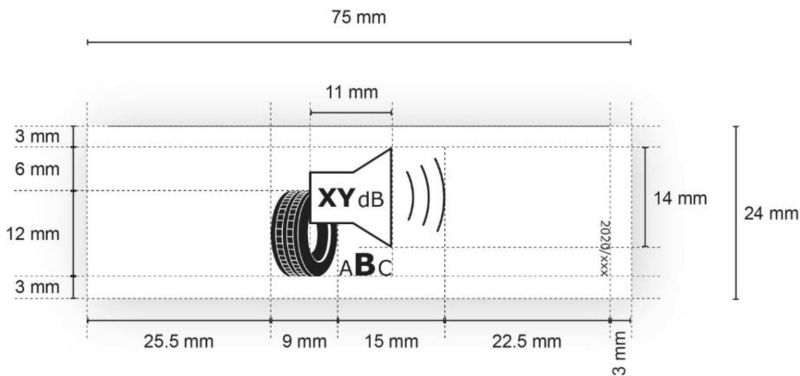
- 1.5. Information to be included in the bottom part of the tyre label for tyres which satisfy both the relevant minimum snow grip index values set out in UNECE Regulation No 117 and the minimum ice grip index values:



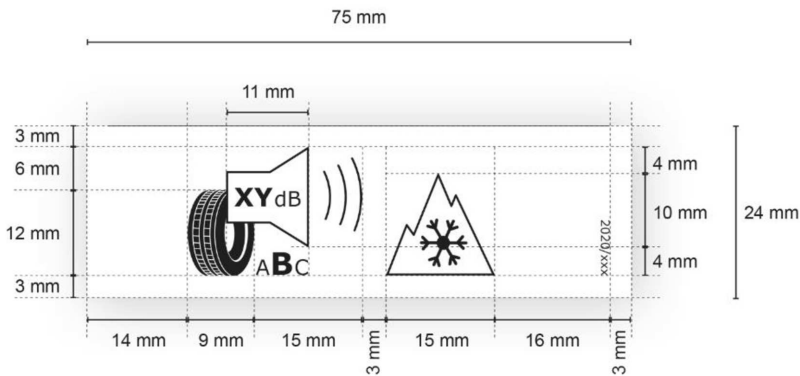
- I. External rolling noise pictogram, value (expressed in dB(A) and rounded to the nearest integer) and performance class;
 - II. Snow grip pictogram;
 - III. Ice grip pictogram;
 - IV. The serial number of this Regulation: '2020/740'.
2. Format of the tyre label
- 2.1. Format of the upper part of the tyre label:



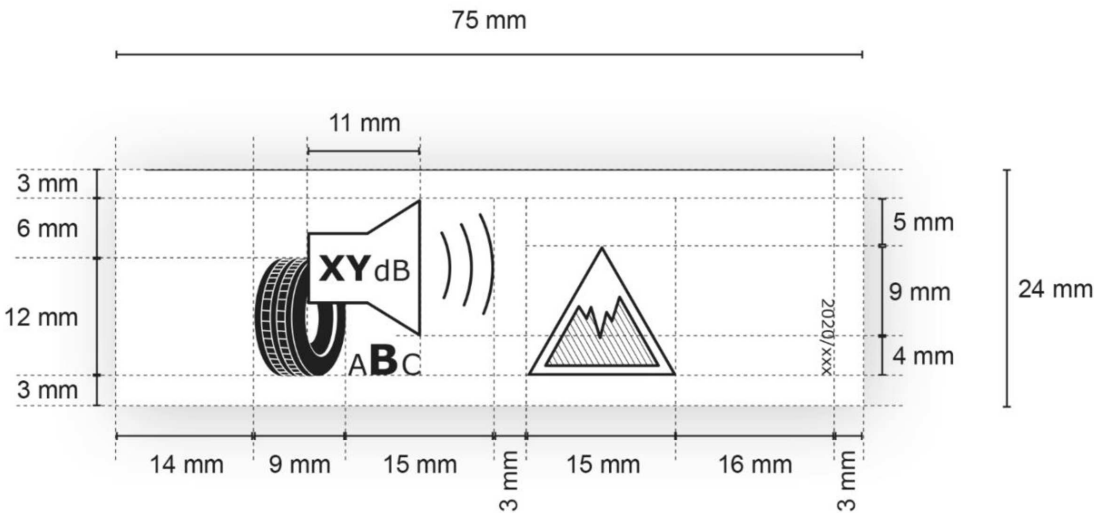
2.1.1. Format of the bottom part of the tyre label for all tyres other than tyres which satisfy the minimum snow grip index values set out in UNECE Regulation No 117, or the relevant minimum ice grip index values, or both:



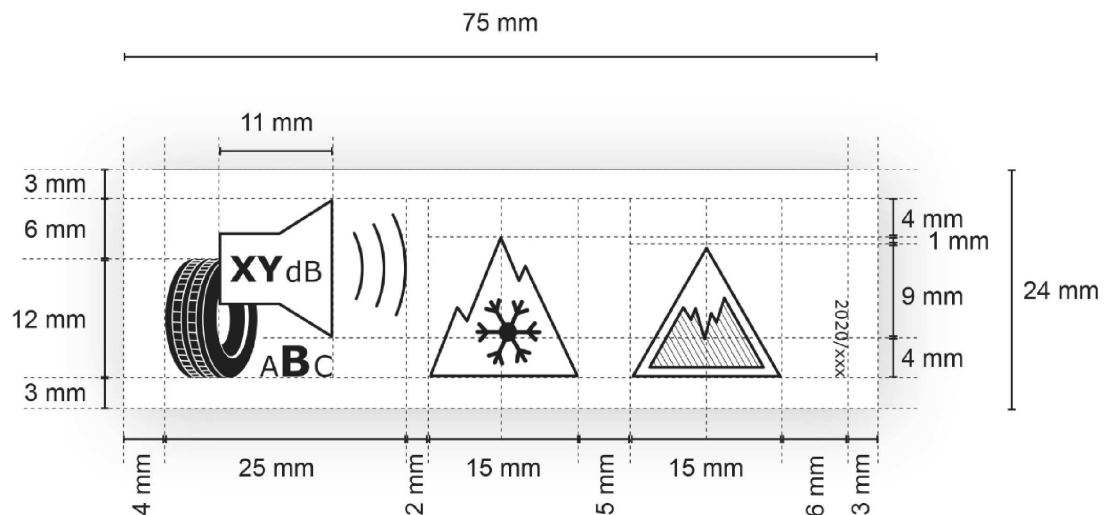
2.1.2. Format of the bottom part of the tyre label for tyres which satisfy the minimum snow grip index values set out in UNECE Regulation No 117:



2.1.3. Format of the bottom part of the tyre label for tyres which satisfy the minimum ice grip index values:



2.1.4. Format of the bottom part of the tyre label for tyres which satisfy both the relevant minimum snow grip index values set out in UNECE Regulation No 117 and the minimum ice grip index values:



2.2. For the purposes of point 2.1:

- (a) Tyre label minimal size: 75 mm wide and 110 mm high. Where the tyre label is printed in a larger format, its content shall nevertheless remain proportionate to the specifications above;
- (b) Background of the tyre label: 100 % white;
- (c) Typefaces: Verdana and Calibri;
- (d) Dimensions and specifications of the elements constituting the tyre label: as specified above;
- (e) Colour codes, using CMYK – cyan, magenta, yellow and black, shall fulfil all the following requirements:
 - colours of the EU logo as follows:
 - background: 100,80,0,0;
 - stars: 0,0,100,0;
 - colour of the energy logo: 100,80,0,0;
 - QR code: 100 % black;
 - trade name or trademark of the supplier: 100 % black and in Verdana Bold 7 pt;
 - tyre type identifier: 100 % black and in Verdana Regular 7 pt;
 - tyre size designation, load-capacity index and speed category symbol: 100 % black and in Verdana Regular 10 pt;
 - tyre class: 100 % black and in Verdana Regular 7 pt, aligned to the right;
 - letters of the fuel efficiency scale and of the wet grip scale: 100 % white and in Calibri Bold 19 pt; the letters shall be centred on an axis at 4,5 mm from the left side of the arrows;
 - CMYK colour codes of arrows for the A to E fuel efficiency scale as follows:
 - A-class: 100,0,100,0;
 - B-class: 45,0,100,0;
 - C-class: 0,0,100,0;
 - D-class: 0,30,100,0;
 - E-class: 0,100,100,0;

- CMYK colour codes of arrows for the A to E wet grip scale as follows:
 - A: 100,60,0,0;
 - B: 90,40,0,0;
 - C: 65,20,0,0;
 - D: 50,10,0,0;
 - E: 30,0,0,0;
 - internal dividers: weight of 0,5 pts, colour shall be 100 % black;
 - letter of the fuel efficiency class: 100 % white and in Calibri Bold 33 pt. Fuel efficiency and wet grip class arrows and the corresponding arrows in the A to E scale shall be positioned in such a way that their tips are aligned. The letter in the fuel efficiency class and in the wet grip class arrow shall be positioned in the centre of the rectangular part of the arrow which shall be 100 % black;
 - fuel efficiency pictogram: width 16 mm, height 14 mm, weight 1 pts, colour: 100 % black;
 - wet grip pictogram: width 20 mm, height 14 mm, weight 1 pts, colour: 100 % black;
 - external rolling noise pictogram: width 24 mm, height 18 mm, weight 1 pts, colour: 100 % black. Number of decibels in the loudspeaker in Verdana Bold 12 pt, the unit 'dB' in Regular 9 pt; the range of external rolling noise classes (A to C) centred under the pictogram, with the letter of the applicable external rolling noise class in Verdana Bold 16 pt and the other letters of the external rolling noise classes in Verdana Regular 10 pt;
 - snow grip pictogram: width 15 mm, height 13 mm, weight 1 pts, colour: 100 % black;
 - ice grip pictogram: width 15 mm, height 13 mm, weight 1 pts, weight of oblique bars 0,5 pts, colour: 100 % black;
 - the number of the regulation shall be 100 % black and in Verdana Regular 6 pt.
-

ANNEX III

PRODUCT INFORMATION SHEET

The information in the product information sheet of tyres shall be included in the product brochure or other literature provided with the tyre and shall include the following:

