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Price: EUR 3

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<sup>(1)</sup> Text with EEA relevance

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION REGULATION (EU) No 121/2010

of 9 February 2010

**entering a name in the register of protected designations of origin and protected geographical indications (Provolone del Monaco (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs <sup>(1)</sup>, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Italy's application to register the name 'Provolone del Monaco' was published in the *Official Journal of the European Union* <sup>(2)</sup>.

(2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

*Article 1*

The name contained in the Annex to this Regulation is hereby entered in the register.

*Article 2*This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 9 February 2010.

*For the Commission**The President*

José Manuel BARROSO

<sup>(1)</sup> OJ L 93, 31.3.2006, p. 12.<sup>(2)</sup> OJ C 140, 20.6.2009, p. 4.

## ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

**Class 1.3. Cheeses**

ITALY

Provolone del Monaco (PDO)

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**COMMISSION REGULATION (EU) No 122/2010****of 10 February 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector <sup>(2)</sup>, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 11 February 2010.

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

Done at Brussels, 10 February 2010.

*For the Commission,  
On behalf of the President,*

Jean-Luc DEMARTY  
*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 350, 31.12.2007, p. 1.

## ANNEX

## Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

| CN code                                           | Third country code <sup>(1)</sup> | Standard import value |
|---------------------------------------------------|-----------------------------------|-----------------------|
| 0702 00 00                                        | IL                                | 176,4                 |
|                                                   | JO                                | 87,5                  |
|                                                   | MA                                | 77,2                  |
|                                                   | TN                                | 115,0                 |
|                                                   | TR                                | 103,3                 |
|                                                   | ZZ                                | 111,9                 |
| 0707 00 05                                        | JO                                | 147,9                 |
|                                                   | MA                                | 75,9                  |
|                                                   | TR                                | 144,8                 |
|                                                   | ZZ                                | 122,9                 |
| 0709 90 70                                        | IL                                | 247,1                 |
|                                                   | MA                                | 123,4                 |
|                                                   | TR                                | 169,5                 |
|                                                   | ZZ                                | 180,0                 |
| 0709 90 80                                        | EG                                | 69,8                  |
|                                                   | MA                                | 131,9                 |
|                                                   | ZZ                                | 100,9                 |
| 0805 10 20                                        | EG                                | 50,2                  |
|                                                   | IL                                | 58,0                  |
|                                                   | MA                                | 52,3                  |
|                                                   | TN                                | 46,4                  |
|                                                   | TR                                | 52,2                  |
|                                                   | ZZ                                | 51,8                  |
| 0805 20 10                                        | IL                                | 151,5                 |
|                                                   | MA                                | 87,8                  |
|                                                   | ZZ                                | 119,7                 |
| 0805 20 30, 0805 20 50, 0805 20 70,<br>0805 20 90 | CN                                | 57,9                  |
|                                                   | EG                                | 57,3                  |
|                                                   | IL                                | 85,9                  |
|                                                   | JM                                | 109,6                 |
|                                                   | MA                                | 71,0                  |
|                                                   | PK                                | 45,0                  |
|                                                   | TR                                | 67,2                  |
|                                                   | ZZ                                | 70,6                  |
| 0805 50 10                                        | EG                                | 88,6                  |
|                                                   | IL                                | 76,3                  |
|                                                   | TR                                | 72,3                  |
|                                                   | ZZ                                | 79,1                  |
| 0808 10 80                                        | CA                                | 95,3                  |
|                                                   | CL                                | 60,1                  |
|                                                   | CN                                | 66,1                  |
|                                                   | MK                                | 24,7                  |
|                                                   | US                                | 119,0                 |
|                                                   | ZZ                                | 73,0                  |
| 0808 20 50                                        | CN                                | 44,9                  |
|                                                   | US                                | 95,2                  |
|                                                   | ZA                                | 105,4                 |
|                                                   | ZZ                                | 81,8                  |

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

**COMMISSION REGULATION (EU) No 123/2010****of 10 February 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector <sup>(2)</sup>, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 <sup>(3)</sup>. These prices and duties have been last amended by Commission Regulation (EU) No 112/2010 <sup>(4)</sup>.

- (2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 11 February 2010.

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

Done at Brussels, 10 February 2010.

*For the Commission,  
On behalf of the President,*

Jean-Luc DEMARTY  
*Director-General for Agriculture and  
Rural Development*

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 178, 1.7.2006, p. 24.

<sup>(3)</sup> OJ L 253, 25.9.2009, p. 3.

<sup>(4)</sup> OJ L 36, 9.2.2010, p. 19.

