



2024/2108

31.7.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/2108

of 29 July 2024

amending Implementing Regulation (EU) 2015/1998 as regards certain urgent aviation security measures regarding equipment for the security screening of liquids, aerosols and gels

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Point 12 of the Annex to Commission Implementing Regulation (EU) 2015/1998 ⁽²⁾, sets out procedures for the approval and use of civil aviation security equipment meeting the standards laid down in that Annex.
- (2) Explosive Detection Systems for Cabin Baggage (EDSCB) equipment meeting standard C3, as set out in Attachment 12-B to the Annex to Implementing Regulation (EU) 2015/1998, is designed to screen cabin baggage containing liquids, aerosols and gels along with portable computers and other large electrical items. The use of such innovative and operationally performant technology allows the deploying airport to remove the existing limitations in the carriage of LAGs in the cabin baggage of departing passengers.
- (3) The Commission approved standard C3 EDSCB equipment and granted 'EU Stamp' marking ⁽³⁾ after receiving the test reports or Level 2 reports by the Common Evaluation Process of the European Civil Aviation Conference (ECAC) providing evidence that the equipment meets the required detection standards.
- (4) Technical information received by the Commission and validated by ECAC States and laboratories, shows that the existing configurations of standard C3 EDSCB equipment to which the Commission has granted the 'EU Stamp' marking or the 'EU Stamp pending' marking need to be revised in order to improve their performance.
- (5) As a precautionary measure, in order to maintain the security of air travel, a limitation to the maximum volume of individual LAG containers that can be screened by any of the currently approved standard C3 EDSCB equipment configurations should be introduced.
- (6) All approved standard C3 EDSCB equipment configurations, as referred to in point 12.4.2.8. of the Annex to Implementing Regulation (EU) 2015/1998, which received the 'EU Stamp' marking before the date of entry into force of this Regulation, should henceforth be operated in accordance with the concept for operations for standard C3 EDSCB, but with a screening limit of the maximum volume of individual LAG containers not to exceed 100 ml.

⁽¹⁾ OJ L 97, 9.4.2008, p. 72, ELI: <http://data.europa.eu/eli/reg/2008/300/oj>.

⁽²⁾ Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security (OJ L 299, 14.11.2015, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2015/1998/oj).

⁽³⁾ Commission Decision (EU) 2021/2147 of 3 December 2021 on the approval of civil aviation security equipment with 'EU Stamp' marking (OJ L 433, 6.12.2021, p. 25, ELI: <http://data.europa.eu/eli/dec/2021/2147/oj>).

- (7) Commission Decision (EU) 2024/1177 (*) is to be repealed as the configuration that was the subject of that Decision should now be subject to the limitation applicable to all approved standard C3 EDSCB equipment configurations.
- (8) The respective equipment manufacturers should review the currently used configurations and subject them to the required testing by the laboratories operating under the Common Evaluation Process of the ECAC.
- (9) The limitation introduced by this Regulation may be removed once the Commission receives the test reports or Level 2 reports by the Common Evaluation Process of the ECAC providing evidence that revised individual standard C3 EDSCB equipment configurations meet the required detection standards.
- (10) Furthermore, in order to reduce the duration of the operational limitation introduced by this Regulation and ensure a more expedited testing of the new configurations, equipment configurations approved under national mechanisms applied by Member States and duly notified to the Commission in accordance with point 12.0.5. of the Annex to Implementing Regulation (EU) 2015/1998, should be considered as eligible to obtain the 'EU Stamp' marking under certain conditions.
- (11) Finally, experience gained with the implementation of point 12.0.4.2. of the Annex to Implementing Regulation (EU) 2015/1998 has shown the need to revise its current formulation in order to allow operators to deploy new pieces of an equipment configuration for which the 'EU Stamp' marking or the 'EU Stamp pending' marking has been suspended, provided that the required compensatory measures are applied.
- (12) Implementing Regulation (EU) 2015/1998 should therefore be amended accordingly.
- (13) As a reasonable period is necessary to allow airports operating standard C3 EDSCB equipment configurations to prepare the implementation of the mitigating measures laid down in the Annex, the application of this Regulation should be deferred to 1 September 2024.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19 of Regulation (EC) No 300/2008,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) 2015/1998 is amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 September 2024.

(*) Commission Decision (EU) 2024/1177 of 23 April 2024 on the suspension of the approval of a civil aviation security equipment with 'EU Stamp' marking (OJ L, 2024/1177, 25.4.2024, ELI: <http://data.europa.eu/eli/dec/2024/1177/oj>).

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

Done at Brussels, 29 July 2024.

For the Commission
The President
Ursula VON DER LEYEN

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ANNEX

The Annex to Implementing Regulation (EU) 2015/1998 is amended as follows:

(1) point 12.0.4.2. is replaced by the following:

'12.0.4.2. Security equipment whose 'EU Stamp' marking or 'EU Stamp pending' marking status has been suspended may be operated subject to the implementation of additional compensatory measures, as appropriate. In suspending the 'EU Stamp' marking or 'EU Stamp pending' marking status, the Commission may indicate whether new pieces of the equipment in respect of which the marking status has been suspended may be deployed and operated with the addition of the same compensatory measures.';

(2) the following point 12.0.5.4. is added:

'12.0.5.4. The Commission may grant the 'EU Stamp' marking status to security equipment referred to in point 12.0.5.3. under the condition that it has received the evidence submitted by the Member State that such security equipment meets the standards set out in this Chapter.';

(3) points 12.4.2.8. and 12.4.2.9. are replaced by the following:

'12.4.2.8. All EDS equipment designed to screen cabin baggage containing portable computers, other large electrical items and LAGs shall meet at least standard C3.

12.4.2.9. All EDS equipment that meets standard C3 shall be considered as equivalent to LEDS equipment that meets standard 2 for the screening of LAGs.';

(4) the following point 12.4.2.10. is added:

'12.4.2.10. Standard C3 equipment designed to screen cabin baggage that has received the 'EU Stamp' marking or 'EU Stamp pending' marking before 1 August 2024 may only be used to screen LAGs with a screening limit of the maximum volume of individual LAG containers not to exceed 100 ml.'.