- (a) the trade name or trademark of the supplier or of the manufacturer if it is not the same as that of the supplier;
 - (b) the tyre type identifier;
 - (c) the tyre size designation, load-capacity index and speed category symbol, as indicated in UNECE Regulation No 30 or in UNECE Regulation No 54 for C1 tyres, C2 tyres and C3 tyres, as applicable;
 - (d) the fuel efficiency class of the tyre in accordance with Annex I;
 - (e) the wet grip class of the tyre in accordance with Annex I;
 - (f) the external rolling noise class and value in decibels in accordance with Annex I;
 - (g) an indication of whether the tyre is a tyre for use in severe snow conditions;
 - (h) an indication of whether the tyre is an ice grip tyre;
 - (i) the date of start of production of the tyre type (two digits for the week and two digits for the year);
 - (j) the date of end of production of the tyre type, once known (two digits for the week and two digits for the year).
-

ANNEX IV

INFORMATION PROVIDED IN TECHNICAL PROMOTIONAL MATERIAL

1. Information on tyres included in technical promotional material shall be provided in the following order:
 - (a) the fuel efficiency class (letter 'A' to 'E');
 - (b) the wet grip class (letter 'A' to 'E');
 - (c) the external rolling noise class and measured value in dB;
 - (d) an indication of whether the tyre is a tyre for use in severe snow conditions;
 - (e) an indication of whether the tyre is an ice grip tyre.
 2. The information referred to in point 1 shall meet the following requirements:
 - (a) it shall be easy to read;
 - (b) it shall be easy to understand;
 - (c) if within a tyre family tyre types are classified differently depending on dimension or other characteristics, the range between the lowest performing and highest performing tyre types shall be stated.
 3. Suppliers shall also make the following available on their websites:
 - (a) a link to the relevant Commission webpage dedicated to this Regulation;
 - (b) an explanation of the pictograms printed on the tyre label;
 - (c) a statement highlighting the fact that actual fuel savings and road safety depend heavily on the behaviour of drivers, and in particular on the following:
 - eco-driving can significantly reduce fuel consumption;
 - tyre pressure needs to be regularly checked to optimise fuel efficiency and wet grip;
 - stopping distances must always be respected.
 4. Suppliers and distributors shall also, where relevant, make available on their websites a statement highlighting the fact that ice grip tyres are specifically designed for road surfaces covered with ice and compact snow, and should only be used in very severe climate conditions (e.g. cold temperatures) and that using ice grip tyres in less severe climate conditions (e.g. wet conditions or warmer temperatures) could result in sub-optimal performance, in particular for wet grip, handling and wear.
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ANNEX V

LABORATORY ALIGNMENT PROCEDURE FOR THE MEASUREMENT OF ROLLING RESISTANCE**1. Definitions**

For the purposes of the laboratory alignment procedure for the measurement of rolling resistance, the following definitions apply:

- (1) 'reference laboratory' means a laboratory that is part of the network of laboratories, the names of which have been published in the *Official Journal of the European Union* for the purpose of the laboratory alignment procedure, and that is able to achieve the accuracy of test results determined in Section 3 with its reference machine;
- (2) 'candidate laboratory' means a laboratory participating in the laboratory alignment procedure that is not a reference laboratory;
- (3) 'alignment tyre' means a tyre that is tested for the purpose of performing the laboratory alignment procedure;
- (4) 'alignment tyre set' means a set of five or more alignment tyres for the alignment of one single machine;
- (5) 'assigned value' means a theoretical value of the rolling resistance coefficient (RRC) of one alignment tyre as measured by a theoretical laboratory which is representative of the network of reference laboratories that is used for the laboratory alignment procedure;
- (6) 'machine' means every tyre testing spindle in one specific measurement method; for example, two spindles acting on the same drum shall not be considered as one machine.

2. General provisions**2.1. Principle**

The measured (m) rolling resistance coefficient obtained in a reference laboratory (l), ($RRC_{m,l}$), shall be aligned to the assigned values of the network of reference laboratories.

The measured (m) rolling resistance coefficient obtained by a machine in a candidate laboratory (c), ($RRC_{m,c}$), shall be aligned through one reference laboratory of the network of its choice.

2.2. Tyre selection requirements

Alignment tyre sets shall be selected for the laboratory alignment procedure in accordance with the following criteria. One alignment tyre set shall be selected for C1 tyres and C2 tyres together, and one set for C3 tyres:

- (a) the alignment tyre set shall be selected so as to cover the range of different RRCs of C1 tyres and C2 tyres together, or of C3 tyres; in any event, the difference between the highest RRC_m of the alignment tyre set, and the lowest RRC_m of the alignment tyre set shall be, before and after alignment, at least equal to:
 - (i) 3 N/kN for C1 tyres and C2 tyres; and
 - (ii) 2 N/kN for C3 tyres;
- (b) the RRC_m in the candidate or reference laboratories ($RRC_{m,c}$ or $RRC_{m,l}$) based on declared RRC values of each alignment tyre of the alignment tyre set shall be distributed evenly;
- (c) load index values shall adequately cover the range of the tyres to be tested, ensuring that the rolling resistance values also cover the range of the tyres to be tested.

Each alignment tyre shall be checked prior to use and shall be replaced when:

- (a) the alignment tyre shows a condition which makes it unusable for further tests; or
- (b) there are deviations of $RRC_{m,c}$ or $RRC_{m,l}$ greater than 1,5 % relative to earlier measurements after correction for any machine drift.

2.3. Measurement method

The reference laboratory shall measure each alignment tyre four times and retain the three last results for further analysis, in accordance with paragraph 4 of Annex 6 to UNECE Regulation No 117 and under the conditions set out in paragraph 3 of Annex 6 to UNECE Regulation No 117.

The candidate laboratory shall measure each alignment tyre ($n + 1$) times, with n being specified in Section 5 of this Annex and retain the n last results for further analysis, in accordance with paragraph 4 of Annex 6 to UNECE Regulation No 117 and applying the conditions set out in paragraph 3 of Annex 6 to UNECE Regulation No 117.

Each time an alignment tyre is measured, the tyre/wheel assembly shall be removed from the machine and the entire test procedure referred to in paragraph 4 of Annex 6 to UNECE Regulation No 117 shall be followed again from the start.

The candidate or reference laboratory shall calculate:

- the measured value of each alignment tyre for each measurement as specified in paragraphs 6.2 and 6.3 of Annex 6 to UNECE Regulation No 117 (i.e. corrected for a temperature of 25 °C and a drum diameter of 2 m);
- the mean value of the three last measured values of each alignment tyre (in the case of reference laboratories) or the mean value of the n last measured values of each alignment tyre (in the case of candidate laboratories); and
- the standard deviation (σ_m) as follows:

$$\sigma_m = \sqrt{\frac{1}{p} \cdot \sum_{i=1}^p \sigma_{m,i}^2}$$

$$\sigma_{m,i} = \sqrt{\frac{1}{n-1} \cdot \sum_{j=2}^{n+1} \left(Cr_{i,j} - \frac{1}{n} \cdot \sum_{j=2}^{n+1} Cr_{i,j} \right)^2}$$

where:

- i is the counter from 1 to p for the alignment tyres;
- j is the counter from 2 to $n + 1$ for the n last repetitions of each measurement of a given alignment tyre;
- $n + 1$ is the number of repetitions of tyre measurements ($n + 1 = 4$ for reference laboratories and $n + 1 \geq 4$ for candidate laboratories);
- p is the number of alignment tyres ($p \geq 5$).

2.4. Data formats to be used for the computations and results

The measured RRC values corrected from drum diameter and temperature shall be rounded to two decimal places.

Then the computations shall be made with all digits: there shall be no further rounding except on the final alignment equations.

All standard deviation values shall be displayed to three decimal places.

All RRC values will be displayed to two decimal places.

All alignment coefficients (A1_b, B1_b, A2_c and B2_c) shall be rounded and displayed to four decimal places.

3. Requirements applicable to the reference laboratories and determination of the assigned values

The assigned values of each alignment tyre shall be determined by a network of reference laboratories. Every second year the network shall assess the stability and validity of the assigned values.

Each reference laboratory participating in the network shall comply with the specifications of Annex 6 to UNECE Regulation No 117 and have a standard deviation (σ_m) as follows:

- not greater than 0,05 N/kN for C1 tyres and C2 tyres; and
- not greater than 0,05 N/kN for C3 tyres.

The alignment tyre sets that have been selected in accordance with Section 2.2 shall be measured in accordance with Section 2.3 by each reference laboratory of the network.

The assigned value of each alignment tyre is the average of the measured values given by the reference laboratories of the network for this alignment tyre.

4. Procedure for the alignment of a reference laboratory to the assigned values

Each reference laboratory (l) shall align itself to each new set of assigned values and always after any significant machine change or any drift in machine control tyre monitoring data.

The alignment shall use a linear regression technique on all individual data. The regression coefficients, $A1_l$ and $B1_l$, shall be calculated as follows:

$$RRC = A1_l \times RRC_{m,l} + B1_l$$

where:

RRC_l is the assigned value of the rolling resistance coefficient;

$RRC_{m,l}$ is the individual measured value of the rolling resistance coefficient by the reference laboratory 'l' (including temperature and drum diameter corrections).

5. Requirements applicable to candidate laboratories

Candidate laboratories shall repeat the alignment procedure at least once every second year for every machine and always after any significant machine change or any drift in machine control tyre monitoring data.

A common set of five different tyres that have been selected in accordance with Section 2.2 shall be measured in accordance with Section 2.3 first by the candidate laboratory and then by one reference laboratory. More than five alignment tyres may be tested at the request of the candidate laboratory.

The candidate laboratory shall provide the alignment tyre set to the selected reference laboratory.

The candidate laboratory (c) shall comply with the specifications of Annex 6 to UNECE Regulation No 117 and preferably have standard deviations (σ_m) as follows:

(a) not greater than 0,075 N/kN for C1 tyres and C2 tyres; and

(b) not greater than 0,06 N/kN for C3 tyres.