## ANNEX

**Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 11 February 2010**

(EUR)

| CN code                   | Representative price per 100 kg net of the product concerned | Additional duty per 100 kg net of the product concerned |
|---------------------------|--------------------------------------------------------------|---------------------------------------------------------|
| 1701 11 10 <sup>(1)</sup> | 45,24                                                        | 0,00                                                    |
| 1701 11 90 <sup>(1)</sup> | 45,24                                                        | 1,33                                                    |
| 1701 12 10 <sup>(1)</sup> | 45,24                                                        | 0,00                                                    |
| 1701 12 90 <sup>(1)</sup> | 45,24                                                        | 1,04                                                    |
| 1701 91 00 <sup>(2)</sup> | 54,50                                                        | 1,12                                                    |
| 1701 99 10 <sup>(2)</sup> | 54,50                                                        | 0,00                                                    |
| 1701 99 90 <sup>(2)</sup> | 54,50                                                        | 0,00                                                    |
| 1702 90 95 <sup>(3)</sup> | 0,55                                                         | 0,19                                                    |

<sup>(1)</sup> For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.<sup>(2)</sup> For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.<sup>(3)</sup> Per 1 % sucrose content.

# DECISIONS

## DECISION OF THE EUROPEAN COUNCIL

of 9 February 2010

appointing the European Commission

(2010/80/EU)

THE EUROPEAN COUNCIL,

Having regard to the Treaty on European Union, and in particular Article 17(3) and (4) and the third subparagraph of Article 17(7) thereof,

Whereas:

(1) As a result of circumstances connected with the process of ratification of the Treaty of Lisbon, the Commission appointed on 22 November 2004 remained in office after 31 October 2009, pending completion of the process of appointment of the new Commission, in accordance with the provisions of the Treaty on European Union, as amended by the Treaty of Lisbon.

(2) Following the entry into force of the Treaty of Lisbon on 1 December 2009, the European Council, with the agreement of the President of the Commission, appointed by Decision 2009/880/EU <sup>(1)</sup> Catherine ASHTON as High Representative of the Union for Foreign Affairs and Security Policy for the period from 1 December 2009 until the end of the current term of office of the Commission.

(3) In accordance with Article 17(4) of the Treaty on European Union, a new Commission, consisting of one national of each Member State, including its President and the High Representative of the Union for Foreign Affairs and Security Policy, who shall be one of its Vice-Presidents, must be appointed for the period from the end of the term of office of the Commission in office at the time of the entry into force of the Treaty of Lisbon until 31 October 2014.

(4) The European Council nominated José Manuel DURÃO BARROSO as the person put forward to the European Parliament as President of the Commission, and the European Parliament elected the proposed candidate.

(5) By Decision 2009/903/EU <sup>(2)</sup> the Council adopted by common accord with the President-elect of the

Commission the list of the other persons whom it proposes for appointment as Members of the Commission. That same day, the European Council, with the agreement of the President of the Commission, appointed by Decision 2009/950/EU <sup>(3)</sup> Catherine ASHTON High Representative of the Union for Foreign Affairs and Security Policy for the period from the end of the current term of office of the Commission until 31 October 2014.

(6) By Decision 2010/41/EU, Euratom <sup>(4)</sup> repealing and replacing Decision 2009/903/EU the Council adopted, by common accord with the President-elect of the Commission, a new list of the other persons whom it proposes for appointment as Members of the Commission.

(7) By means of a vote held on 9 February 2010, the European Parliament gave its approval to the appointment of the President, the High Representative of the Union for Foreign Affairs and Security Policy and the other Members of the Commission as a college.

(8) The Commission should therefore be appointed,

HAS ADOPTED THIS DECISION:

### Article 1

The following are appointed to the European Commission for the period from 10 February 2010 to 31 October 2014:

— as President:

José Manuel DURÃO BARROSO

— as member, Vice-President, pursuant to Article 18(4) of the Treaty on European Union:

Catherine ASHTON, High Representative of the Union for Foreign Affairs and Security Policy

<sup>(1)</sup> OJ L 315, 2.12.2009, p. 49.

<sup>(2)</sup> OJ L 321, 8.12.2009, p. 51.

<sup>(3)</sup> OJ L 328, 15.12.2009, p. 69.

<sup>(4)</sup> OJ L 20, 26.1.2010, p. 5.