If the standard deviation (σ_m) of the candidate laboratory is higher than those values after four measurements, the last three being used for the computations, then the number $n + 1$ of measurement repetitions shall be increased as follows for the entire batch:

$$n + 1 = 1 + (\sigma_m/\gamma)^2, \text{ rounded up to the nearest higher integer value}$$

where:

$$\gamma = 0,043 \text{ N/kN for C1 tyres and C2 tyres;}$$

$$\gamma = 0,035 \text{ N/kN for C3 tyres.}$$

6. Procedure for the alignment of a candidate laboratory

One reference laboratory (l) of the network shall calculate the linear regression function on all individual data of the candidate laboratory (c). The regression coefficients, $A2_c$ and $B2_c$, shall be calculated as follows:

$$RRC_{m,l} = A2_c \times RRC_{m,c} + B2_c$$

where:

$RRC_{m,l}$ is the individual measured value of the rolling resistance coefficient by the reference laboratory (l) (including temperature and drum diameter corrections);

$RRC_{m,c}$ is the individual measured value of the rolling resistance coefficient by the candidate laboratory (c) (including temperature and drum diameter corrections)

If the coefficient of determination R^2 is lower than 0,97, the candidate laboratory shall not be aligned.

The aligned RRC of tyres tested by the candidate laboratory shall be calculated as follows:

$$RRC = (A1_l \times A2_c) \times RRC_{m,c} + (A1_l \times B2_c + B1_l)$$

ANNEX VI

VERIFICATION PROCEDURE

The conformity with this Regulation of the declared fuel efficiency, wet grip and external rolling noise classes, as well as the declared values, and any additional performance information on the tyre label, shall be assessed for each tyre type or each grouping of tyres as determined by the supplier, according to one of the following procedures:

1. A single tyre or tyre set is tested first. If the measured values meet the declared classes or the declared external rolling noise value within the verification tolerances referred to in the table below, the tyre label shall be considered to comply with this Regulation.

If the measured values do not meet the declared classes or the declared external rolling noise value within the verification tolerances referred to in the table below, three additional tyres or tyre sets are to be tested; the average measurement value stemming from the three additional tyres or tyre sets tested is to be used to verify the declared information, taking into account the verification tolerances referred to in the table below.

2. Where the classes or values on the tyre label are derived from type-approval test results obtained in accordance with Regulation (EC) No 661/2009, or UNECE Regulation No 117, Member States may use measurement data obtained from the conformity of production tests on tyres that were carried out under the type-approval procedure established by Regulation (EU) 2018/858.

Assessments of the measurement data obtained from the conformity of production tests shall take into account the verification tolerances referred to in the table below.

Measured parameter	Verification tolerances
RRC (fuel efficiency)	The aligned measured value shall not be greater than the upper limit (the highest RRC) of the declared class by more than 0,3 N/kN.
External rolling noise	The measured value shall not be greater than the declared value of N by more than 1 dB(A).
Wet grip	The measured value G(T) shall not be lower than the lower limit (the lowest value of G) of the declared class.
Snow grip	The measured value shall not be lower than the minimum snow grip index.
Ice grip	The measured value shall not be lower than the minimum ice grip index.

ANNEX VII

INFORMATION TO BE ENTERED INTO THE PRODUCT DATABASE BY THE SUPPLIER

1. Information to be entered into the public part of the product database:
 - (a) the trade name or trademark, address, contact details and other legal identification of the supplier;
 - (b) the tyre type identifier;
 - (c) the tyre label in electronic format;
 - (d) the class(es) and other parameters of the tyre label; and
 - (e) the parameters of the product information sheet in electronic format.
 2. Information to be entered into the compliance part of the product database:
 - (a) the tyre type identifier of all equivalent tyre types that are already placed on the market;
 - (b) a general description of the tyre type, including its dimensions, load index and speed rating, sufficient for it to be unequivocally and easily identified;
 - (c) protocols of the testing, grading and measurement of the tyre parameters set out in Annex I;
 - (d) specific precautions, if any, that shall be taken when the tyre type is assembled, installed, maintained or tested;
 - (e) the measured technical parameters of the tyre type, where relevant; and
 - (f) the calculations performed with the measured technical parameters.
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ANNEX VIII

CORRELATION TABLE

Regulation (EC) No 1222/2009	This Regulation
Article 1(1)	—
Article 1(2)	Article 1
Article 2(1)	Article 2(1)
Article 2(2)	Article 2(2)
Article 3, point (1)	Article 3, point (1)
—	Article 3, point (2)
Article 3, point (2)	Article 3, point (3)
—	Article 3, point (4)
—	Article 3, point (5)
Article 3, point (3)	Article 3, point (6)
Article 3, point (4)	Article 3, point (7)
—	Article 3, point (8)
Article 3, point (5)	Article 3, point (9)
—	Article 3, point (10)
—	Article 3, point (11)
Article 3, point (6)	Article 3, point (12)
Article 3, point (7)	Article 3, point (13)
Article 3, point (8)	Article 3, point (14)
Article 3, point (9)	Article 3, point (15)
Article 3, point (10)	Article 3, point (16)
Article 3, point (11)	Article 3, point (17)
—	Article 3, point (18)
Article 3, point (12)	Article 3, point (19)
Article 3, point (13)	Article 3, point (20)
—	Article 3, point (21)
—	Article 3, point (22)
—	Article 3, point (23)
—	Article 3, point (24)
Article 4	Article 4
Article 4(1)	Article 4(1)
Article 4(1), point (a)	Article 4(1), point (a)
Article 4(1), point (b)	Article 4(1), point (b)
Article 4(2)	—

Regulation (EC) No 1222/2009	This Regulation
—	Article 4(2)
—	Article 4(3)
Article 4(3)	Article 4(4)
Article 4(4)	Article 4(5)
—	Article 4(6)
—	Article 4(7)
—	Article 4(8)
—	Article 4(9)
—	Article 4(10)
—	Article 5
Article 5(1)	Article 6(1)
Article 5(1), point (a)	Article 6(1), point (a)
Article 5(1), point (b)	Article 6(1), point (b)
—	Article 6(2)
—	Article 6(3)
Article 5(2)	Article 6(4)
Article 5(3)	—
—	Article 6(5)
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—	Article 6(7)
Article 6	Article 7
—	Article 8
Article 7	Article 9
Article 8	Article 10
Article 9(1)	Article 11(1)
Article 9(2)	Article 11(1)
Article 9(2), 2nd sentence	Article 4(5)
Article 10	Article 11(2)
—	Article 11(3)
Article 11, point (a)	—
Article 11, point (b)	—
Article 11, point (c)	Article 13(1), point (b)
Article 12	Article 11(4)
—	Article 11(5)
—	Article 12

Regulation (EC) No 1222/2009	This Regulation
—	Article 13
—	Article 13(1)
—	Article 13(2)
—	Article 13(3)
—	Article 13(4)
—	Article 14
Article 13	—
Article 14	—
—	Article 15
Article 15	—
—	Article 16
—	Article 17
Article 16	Article 18
Annex I	Annex I
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Annex III	Annex IV
Annex IV	Annex VI
Annex IVa	Annex V
Annex V	—
—	Annex VII
—	Annex VIII

REGULATION (EU) 2020/741 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 25 May 2020****on minimum requirements for water reuse****(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

Having regard to the proposal from the European Commission,

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

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the ordinary legislative procedure ⁽³⁾,

Whereas:

- (1) The water resources of the Union are increasingly coming under pressure, leading to water scarcity and a deterioration in water quality. In particular, climate change, unpredictable weather patterns and drought are contributing significantly to the strain on the availability of freshwater, arising from urban development and agriculture.
- (2) The Union's ability to respond to the increasing pressures on water resources could be improved by wider reuse of treated waste water, limiting extraction from surface water bodies and groundwater bodies, reducing the impact of discharge of treated waste water into water bodies, and promoting water savings through multiple uses for urban waste water, while ensuring a high level of environmental protection. Directive 2000/60/EC of the European Parliament and of the Council ⁽⁴⁾ mentions water reuse, in combination with the promotion of the use of water-efficient technologies in industry and water-saving irrigation techniques, as one of the supplementary measures Member States may choose to apply to achieve that Directive's objectives of good qualitative and quantitative water status for surface water bodies and groundwater bodies. Council Directive 91/271/EEC ⁽⁵⁾ requires that treated waste water be reused whenever appropriate.
- (3) The communication of the Commission of 14 November 2012 'A Blueprint to Safeguard Europe's Water Resources' points to the need to create an instrument to regulate standards at Union level for water reuse, in order to remove the obstacles to a widespread use of such an alternative water supply option, namely one that can help to reduce water scarcity and lessen the vulnerability of supply systems.
- (4) The communication of the Commission of 18 July 2007 'Addressing the challenge of water scarcity and droughts in the European Union' sets out the hierarchy of measures that Member States should consider in managing water scarcity and droughts. It states that in regions where all preventive measures have been implemented according to the water hierarchy and where demand for water still exceeds availability, additional water supply infrastructure can in some circumstances, and taking due account of the cost-benefit dimension, serve as an alternative approach to mitigate the impacts of severe drought.

⁽¹⁾ OJ C 110, 22.3.2019, p. 94.

⁽²⁾ OJ C 86, 7.3.2019, p. 353.

⁽³⁾ Position of the European Parliament of 12 February 2019 (not yet published in the Official Journal) and position of the Council at first reading of 7 April 2020 (OJ C 147, 4.5.2020, p. 1). Position of the European Parliament of 13 May 2020 (not yet published in the Official Journal).

⁽⁴⁾ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

⁽⁵⁾ Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment (OJ L 135, 30.5.1991, p. 40).