— as Members:

Joaquín ALMUNIA AMANN

László ANDOR

Michel BARNIER

Dacian CIOLOŞ

John DALLI

Maria DAMANAKI

Karel DE GUCHT

Štefan FÜLE

Máire GEOGHEGAN-QUINN

Kristalina GEORGIEVA

Johannes HAHN

Connie HEDEGAARD

Siim KALLAS

Neelie KROES

Janusz LEWANDOWSKI

Cecilia MALMSTRÖM

Günther H. OETTINGER

Andris PIEBALGS

Janez POTOČNIK

Viviane REDING

Olli REHN

Maroš ŠEFČOVIČ

Algirdas Gediminas ŠEMETA

Antonio TAJANI

Androulla VASSILIOU

*Article 2*

This Decision shall take effect on 10 February 2010.

*Article 3*

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 9 February 2010.

*For the European Council*

*The President*

H. VAN ROMPUY

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**COMMISSION DECISION****of 9 February 2010****establishing the classes of reaction-to-fire performance for certain construction products as regards adhesives for ceramic tiles***(notified under document C(2010) 382)***(Text with EEA relevance)****(2010/81/EU)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/106/EEC of 21 December 1988, on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products <sup>(1)</sup>, and in particular Article 20(2)(a) thereof,

Whereas:

(1) Directive 89/106/EEC envisages that in order to take account of different levels of protection for the construction works at national, regional or local levels, it may be necessary to establish in the interpretative documents classes corresponding to the performance of products in respect of each essential requirement. Those documents have been published as the 'Communication of the Commission with regard to the interpretative documents of Directive 89/106/EEC' <sup>(2)</sup>.

(2) With respect to the essential requirement of safety in the event of fire, interpretative document No 2 lists a number of interrelated measures which together define the fire safety strategy to be variously developed in the Member States.

(3) Interpretative document No 2 identifies one of those measures as the limitation of the generation and spread of fire and smoke within a given area by limiting the potential of construction products to contribute to the full development of a fire.

(4) The level of that limitation may be expressed only in terms of the different levels of reaction-to-fire performance of the products in their end-use application.

(5) By way of a harmonised solution, a system of classes was adopted in Commission Decision 2000/147/EC of 8 February 2000 implementing Council Directive 89/106/EEC as regards the classification of the reaction to fire performance of construction products <sup>(3)</sup>.

(6) In the case of adhesives for ceramic tiles it is necessary to use the classification established in Decision 2000/147/EC.

(7) The reaction-to-fire performance of many construction products and/or materials, within the classification provided for in Decision 2000/147/EC, is well established and sufficiently well known to fire regulators in Member States that they do not require testing for this particular performance characteristic.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

*Article 1*

The construction products and/or materials which satisfy all the requirements of the performance characteristic 'reaction-to-fire' without need for further testing are set out in the Annex.

*Article 2*

The specific classes to be applied to different construction products and/or materials, within the reaction-to-fire classification adopted in Decision 2000/147/EC, are set out in the Annex to this Decision.

<sup>(1)</sup> OJ L 40, 11.2.1989, p. 12.

<sup>(2)</sup> OJ C 62, 28.2.1994, p. 1.

<sup>(3)</sup> OJ L 50, 23.2.2000, p. 14.

*Article 3*

Products shall be considered in relation to their end-use application, where relevant.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 9 February 2010.

*For the Commission*

Günter VERHEUGEN

*Vice-President*

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*ANNEX*

The table set out in this Annex, lists construction products and/or materials which satisfy all of the requirements for the performance characteristic reaction to fire without need for testing.

*Table*

**Classes of reaction-to-fire performance for adhesives for ceramic tiles**

| Product <sup>(1)</sup>                              | Organic content<br>(% in weight) | Maximum layer<br>thickness<br>(mm) | Class <sup>(2)</sup> |
|-----------------------------------------------------|----------------------------------|------------------------------------|----------------------|
| Cementitious adhesive in accordance with EN 12004   | < 20                             | 20                                 | E                    |
| Dispersion adhesive in accordance with EN 12004     | < 40                             | 5                                  |                      |
| Reaction resin adhesive in accordance with EN 12004 | < 50                             | 5                                  |                      |

<sup>(1)</sup> Mounted on any substrate of at least class D-s2,d0 and with density  $\geq 680 \text{ kg/m}^3$ .

<sup>(2)</sup> Class as provided for in Table 1 of the Annex to Commission Decision 2000/147/EC.

**COMMISSION DECISION**  
**of 9 February 2010**  
**establishing the classes of reaction-to-fire performance for certain construction products as regards**  
**decorative wallcoverings in roll and panel form**

(notified under document C(2010) 397)

(Text with EEA relevance)

(2010/82/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products <sup>(1)</sup>, and in particular Article 20(2) a thereof,

Whereas:

(1) Directive 89/106/EEC envisages that in order to take account of different levels of protection for the construction works at national, regional or local levels, it may be necessary to establish in the interpretative documents classes corresponding to the performance of products in respect of each essential requirement. Those documents have been published as the 'Communication of the Commission with regard to the interpretative documents of Directive 89/106/EEC' <sup>(2)</sup>.