- (5) In its resolution of 9 October 2008 on addressing the challenge of water scarcity and droughts in the European Union ⁽⁶⁾, the European Parliament recalls that a demand-side approach should be preferred when managing water resources, but considers that the Union should adopt a holistic approach when managing water resources, combining measures of demand management, measures to optimise existing resources within the water cycle and measures to create new resources, and that the approach needs to integrate environmental, social and economic considerations.
- (6) In its communication of 2 December 2015 'Closing the loop – An EU action plan for the Circular Economy', the Commission committed to taking a series of actions to promote the reuse of treated waste water, including the development of a legislative proposal on minimum requirements for water reuse. The Commission should update its action plan and keep water resources as a priority area in which to intervene.
- (7) The purpose of this Regulation is to facilitate the uptake of water reuse whenever it is appropriate and cost-efficient, thereby creating an enabling framework for those Member States who wish or need to practise water reuse. Water reuse is a promising option for many Member States, but currently only a small number of them practice water reuse and have adopted national legislation or standards in that regard. This Regulation should be flexible enough to allow the continuation of the practice of water reuse and at the same time to ensure that it is possible for other Member States to apply those rules when they decide to introduce this practice at a later stage. Any decision not to practise water reuse should be duly justified based on the criteria laid down in this Regulation and reviewed regularly.
- (8) Directive 2000/60/EC provides Member States with the necessary flexibility to include supplementary measures in the programmes of measures that they adopt to support their efforts to achieve the water quality objectives established by that Directive. The non-exclusive list of supplementary measures provided for in Part B of Annex VI to Directive 2000/60/EC contains, among others, water reuse measures. In this context and in line with a hierarchy of measures that could be considered by the Member States in managing water scarcity and droughts and that encourages measures ranging from water saving to water pricing policy and alternative solutions, and taking due account of the cost-benefit dimension, the minimum requirements for water reuse, as established by this Regulation, should be applicable whenever treated urban waste water from urban waste water treatment plants is reused, in accordance with Directive 91/271/EEC, for agricultural irrigation.
- (9) Reuse of properly treated waste water, for example from urban waste water treatment plants, is considered to have a lower environmental impact than other alternative water supply methods, such as water transfers or desalination. However, such water reuse, which could reduce water wastage and save water, is practised only to a limited extent in the Union. This appears to be partly due to the significant cost of waste water reuse systems and the lack of common Union environmental and health standards for water reuse, and, as regards, in particular, agricultural products, due to the potential health and environmental risks and potential obstacles to the free movement of such products which have been irrigated with reclaimed water.
- (10) Health standards in relation to food hygiene for agricultural products irrigated with reclaimed water can be achieved only if quality requirements for reclaimed water intended for agricultural irrigation do not differ significantly between the Member States. Harmonisation of requirements would also contribute to the efficient functioning of the internal market in relation to such products. It is therefore appropriate to introduce minimum levels of harmonisation by setting minimum requirements for water quality and monitoring. Those minimum requirements should consist of minimum parameters for reclaimed water that are based on the technical reports of the Commission's Joint Research Centre and reflect international standards on water reuse, and other stricter or additional quality requirements imposed, if necessary, by competent authorities together with any relevant preventive measures.
- (11) Water reuse for agricultural irrigation can also contribute to the promotion of the circular economy by recovering nutrients from the reclaimed water and applying them to crops, by means of fertigation techniques. Thus, water reuse could potentially reduce the need for supplemental applications of mineral fertiliser. End-users should be informed about the nutrient content of reclaimed water.

⁽⁶⁾ OJ C 9 E, 15.1.2010, p. 33.

- (12) Water reuse could contribute to the recovery of the nutrients contained in treated urban waste water, and the use of reclaimed water for irrigation purposes in agriculture or forestry could be a way of restoring nutrients, such as nitrogen, phosphorus and potassium, to natural biogeochemical cycles.
- (13) The high investment needed to upgrade urban waste water treatment plants and the lack of financial incentives for practising water reuse in agriculture have been identified as being among the reasons for the low uptake of water reuse in the Union. It should be possible to address those issues by promoting innovative schemes and economic incentives to appropriately take account of the costs and the socioeconomic and environmental benefits of water reuse.
- (14) Compliance with minimum requirements for water reuse should be consistent with Union water policy and contribute to the achievement of the Sustainable Development Goals of the United Nations 2030 Agenda for Sustainable Development, in particular Goal 6, to ensure the availability and sustainable management of water and sanitation for all, as well as a substantial increase in recycling of water and safe water reuse globally with a view to contributing to achieving United Nations Sustainable Development Goal 12 on sustainable consumption and production. Furthermore, this Regulation should seek to ensure the application of Article 37 of the Charter of Fundamental Rights of the European Union on environmental protection.
- (15) In some cases, reclamation facility operators still transport and store reclaimed water beyond the outlet of the reclamation facility, prior to delivering it to the next actors in the chain, such as the reclaimed water distribution operator, the reclaimed water storage operator or the end-user. It is necessary to define the point of compliance, to clarify where the responsibility of the reclamation facility operator ends and where the responsibility of the next actor in the chain starts.
- (16) Risk management should comprise the identification and management of risks in a proactive way, and should incorporate the concept of producing reclaimed water of a specific quality required for particular uses. Risk assessment should be based on key elements of risk management and should identify any additional water quality requirements necessary to ensure sufficient protection of the environment and of human and animal health. For that purpose, water reuse risk management plans should ensure that reclaimed water is safely used and managed and that there are no risks to the environment or to human or animal health. In order to develop such risk management plans, existing international guidance or standards, such as ISO 20426:2018 Guidelines for health risk assessment and management for non-potable water reuse, ISO 16075:2015 Guidelines for treated waste water use for irrigation projects, or World Health Organisation (WHO) guidelines could be used.
- (17) The quality requirements for water intended for human consumption are laid down in Council Directive 98/83/EC ⁽⁷⁾. Member States should take appropriate measures to ensure that water reuse activities do not lead to a deterioration in the quality of water intended for human consumption. For that reason, the water reuse risk management plan should pay special attention to the protection of water bodies used for the abstraction of water intended for human consumption and relevant safeguard zones.
- (18) Cooperation and interaction between the various parties involved in the water reclamation process should be a precondition for setting up reclamation treatment procedures in accordance with the requirements for specific uses, and in order to be able to plan the supply of reclaimed water in line with demand from end-users.
- (19) In order to effectively protect the environment and human and animal health, reclamation facility operators should be primarily responsible for the quality of reclaimed water at the point of compliance. For the purposes of compliance with the minimum requirements laid down under this Regulation and with any additional conditions set by the competent authority, reclamation facility operators should monitor the quality of reclaimed water. It is therefore appropriate to establish the minimum requirements for monitoring, consisting of the frequencies of the routine monitoring and the timing and performance targets for validation monitoring. Certain requirements for routine monitoring are provided for in Directive 91/271/EEC.

⁽⁷⁾ Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

- (20) This Regulation should cover reclaimed water which is obtained from waste water that has been collected in collecting systems, that has been treated in urban waste water treatment plants in accordance with Directive 91/271/EEC and that undergoes further treatment, either in the urban waste water treatment plant or in a reclamation facility, in order to meet the parameters set out in Annex I to this Regulation. In accordance with Directive 91/271/EEC, agglomerations of less than 2 000 population equivalent (p.e.) do not have to be provided with a collecting system. However, urban waste water from agglomerations of less than 2 000 p.e. that enters a collecting system should be subject to appropriate treatment before being discharged into fresh water or estuaries, in accordance with Directive 91/271/EEC. In that context, waste water from agglomerations of less than 2 000 p.e. should fall under the scope of this Regulation only when it enters a collecting system and is subject to treatment in an urban waste water treatment plant. Similarly, this Regulation should not concern biodegradable industrial waste water from plants belonging to the industrial sectors listed in Annex III to Directive 91/271/EEC, unless the waste water from those plants enters a collecting system and is subject to treatment in an urban waste water treatment plant.
- (21) The reuse of treated urban waste water for agricultural irrigation is a market-driven action, based on the demands and needs of the agricultural sector, in particular in certain Member States that face water resource shortages. The reclamation facility operators and the end-users should cooperate to ensure that reclaimed water produced in accordance with the minimum quality requirements established by this Regulation meets the needs of the end-users regarding crop categories. In cases where the quality classes of the water produced by the reclamation facility operators are not compatible with the crop category and irrigation method already in place in the area served, for example in a collective supply system, water quality requirements could be met by using, at a subsequent stage, several water treatment options alone or in combination with non-treatment options for the reclaimed water, in line with the multi-barrier approach.
- (22) In order to ensure optimal reuse of urban waste water resources, end-users should receive training to ensure that they use water of the appropriate reclaimed water quality class. Where the destination of a specific type of crop is unknown or where it has multiple destinations, reclaimed water of the highest quality class should be used, unless appropriate barriers are applied which enable the required quality to be achieved.
- (23) It is necessary to ensure that the use of reclaimed water is safe, thereby encouraging water reuse at Union level and enhancing public confidence in it. Production and supply of reclaimed water for agricultural irrigation should therefore only be permitted on the basis of a permit, granted by competent authorities of Member States. In order to ensure a harmonised approach at Union level, traceability of reclaimed water and transparency, the substantive rules for such permits should be laid down at Union level. However, the details of the procedures for granting permits, such as the designation of the competent authorities and deadlines, should be determined by Member States. Member States should be able to apply existing procedures for granting permits, which should be adapted to take account of the requirements introduced by this Regulation. When designating the parties responsible for the drawing up of the water reuse risk management plan and the competent authority for the granting of the permit for production and supply of reclaimed water, Member States should ensure that there is no conflict of interests.
- (24) If a reclaimed water distribution operator and a reclaimed water storage operator are needed, it should be possible to require such operators to have a permit. If all requirements for the permit are met, the competent authority in the Member State should grant a permit containing all the necessary conditions and measures established in the water reuse risk management plan.
- (25) For the purposes of this Regulation, it should be possible for treatment operations and urban waste water reclamation operations to take place in the same physical location, using the same facility, or different, separate facilities. In addition, it should be possible for the same actor to be both treatment plant operator and reclamation facility operator.
- (26) Competent authorities should verify compliance of reclaimed water with the conditions set out in the relevant permit. In cases of non-compliance, those authorities should require the responsible parties to take the necessary measures to ensure that the reclaimed water is in compliance. Supply of the reclaimed water should be suspended where non-compliance causes a significant risk to the environment or to human or animal health.

- (27) The provisions of this Regulation are intended to be complementary to the requirements of other Union legislation, in particular with regard to possible health and environmental risks. In order to ensure a holistic approach to addressing possible risks to the environment and to human and animal health, the reclamation facility operators and competent authorities should take into account the requirements laid down in other relevant Union legislation, in particular Council Directives 86/278/EEC⁽⁸⁾ and 91/676/EEC⁽⁹⁾, Directives 91/271/EEC, 98/83/EC and 2000/60/EC, Regulations (EC) No 178/2002⁽¹⁰⁾, (EC) No 852/2004⁽¹¹⁾, (EC) No 183/2005⁽¹²⁾, (EC) No 396/2005⁽¹³⁾ and (EC) No 1069/2009⁽¹⁴⁾ of the European Parliament and of the Council, Directives 2006/7/EC⁽¹⁵⁾, 2006/118/EC⁽¹⁶⁾, 2008/105/EC⁽¹⁷⁾ and 2011/92/EU⁽¹⁸⁾ of the European Parliament and of the Council, and Commission Regulations (EC) No 2073/2005⁽¹⁹⁾, (EC) No 1881/2006⁽²⁰⁾ and (EU) No 142/2011⁽²¹⁾.
- (28) Regulation (EC) No 852/2004 lays down general rules for food business operators and covers the production, processing, distribution and placing on the market of food intended for human consumption. That Regulation addresses the health quality of food and one of its main principles is that the primary responsibility for food safety is borne by the food business operator. That Regulation is also supported by detailed guidance. In this regard, the Commission notice on guidance document on addressing microbiological risks in fresh fruits and vegetables at primary production through good hygiene is of particular relevance. The minimum requirements for reclaimed water laid down in this Regulation do not preclude food business operators from obtaining the water quality required to comply with Regulation (EC) No 852/2004 using, at a subsequent stage, several water treatment options alone or in combination with non-treatment options.
- (29) There is great potential for the recycling and reuse of treated waste water. With a view to promoting and encouraging water reuse, the indication of specific uses within this Regulation should not preclude Member States from allowing the use of reclaimed water for other purposes, including industrial, amenity-related and environmental purposes, as considered necessary in the light of national circumstances and needs, provided a high level of protection of the environment and of human and animal health is ensured.

⁽⁸⁾ Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (OJ L 181, 4.7.1986, p. 6).

⁽⁹⁾ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

⁽¹⁰⁾ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

⁽¹¹⁾ Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1).

⁽¹²⁾ Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene (OJ L 35, 8.2.2005, p. 1).

⁽¹³⁾ Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1).

⁽¹⁴⁾ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1).

⁽¹⁵⁾ Directive 2006/7/EC of the European Parliament and of the Council of 15 February 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC (OJ L 64, 4.3.2006, p. 37).

⁽¹⁶⁾ Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (OJ L 372, 27.12.2006, p. 19).

⁽¹⁷⁾ Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84).

⁽¹⁸⁾ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

⁽¹⁹⁾ Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1).

⁽²⁰⁾ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

⁽²¹⁾ Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1).

- (30) Competent authorities should cooperate with other relevant authorities, through the exchange of information, in order to ensure compliance with relevant Union and national requirements.
- (31) In order to increase confidence in water reuse, information should be provided to the public. Making available clear, comprehensive and updated information on water reuse would allow for increased transparency and traceability and could also be of particular use to other relevant authorities for whom the specific water reuse has implications. In order to encourage water reuse and with a view to making stakeholders aware of the benefits of water reuse and thereby promoting acceptance, Member States should ensure that information and awareness-raising campaigns, adapted to the scale of water reuse, are developed.
- (32) End-user education and training are of primary importance as components of implementing and maintaining preventive measures. Specific human exposure preventive measures should be considered in the water reuse risk management plan, such as use of personal protective equipment, handwashing and personal hygiene.
- (33) Directive 2003/4/EC of the European Parliament and of the Council ⁽²³⁾ aims to guarantee the right of access to environmental information in the Member States in line with the Convention on access to information, public participation in decision-making and access to justice in environmental matters ⁽²³⁾ (the Aarhus Convention). Directive 2003/4/EC lays down extensive obligations related both to making environmental information available upon request and actively disseminating such information. Directive 2007/2/EC of the European Parliament and of the Council ⁽²⁴⁾ covers the sharing of spatial information, including data sets on different environmental topics. It is important that provisions of this Regulation related to access to information and data-sharing arrangements complement those Directives and do not create a separate legal regime. Therefore, the provisions of this Regulation on information to the public and on information about monitoring of implementation should be without prejudice to Directives 2003/4/EC and 2007/2/EC.
- (34) Data provided by Member States are essential to enable the Commission to monitor and assess this Regulation in relation to the objectives it pursues.
- (35) Pursuant to paragraph 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ⁽²⁵⁾, the Commission should carry out an evaluation of this Regulation. The evaluation should be based on the five criteria of efficiency, effectiveness, relevance, coherence and Union value added and should provide the basis for impact assessments of possible further measures. The evaluation should take into account scientific progress, in particular as regards the potential impact of substances of emerging concern.
- (36) The minimum requirements for the safe reuse of treated urban waste water reflect available scientific knowledge and internationally recognised water reuse standards and practices and guarantee that such water can be safely used for agricultural irrigation, thereby ensuring a high level of protection of the environment and of human and animal health. In light of the results of the evaluation of this Regulation or whenever new scientific developments and technical progress so require, the Commission should be able to examine the need to review the minimum requirements set out in Section 2 of Annex I and, where appropriate, should submit a legislative proposal to amend this Regulation.
- (37) In order to adapt the key elements of risk management to technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to amend the key elements of risk management provided for in this Regulation. Moreover, in order to ensure a high level of protection of the environment and of human and animal health, the Commission should also be able to adopt delegated acts supplementing the key elements of risk management provided for in this Regulation by laying down technical specifications. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in

⁽²³⁾ Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC (OJ L 41, 14.2.2003, p. 26).

⁽²³⁾ OJ L 124, 17.5.2005, p. 4.

⁽²⁴⁾ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

⁽²⁵⁾ OJ L 123, 12.5.2016, p. 1.

accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

- (38) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission for the adoption of detailed rules regarding the format and presentation of the information relating to monitoring of the implementation of this Regulation to be provided by the Member States and regarding the format and presentation of the Union-wide overview drawn up by the European Environment Agency. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁽²⁶⁾.
- (39) The aim of this Regulation is, inter alia, to protect the environment and human and animal health. As the Court of Justice has held on numerous occasions, it would be incompatible with the binding effect which the third paragraph of Article 288 of the Treaty on the Functioning of the European Union ascribes to a Directive, to exclude, in principle, the possibility of an obligation imposed by a Directive from being relied on by persons concerned. That consideration also applies in respect of a Regulation which has as its objective to guarantee that reclaimed water is safe for agricultural irrigation.
- (40) Member States should lay down the rules on penalties applicable to infringements of this Regulation and should take all measures necessary to ensure that they are implemented. The penalties should be effective, proportionate and dissuasive.
- (41) Since the objectives of this Regulation, namely the protection of the environment and of human and animal health, cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (42) It is necessary to provide for sufficient time for Member States to set up the administrative infrastructure necessary for the application of this Regulation as well as for operators to prepare for the application of the new rules.
- (43) With a view to developing and promoting the reuse of properly treated waste water as much as possible and in order to bring about a significant improvement in the reliability of properly treated waste water and in viable use methods, the Union should support research and development in this area through the Horizon Europe programme.
- (44) This Regulation seeks to encourage the sustainable use of water. With that aim in view, the Commission should undertake to use Union programmes, including the LIFE programme, to support local initiatives involving the reuse of properly treated waste water,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter and purpose

1. This Regulation lays down minimum requirements for water quality and monitoring and provisions on risk management, for the safe use of reclaimed water in the context of integrated water management.

⁽²⁶⁾ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

2. The purpose of this Regulation is to guarantee that reclaimed water is safe for agricultural irrigation, thereby ensuring a high level of protection of the environment and of human and animal health, promoting the circular economy, supporting adaptation to climate change, and contributing to the objectives of Directive 2000/60/EC by addressing water scarcity and the resulting pressure on water resources, in a coordinated way throughout the Union, thus also contributing to the efficient functioning of the internal market.

Article 2

Scope

1. This Regulation applies whenever treated urban waste water is reused, in accordance with Article 12(1) of Directive 91/271/EEC, for agricultural irrigation as specified in Section 1 of Annex I to this Regulation.

2. A Member State may decide that it is not appropriate to reuse water for agricultural irrigation in one or more of its river basin districts or parts thereof, taking into account the following criteria:

- (a) the geographic and climatic conditions of the district or parts thereof;
- (b) the pressures on and the status of other water resources, including the quantitative status of groundwater bodies as referred to in Directive 2000/60/EC;
- (c) the pressures on and the status of the surface water bodies in which treated urban waste water is discharged;
- (d) the environmental and resource costs of reclaimed water and of other water resources.

Any decision taken pursuant to the first subparagraph shall be duly justified on the basis of the criteria referred to in that subparagraph and submitted to the Commission. It shall be reviewed as necessary, in particular taking into account climate change projections and national climate change adaptation strategies, and at least every six years taking into account river basin management plans established pursuant to Directive 2000/60/EC.

3. By way of derogation from paragraph 1, research or pilot projects in relation to reclamation facilities may be exempted from this Regulation where the competent authority establishes that the following criteria are met:

- (a) the research or pilot project will not be carried out within a water body used for the abstraction of water intended for human consumption or a relevant safeguard zone designated pursuant to Directive 2000/60/EC;
- (b) the research or pilot project will be subject to appropriate monitoring.

Any exemption pursuant to this paragraph shall be limited to a maximum period of five years.

Crops resulting from a research or pilot project exempted pursuant to this paragraph shall not be placed on the market.

4. This Regulation applies without prejudice to Regulation (EC) No 852/2004 and does not preclude food business operators from obtaining the water quality required to comply with that Regulation by using, at a subsequent stage, several water treatment options alone or in combination with non-treatment options, or from using alternative water sources for agricultural irrigation.

Article 3

Definitions

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

- (1) 'competent authority' means an authority or a body designated by a Member State to carry out its obligations under this Regulation regarding the granting of permits for the production or supply of reclaimed water, regarding exemptions for research or pilot projects and regarding compliance checks;
- (2) 'end-user' means a natural or legal person, whether a public or private entity, that uses reclaimed water for agricultural irrigation;

- (3) 'urban waste water' means urban waste water as defined in point (1) of Article 2 of Directive 91/271/EEC;
- (4) 'reclaimed water' means urban waste water that has been treated in compliance with the requirements set out in Directive 91/271/EEC and which results from further treatment in a reclamation facility in accordance with Section 2 of Annex I to this Regulation;
- (5) 'reclamation facility' means an urban waste water treatment plant or other facility that further treats urban waste water that complies with the requirements set out in Directive 91/271/EEC in order to produce water that is fit for a use specified in Section 1 of Annex I to this Regulation;
- (6) 'reclamation facility operator' means a natural or legal person, representing a private entity or a public authority, that operates or controls a reclamation facility;
- (7) 'hazard' means a biological, chemical, physical or radiological agent that has the potential to cause harm to people, animals, crops or plants, other terrestrial biota, aquatic biota, soils or the environment in general;
- (8) 'risk' means the likelihood of identified hazards causing harm in a specified timeframe, including the severity of the consequences;
- (9) 'risk management' means systematic management that consistently ensures that water reuse is safe in a specific context;
- (10) 'preventive measure' means an appropriate action or activity that can prevent or eliminate a health or environmental risk, or that can reduce such a risk to an acceptable level;
- (11) 'point of compliance' means the point where a reclamation facility operator delivers reclaimed water to the next actor in the chain;
- (12) 'barrier' is any means, including physical or process-related steps or conditions of use, that reduces or prevents a risk of human infection by preventing contact of reclaimed water with produce to be ingested and directly exposed persons, or other means that, for example, reduces the concentration of microorganisms in the reclaimed water or prevents their survival on the produce to be ingested;
- (13) 'permit' means a written authorisation issued by a competent authority to produce or supply reclaimed water for agricultural irrigation in accordance with this Regulation;
- (14) 'responsible party' means a party carrying out a role or activity in the water reuse system, including the reclamation facility operator, the urban waste water treatment plant operator where different from the reclamation facility operator, the relevant authority other than the designated competent authority, the reclaimed water distribution operator or the reclaimed water storage operator;
- (15) 'water reuse system' means the infrastructure and other technical elements necessary for producing, supplying and using reclaimed water; it comprises all the elements from the entry point of the urban waste water treatment plant to the point where reclaimed water is used for agricultural irrigation, including distribution and storage infrastructure, where relevant.

Article 4

Obligations of the reclamation facility operator and obligations regarding reclaimed water quality

1. The reclamation facility operator shall ensure that, at the point of compliance, reclaimed water intended for agricultural irrigation as specified in Section 1 of Annex I complies with the following:

- (a) the minimum requirements for water quality laid down in Section 2 of Annex I;
- (b) any additional conditions set by the competent authority in the relevant permit pursuant to points (c) and (d) of Article 6(3), as regards water quality.

Beyond the point of compliance, the quality of the water shall no longer be the responsibility of the reclamation facility operator.

2. In order to ensure compliance in accordance with paragraph 1, the reclamation facility operator shall monitor water quality in accordance with the following:

- (a) Section 2 of Annex I;

- (b) any additional conditions set by the competent authority in the relevant permit pursuant to points (c) and (d) of Article 6(3), as regards monitoring.

Article 5

Risk management

1. For the purpose of producing, supplying and using reclaimed water, the competent authority shall ensure that a water reuse risk management plan is established.

One water reuse risk management plan may cover one or more water reuse systems.

2. The water reuse risk management plan shall be prepared by the reclamation facility operator, other responsible parties and end-users, as appropriate. The responsible parties preparing the water reuse risk management plan shall consult all other relevant responsible parties and end-users, as appropriate.

3. The water reuse risk management plan shall be based on all the key elements of risk management set out in Annex II. It shall identify the risk management responsibilities of the reclamation facility operator and other responsible parties.

4. The water reuse risk management plan shall in particular:

- (a) set out any necessary requirements for the reclamation facility operator, in addition to those specified in Annex I, in accordance with point (B) of Annex II to further mitigate any risks before the point of compliance;
- (b) identify hazards, risks and appropriate preventive and/or possible corrective measures in accordance with point (C) of Annex II;
- (c) identify additional barriers in the water reuse system and set out any additional requirements, which are necessary after the point of compliance to ensure that the water reuse system is safe, including conditions related to distribution, storage and use where relevant, and identify the parties responsible for meeting those requirements.

5. The Commission is empowered to adopt delegated acts in accordance with Article 13 amending this Regulation in order to adapt to technical and scientific progress the key elements of risk management set out in Annex II.

The Commission is also empowered to adopt delegated acts in accordance with Article 13 supplementing this Regulation in order to lay down technical specifications of the key elements of risk management set out in Annex II.

Article 6

Reclaimed water permit obligations

1. The production and supply of reclaimed water intended for agricultural irrigation as specified in Section 1 of Annex I shall be subject to a permit.

2. The responsible parties in the water reuse system, including the end-user where relevant in accordance with national law, shall submit an application for a permit or for a modification of an existing permit to the competent authority of the Member State in which the reclamation facility operates or is planned to operate.

3. The permit shall set out the obligations of the reclamation facility operator and, where relevant, of any other responsible parties. The permit shall be based on the water reuse risk management plan and shall specify, inter alia, the following:

- (a) the reclaimed water quality class or classes and the agricultural use for which, in accordance with Annex I, the reclaimed water is permitted, the place of use, the reclamation facilities and the estimated yearly volume of the reclaimed water to be produced;
- (b) conditions in relation to the minimum requirements for water quality and monitoring set out in Section 2 of Annex I;

- (c) any conditions in relation to additional requirements for the reclamation facility operator, set out in the water reuse risk management plan;
- (d) any other conditions necessary to eliminate any unacceptable risks to the environment and to human and animal health so that any risks are of an acceptable level;
- (e) the validity period of the permit;
- (f) the point of compliance.

4. For the purpose of assessing an application, the competent authority shall consult and exchange relevant information with other relevant authorities, in particular the water and health authorities if different from the competent authority, and any other party which the competent authority considers relevant.

5. The competent authority shall decide without delay whether to grant a permit. Where, due to the complexity of an application, the competent authority needs more than 12 months from the receipt of a complete application to decide whether to grant a permit, it shall communicate the expected date of its decision to the applicant.

6. Permits shall be regularly reconsidered, and shall be updated where necessary, at least in the following cases:

- (a) there has been a substantial change in capacity;
- (b) equipment has been upgraded;
- (c) new equipment or processes have been added; or
- (d) there have been changes in climatic or other conditions which significantly affect the ecological status of surface water bodies.

7. Member States may require that storage, distribution and use of reclaimed water be subject to a specific permit in order to apply the additional requirements and barriers identified in the water reuse risk management plan as referred to in Article 5(4).

Article 7

Compliance check

1. The competent authority shall verify whether there is compliance with the conditions set out in the permit. Compliance checks shall be carried out through the following means:

- (a) on-the-spot checks;
- (b) monitoring data obtained in particular pursuant to this Regulation;
- (c) any other adequate means.

2. In the event of non-compliance with the conditions set out in the permit, the competent authority shall require the reclamation facility operator and, where relevant, the other responsible parties to take any necessary measures to restore compliance without delay and immediately inform the end-users affected.

3. Where non-compliance with the conditions set out in the permit represents a significant risk to the environment or to human or animal health, the reclamation facility operator or any other responsible parties shall immediately suspend supply of the reclaimed water until the competent authority determines that compliance has been restored, following procedures defined in the water reuse risk management plan, in accordance with point (a) of Section 2 of Annex I.

4. If an incident affecting compliance with the conditions set out in the permit occurs, the reclamation facility operator or any other responsible parties shall immediately inform the competent authority and other parties which could potentially be affected, and communicate to the competent authority the information necessary for assessing the impact of such an incident.

5. The competent authority shall regularly verify compliance by the responsible parties with the measures and tasks set out in the water reuse risk management plan.

*Article 8***Cooperation between Member States**

1. Where water reuse is of cross-border relevance, Member States shall designate a contact point for the purposes of cooperation with other Member States' contact points and competent authorities, as appropriate, or shall use existing structures stemming from international agreements.

The role of contact points or existing structures shall be to:

- (a) receive and transmit requests for assistance;
- (b) provide assistance upon request; and
- (c) coordinate communication between competent authorities.

Before granting a permit, competent authorities shall exchange information on the conditions set out in Article 6(3) with the contact point in the Member State in which reclaimed water is intended to be used.

2. Member States shall respond to requests for assistance without undue delay.

*Article 9***Information and awareness-raising**

Savings of water resources as a result of water reuse shall be the subject of general awareness-raising campaigns in Member States where reclaimed water is used for agricultural irrigation. Such campaigns may include the promotion of the benefits of safe water reuse.

Those Member States may also set up information campaigns for end-users to ensure the optimal and safe use of reclaimed water, thereby ensuring a high level of protection of the environment and of human and animal health.

Member States may adapt such information and awareness-raising campaigns to the scale of water reuse.

*Article 10***Information to the public**

1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, Member States in which reclaimed water is used for agricultural irrigation as specified in Section 1 of Annex I to this Regulation shall ensure that adequate and up-to-date information on water reuse is available to the public, online or by other means. That information shall include the following:

- (a) the quantity and the quality of the reclaimed water supplied in accordance with this Regulation;
- (b) the percentage of the reclaimed water in the Member State supplied in accordance with this Regulation compared to the total amount of treated urban waste water, where such data are available;
- (c) the permits granted or modified in accordance with this Regulation, including the conditions set by competent authorities in accordance with Article 6(3) of this Regulation;
- (d) the results of any compliance checks carried out in accordance with Article 7(1) of this Regulation;
- (e) the contact points designated in accordance with Article 8(1) of this Regulation.

2. The information referred to in paragraph 1 shall be updated every two years.

3. Member States shall ensure that any decision taken in accordance with Article 2(2) is made available to the public, online or by other means.

*Article 11***Information relating to monitoring of implementation**

1. Without prejudice to Directives 2003/4/EC and 2007/2/EC, Member States in which reclaimed water is used for agricultural irrigation as specified in Section 1 of Annex I to this Regulation, assisted by the European Environment Agency, shall:
 - (a) set up and publish by 26 June 2026, and update every six years thereafter, a data set containing information on the outcome of the compliance check performed in accordance with Article 7(1) of this Regulation and other information to be made available to the public, online or by other means, in accordance with Article 10 of this Regulation;
 - (b) set up, publish and update annually thereafter, a data set containing information on cases of non-compliance with the conditions set out in the permit, which has been collected in accordance with Article 7(1) of this Regulation, and information on the measures taken in accordance with Article 7(2) and (3) of this Regulation.
2. Member States shall ensure that the Commission, the European Environment Agency and the European Centre for Disease Prevention and Control have access to the data sets referred to in paragraph 1.
3. On the basis of the data sets referred to in paragraph 1, the European Environment Agency, in consultation with Member States, shall draw up, publish and update, on a regular basis or following a request from the Commission, a Union-wide overview. That overview shall include, as appropriate, indicators for outputs, results and impacts of this Regulation, maps, and Member State reports.
4. The Commission may, by means of implementing acts, lay down detailed rules regarding the format and presentation of the information to be provided in accordance with paragraph 1 as well as detailed rules regarding the format and presentation of the Union-wide overview referred to in paragraph 3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14.
5. By 26 June 2022, the Commission shall, in consultation with Member States, establish guidelines to support the application of this Regulation.

*Article 12***Evaluation and review**

1. The Commission shall, by 26 June 2028, carry out an evaluation of this Regulation. The evaluation shall be based on at least the following:
 - (a) the experience gathered from the implementation of this Regulation;
 - (b) the data sets set up by Member States in accordance with Article 11(1) and the Union-wide overview drawn up by the European Environment Agency in accordance with Article 11(3);
 - (c) relevant scientific, analytical and epidemiological data;
 - (d) technical and scientific knowledge;
 - (e) WHO recommendations, where available, or other international guidance or ISO standards.
2. In carrying out the evaluation, the Commission shall pay particular attention to the following aspects:
 - (a) the minimum requirements set out in Annex I;
 - (b) the key elements of risk management set out in Annex II;
 - (c) the additional requirements set by competent authorities pursuant to points (c) and (d) of Article 6(3);
 - (d) the impact of water reuse on the environment and on human and animal health, including the impact of substances of emerging concern.
3. As part of the evaluation, the Commission shall assess the feasibility of:
 - (a) extending the scope of this Regulation to reclaimed water intended for further specific uses, including reuse for industrial purposes;

- (b) expanding the requirements of this Regulation to cover the indirect use of treated waste water.
4. Based on the results of the evaluation or whenever new technical and scientific knowledge so requires, the Commission may examine the need to review the minimum requirements set out in Section 2 of Annex I.
5. Where appropriate, the Commission shall submit a legislative proposal to amend this Regulation.

Article 13

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 5(5) shall be conferred on the Commission for a period of five years from 25 June 2020. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
3. The delegation of power referred to in Article 5(5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Article 5(5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 14

Committee procedure

1. The Commission shall be assisted by the Committee established by Directive 2000/60/EC. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

Article 15

Penalties

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, by 26 June 2024, notify the Commission of those rules and of those measures and shall notify it of any subsequent amendment affecting them.

*Article 16***Entry into force and application**

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

It shall apply from 26 June 2023.

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

Done at Brussels, 25 May 2020.

For the European Parliament
The President
D. M. SASSOLI

For the Council
The President
A. METELKO-ZGOMBIĆ

ANNEX I

USES AND MINIMUM REQUIREMENTS

Section 1

Uses of reclaimed water

Agricultural irrigation

Agricultural irrigation means irrigation of the following types of crops:

- food crops consumed raw, meaning crops which are intended for human consumption in a raw or unprocessed state;
- processed food crops, meaning crops which are intended for human consumption after a treatment process (i.e. cooked or industrially processed);
- non-food crops, meaning crops which are not intended for human consumption (e.g. pastures and forage, fibre, ornamental, seed, energy and turf crops).

Without prejudice to other relevant Union law in the fields of the environment and of health, Member States may use reclaimed water for further uses such as:

- industrial water reuse; and
- amenity-related and environmental purposes.

Section 2

Minimum requirements

Minimum requirements applicable to reclaimed water intended for agricultural irrigation

The reclaimed water quality classes and the permitted uses and irrigation methods for each class are set out in Table 1. The minimum requirements for water quality are set out in Table 2 of point (a). The minimum frequencies and performance targets for monitoring reclaimed water are set out in Table 3 (routine monitoring) and Table 4 (validation monitoring) of point (b).

Crops belonging to a given category shall be irrigated with reclaimed water of the corresponding minimum reclaimed water quality class as set out in Table 1, unless appropriate additional barriers as referred to in point (c) of Article 5(4) are used, which result in achieving the quality requirements set out in Table 2 of point (a). Such additional barriers may be based on the indicative list of preventive measures referred to in point 7 of Annex II or in any other equivalent national or international standards, e.g. the standard ISO 16075-2.

Table 1 – Classes of reclaimed water quality and permitted agricultural use and irrigation method

Minimum reclaimed water quality class	Crop category (*)	Irrigation method
A	All food crops consumed raw where the edible part is in direct contact with reclaimed water and root crops consumed raw	All irrigation methods
B	Food crops consumed raw where the edible part is produced above ground and is not in direct contact with reclaimed water, processed food crops and non-food crops including crops used to feed milk- or meat-producing animals	All irrigation methods
C	Food crops consumed raw where the edible part is produced above ground and is not in direct contact with reclaimed water, processed food crops and non-food crops including crops used to feed milk- or meat-producing animals	Drip irrigation (**) or other irrigation method that avoids direct contact with the edible part of the crop

Minimum reclaimed water quality class	Crop category (*)	Irrigation method
D	Industrial, energy and seeded crops	All irrigation methods (***)

(*) If the same type of irrigated crop falls under multiple categories of Table 1, the requirements of the most stringent category shall apply.

(**) Drip irrigation (also called trickle irrigation) is a micro-irrigation system capable of delivering water drops or tiny streams to the plants and involves dripping water onto the soil or directly under its surface at very low rates (2–20 litres/hour) from a system of small-diameter plastic pipes fitted with outlets called emitters or drippers.

(***) In the case of irrigation methods which imitate rain, special attention should be paid to the protection of the health of workers or bystanders. For this purpose, appropriate preventive measures shall be applied.

(a) Minimum requirements for water quality

Table 2 – Reclaimed water quality requirements for agricultural irrigation

Reclaimed water quality class	Indicative technology target	Quality requirements				
		<i>E. coli</i> (number/100 ml)	BOD ₅ (mg/l)	TSS (mg/l)	Turbidity (NTU)	Other
A	Secondary treatment, filtration, and disinfection	≤ 10	≤ 10	≤ 10	≤ 5	<i>Legionella</i> spp.: < 1 000 cfu/l where there is a risk of aerosolisation
B	Secondary treatment, and disinfection	≤ 100	In accordance with Directive 91/271/EEC (Annex I, Table 1)	In accordance with Directive 91/271/EEC (Annex I, Table 1)	-	Intestinal nematodes (helminth eggs): ≤ 1 egg/l for irrigation of pastures or forage
C	Secondary treatment, and disinfection	≤ 1 000			-	
D	Secondary treatment, and disinfection	≤ 10 000			-	

Reclaimed water shall be considered to be in compliance with the requirements set out in Table 2 where the measurements for that reclaimed water meet all of the following criteria:

- the indicated values for *E. coli*, *Legionella* spp. and intestinal nematodes are met in 90 % or more of the samples; none of the values of the samples exceed the maximum deviation limit of 1 log unit from the indicated value for *E. coli* and *Legionella* spp. and 100 % of the indicated value for intestinal nematodes;
- the indicated values for BOD₅, TSS, and turbidity in Class A are met in 90 % or more of the samples; none of the values of the samples exceed the maximum deviation limit of 100 % of the indicated value.

(b) Minimum requirements for monitoring

Reclamation facility operators shall perform routine monitoring to verify that the reclaimed water is in compliance with the minimum water quality requirements set out in point (a). The routine monitoring shall be included in the verification procedures of the water reuse system.

The samples to be used to verify compliance with the microbiological parameters at the point of compliance shall be taken in accordance with standard EN ISO 19458 or with any other national or international standards that ensure equivalent quality.

Table 3 – Minimum frequencies for routine monitoring of reclaimed water for agricultural irrigation

	Minimum monitoring frequencies					
Reclaimed water quality class	<i>E. coli</i>	BOD ₅	TSS	Turbidity	<i>Legionella</i> spp. (when applicable)	Intestinal nematodes (when applicable)
A	Once a week	Once a week	Once a week	Continuous	Twice a month	Twice a month or as determined by the reclamation facility operator according to the number of eggs in waste water entering the reclamation facility
B	Once a week	In accordance with Directive 91/271/EEC (Annex I, Section D)	In accordance with Directive 91/271/EEC (Annex I, Section D)	-		
C	Twice a month			-		
D	Twice a month			-		

Validation monitoring shall be performed before a new reclamation facility is put into operation.

Reclamation facilities that are already in operation and that meet the reclaimed water quality requirements set out in Table 2 of point (a) on 25 June 2020 shall be exempted from that validation monitoring obligation.

However, validation monitoring shall be performed in all cases where equipment is upgraded, and when new equipment or processes are added.

Validation monitoring shall be performed for the reclaimed water quality class with the most stringent requirements, Class A, to assess whether the performance targets (\log_{10} reduction) are complied with. Validation monitoring shall entail the monitoring of the indicator microorganisms associated with each group of pathogens, namely bacteria, viruses and protozoa. The indicator microorganisms selected are *E. coli* for pathogenic bacteria, F-specific coliphages, somatic coliphages or coliphages for pathogenic viruses, and *Clostridium perfringens* spores or spore-forming sulfate-reducing bacteria for protozoa. Performance targets (\log_{10} reduction) for the validation monitoring for the selected indicator microorganisms are set out in Table 4 and shall be met at the point of compliance, considering the concentrations of the raw waste water entering the urban waste water treatment plant. At least 90 % of validation samples shall reach or exceed the performance targets.

If a biological indicator is not present in sufficient quantity in raw waste water to achieve the \log_{10} reduction, the absence of such biological indicator in reclaimed water shall mean that the validation requirements are complied with. The compliance with the performance target may be established by analytical control, by addition of the performance granted to individual treatment steps based on scientific evidence for standard well-established processes, such as published data of testing reports or case studies, or tested in a laboratory under controlled conditions for innovative treatment.

Table 4 – Validation monitoring of reclaimed water for agricultural irrigation

Reclaimed water quality class	Indicator microorganisms (*)	Performance targets for the treatment chain (\log_{10} reduction)
A	<i>E. coli</i>	$\geq 5,0$
	Total coliphages/F-specific coliphages/somatic coliphages/coliphages (**)	$\geq 6,0$
	<i>Clostridium perfringens</i> spores/spore-forming sulfate-reducing bacteria (***)	$\geq 4,0$ (in case of <i>Clostridium perfringens</i> spores) $\geq 5,0$ (in case of spore-forming sulfate-reducing bacteria)

(*) The reference pathogens *Campylobacter*, Rotavirus and *Cryptosporidium* may also be used for validation monitoring purposes instead of the proposed indicator microorganisms. The following \log_{10} reduction performance targets shall then apply: *Campylobacter* ($\geq 5,0$), Rotavirus ($\geq 6,0$) and *Cryptosporidium* ($\geq 5,0$).

(**) Total coliphages is selected as the most appropriate viral indicator. However, if analysis of total coliphages is not feasible, at least one of them (F-specific or somatic coliphages) shall be analysed.

(***) *Clostridium perfringens* spores is selected as the most appropriate protozoa indicator. However, spore-forming sulfate-reducing bacteria are an alternative if the concentration of *Clostridium perfringens* spores does not make it possible to validate the requested \log_{10} removal.

Methods of analysis for monitoring shall be validated and documented in accordance with EN ISO/IEC-17025 or other national or international standards that ensure an equivalent quality.

ANNEX II

(A) Key elements of risk management

Risk management shall comprise identifying and managing risks in a proactive way to ensure that reclaimed water is safely used and managed and that there is no risk to the environment or to human or animal health. For those purposes, a water reuse risk management plan shall be established on the basis of the following elements:

1. Description of the entire water reuse system, from the entry of waste water into the urban waste water treatment plant to the point of use, including the sources of waste water, the treatment steps and the technologies used at the reclamation facility, the supply, distribution and storage infrastructure, the intended use, the place and period of use (e.g. temporary or ad-hoc use), the irrigation method, the crop type, other water sources if a mix is intended to be used and the volume of reclaimed water to be supplied.
2. Identification of all parties involved in the water reuse system and a clear description of their roles and responsibilities.
3. Identification of potential hazards, in particular the presence of pollutants and pathogens, and the potential for hazardous events such as treatment failures or accidental leakages or contamination of the water reuse system.
4. Identification of the environments and populations at risk, and the exposure routes to the identified potential hazards, taking into account specific environmental factors, such as local hydrogeology, topology, soil type and ecology, and factors related to the type of crops and farming and irrigation practices. Consideration of possible irreversible or long-term negative environmental and health effects of the water reclamation operation, supported by scientific evidence.
5. Assessment of risks to the environment and to human and animal health, taking into account the nature of the identified potential hazards, the duration of the intended uses, the identified environments and populations at risk of exposure to those hazards and the severity of possible effects of the hazards considering the precautionary principle, as well as all relevant Union and national legislation, guidance documents and minimum requirements in relation to food and feed and worker safety. The risk assessment could be based on a review of available scientific studies and data.

The risk assessment shall consist of the following elements:

- (a) an assessment of risks to the environment, including all of the following:
 - (i) confirmation of the nature of the hazards, including, where relevant, the predicted no-effect level;
 - (ii) assessment of the potential range of exposure;
 - (iii) characterisation of the risks;
- (b) an assessment of risks to human and animal health, including all of the following:
 - (i) confirmation of the nature of the hazards, including, where relevant, the dose-response relationship;
 - (ii) assessment of the potential range of dose or exposure;
 - (iii) characterisation of the risks.

The risk assessment may be carried out using qualitative or semi-quantitative risk assessment. Quantitative risk assessment shall be used when there are sufficient supporting data or in projects having a potential high risk for the environment or public health.

The following requirements and obligations shall, as a minimum, be taken into account in the risk assessment:

- (a) the requirement to reduce and prevent water pollution from nitrates in accordance with Directive 91/676/EEC;
- (b) the obligation for protected areas for water intended for human consumption to meet the requirements of Directive 98/83/EC;
- (c) the requirement to meet the environmental objectives set out in Directive 2000/60/EC;

- (d) the requirement to prevent groundwater pollution in accordance with Directive 2006/118/EC;
- (e) the requirement to meet the environmental quality standards for priority substances and certain other pollutants laid down in Directive 2008/105/EC;
- (f) the requirement to meet the environmental quality standards for pollutants of national concern, namely river basin specific pollutants, laid down in Directive 2000/60/EC;
- (g) the requirement to meet the bathing water quality standards laid down in Directive 2006/7/EC;
- (h) the requirements concerning the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture under Directive 86/278/EEC;
- (i) the requirements regarding hygiene of foodstuffs as laid down in Regulation (EC) No 853/2004 and the guidance provided in the Commission notice on guidance document on addressing microbiological risks in fresh fruits and vegetables at primary production through good hygiene;
- (j) the requirements for feed hygiene laid down in Regulation (EC) No 1831/2003;
- (k) the requirement to comply with the relevant microbiological criteria set out in Regulation (EC) No 2073/2005;
- (l) the requirements regarding maximum levels for certain contaminants in foodstuffs set out in Regulation (EC) No 1831/2003;
- (m) the requirements regarding maximum residue levels of pesticides in or on food and feed set out in Regulation (EC) No 396/2005;
- (n) the requirements regarding animal health set out in Regulations (EC) No 1069/2009 and (EU) No 142/2011.

(B) Conditions relating to the additional requirements

6. Consideration of requirements for water quality and monitoring that are additional to or stricter than those specified in Section 2 of Annex I, or both, when necessary and appropriate to ensure adequate protection of the environment and of human and animal health, in particular when there is clear scientific evidence that the risk originates from reclaimed water and not from other sources.

Depending on the outcome of the risk assessment referred to in point 5, such additional requirements may in particular concern:

- (a) heavy metals;
- (b) pesticides;
- (c) disinfection by-products;
- (d) pharmaceuticals;
- (e) other substances of emerging concern, including micro pollutants and micro plastics;
- (f) anti-microbial resistance.

(C) Preventive measures

7. Identification of preventive measures that are already in place or that should be taken to limit risks so that all identified risks can be adequately managed. Special attention shall be paid to water bodies used for the abstraction of water intended for human consumption and relevant safeguard zones.

Such preventive measures may include:

- (a) access control;
- (b) additional disinfection or pollutant removal measures;
- (c) specific irrigation technology mitigating the risk of aerosol formation (e.g. drip irrigation);
- (d) specific requirements for sprinkler irrigation (e.g. maximum wind speed, distances between sprinkler and sensitive areas);

- (e) specific requirements for agricultural fields (e.g. slope inclination, field water saturation and karstic areas);
- (f) pathogen die-off support before harvest;
- (g) establishment of minimum safety distances (e.g. from surface water, including sources for livestock, or activities such as aquaculture, fish farming, shellfish aquaculture, swimming and other aquatic activities);
- (h) signage at irrigation sites, indicating that reclaimed water is being used and is not suitable for drinking.

Specific preventive measures that may be relevant are set out in Table 1.

Table 1 – Specific preventive measures

Reclaimed water quality class	Specific preventive measures
A	— Pigs must not be exposed to fodder irrigated with reclaimed water unless there are sufficient data to indicate that the risks for a specific case can be managed.
B	— Prohibition of harvesting of wet irrigated or dropped produce. — Exclude lactating dairy cattle from pasture until pasture is dry. — Fodder has to be dried or ensiled before packaging. — Pigs must not be exposed to fodder irrigated with reclaimed water unless there are sufficient data to indicate that the risks for a specific case can be managed.
C	— Prohibition of harvesting of wet irrigated or dropped produce. — Exclude grazing animals from pasture for five days after last irrigation. — Fodder has to be dried or ensiled before packaging. — Pigs must not be exposed to fodder irrigated with reclaimed water unless there are sufficient data to indicate that the risks for a specific case can be managed.
D	— Prohibition of harvesting of wet irrigated or dropped produce.

8. Adequate quality control systems and procedures, including monitoring the reclaimed water for relevant parameters, and adequate maintenance programmes for equipment.

It is recommended that the reclamation facility operator set up and maintain a quality management system certified under ISO 9001 or equivalent.

9. Environmental monitoring systems to ensure that feedback from the monitoring is provided and that all processes and procedures are appropriately validated and documented.
10. Appropriate systems to manage incidents and emergencies, including procedures to inform all relevant parties of such events in an appropriate manner, and regular updates of emergency response plan.

Member States could use existing international guidance or standards, such as ISO 20426:2018 Guidelines for health risk assessment and management for non-potable water reuse, ISO 16075:2015 Guidelines for treated waste water use for irrigation projects or other equivalent standards accepted at international level, or WHO guidelines, as instruments for the systematic identification of hazards, the evaluation and the management of risks, based on a priority approach applied to the whole chain (from the treatment of urban waste water for reuse, to the distribution and the utilisation for agricultural irrigation, to the control of the effects) and on site specific risk assessment.

11. Ensure that coordination mechanisms are established amongst different actors to guarantee the safe production and use of reclaimed water.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2020/742

of 29 May 2020

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Islamic Republic of Mauritania concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2019

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43 in conjunction with Article 218(6), second subparagraph, point (a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament ⁽¹⁾,

Whereas:

- (1) In accordance with Council Decision (EU) 2019/1918 ⁽²⁾, the Agreement in the form of an Exchange of Letters concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2019 ('the Agreement in the form of an Exchange of Letters'), was signed on 13 November 2019.
- (2) The objective of the Agreement in the form of an Exchange of Letters is to enable the European Union and the Islamic Republic of Mauritania to continue to work together on promoting a sustainable fisheries policy and the sound exploitation of fisheries resources in Mauritanian waters and to allow Union vessels to carry out their fishing activities in those waters.
- (3) The Agreement in the form of an Exchange of Letters should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement in the form of an Exchange of Letters between the European Union and the Islamic Republic of Mauritania concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2019, is hereby approved on behalf of the Union.

⁽¹⁾ Approval of 13 May 2020 (not yet published in the Official Journal).

⁽²⁾ Council Decision (EU) 2019/1918 of 8 November 2019 on the signing, on behalf of the European Union, and provisional application of the Agreement in the form of an Exchange of Letters between the European Union and the Islamic Republic of Mauritania on an extension to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2019 (OJ L 297 I, 18.11.2019, p. 1).

Article 2

The President of the Council shall proceed, on behalf of the Union, with the notification provided for in point 6 of the Agreement in the form of an Exchange of Letters ⁽³⁾.

Article 3

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

Done at Brussels, 29 May 2020.

For the Council
The President
A. METELKO-ZGOMBIĆ

⁽³⁾ The date of entry into force of the Agreement in the form of an Exchange of Letters will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

CORRIGENDA**Corrigendum to Council Implementing Regulation (EU) 2020/730 of 3 June 2020 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea**

(Official Journal of the European Union L 172 I of 3 June 2020)

On the cover page and on page 1:

for: 'COUNCIL IMPLEMENTING REGULATION (EU) 2020/730 of 3 June 2020 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea',

read: 'COUNCIL IMPLEMENTING REGULATION (EU) 2020/730 of 2 June 2020 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea';

on page 1:

for: 'Done at Brussels, 3 June 2020.',

read: 'Done at Brussels, 2 June 2020.'

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



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

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