(2) With respect to the essential requirement of safety in the event of fire, interpretative document No 2 lists a number of interrelated measures which together define the fire safety strategy to be variously developed in the Member States.

(3) Interpretative document No 2 identifies one of those measures as the limitation of the generation and spread of fire and smoke within a given area by limiting the potential of construction products to contribute to the full development of a fire.

(4) The level of that limitation may be expressed only in terms of the different levels of reaction-to-fire performance of the products in their end-use application.

(5) By way of a harmonised solution, a system of classes was adopted in Commission Decision 2000/147/EC of 8 February 2000 implementing Council Directive 89/106/EEC as regards the classification of the reaction-to-fire performance of construction products <sup>(3)</sup>.

(6) In the case of decorative wallcoverings in roll and panel form it is necessary to use the classification established in Decision 2000/147/EC.

(7) The reaction-to-fire performance of many construction products and/or materials, within the classification provided for in Decision 2000/147/EC, is well established and sufficiently well known to fire regulators in Member States that they do not require testing for this particular performance characteristic.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

*Article 1*

The construction products and/or materials which satisfy all the requirements of the performance characteristic 'reaction-to-fire' without need for further testing are set out in the Annex.

*Article 2*

The specific classes to be applied to different construction products and/or materials, within the reaction-to-fire classification adopted in Decision 2000/147/EC, are set out in the Annex to this Decision.

*Article 3*

Products shall be considered in relation to their end-use application, where relevant.

<sup>(1)</sup> OJ L 40, 11.2.1989, p. 12.

<sup>(2)</sup> OJ C 62, 28.2.1994, p. 1.

<sup>(3)</sup> OJ L 50, 23.2.2000, p. 14.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 9 February 2010.

*For the Commission*  
Günter VERHEUGEN  
*Vice-President*

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ANNEX

The table set out in this Annex lists construction products and/or materials which satisfy all of the requirements for the performance characteristic 'reaction-to-fire' without need for testing.

*Table*

**Classes of reaction to fire performance for decorative wallcoverings in roll and panel form**

| Product <sup>(1)</sup>                                                                                       | Maximum mass per unit area (g/m <sup>2</sup> ) | Maximum thickness (mm) | Class <sup>(2)</sup> |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------------|----------------------|
| Wallcoverings on cellulose fibre base                                                                        | 190                                            | 0,9                    | D-s3,d2              |
| Wallcoverings on cellulose fibre base and polymer coated or printed                                          | 470                                            | 0,7                    |                      |
| Wallcoverings on a mixture of cellulose and polyester fibre base                                             | 160                                            | 0,3                    |                      |
| Wallcoverings on a mixture of cellulose and polyester fibre base and polymer coated or printed               | 410                                            | 0,5                    |                      |
| Wallcoverings on a polymer coated fabric base                                                                | 510                                            | 0,7                    |                      |
| Wallcoverings of woven textile with a backing consisting of cellulose fibre or cellulose and polyester fibre | 450                                            | 0,8                    |                      |
| Wallcoverings of foamed PVC with a backing consisting of cellulose fibre or cellulose and polyester fibre    | 310                                            | 1,8                    |                      |

<sup>(1)</sup> Products in accordance with EN 15102 mounted on a substrate of at least class A2-s1,d0 with a minimum thickness 12 mm and with minimum density 800 kg/m<sup>3</sup> using starch, or starch/PVA, or cellulose/PVA adhesive applied at a maximum 200 g/m<sup>2</sup>.

<sup>(2)</sup> Class as provided for in Table 1 of the Annex to Commission Decision 2000/147/EC.

**COMMISSION DECISION****of 9 February 2010****establishing the classes of reaction-to-fire performance for certain construction products as regards  
air drying jointing compounds***(notified under document C(2010) 399)***(Text with EEA relevance)****(2010/83/EU)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products <sup>(1)</sup>, and in particular Article 20(2) a thereof,

Whereas:

(1) Directive 89/106/EEC envisages that in order to take account of different levels of protection for the construction works at national, regional or local levels, it may be necessary to establish in the interpretative documents classes corresponding to the performance of products in respect of each essential requirement. Those documents have been published as the 'Communication of the Commission with regard to the interpretative documents of Directive 89/106/EEC' <sup>(2)</sup>.

(2) With respect to the essential requirement of safety in the event of fire, interpretative document No 2 lists a number of interrelated measures which together define the fire safety strategy to be variously developed in the Member States.

(3) Interpretative document No 2 identifies one of those measures as the limitation of the generation and spread of fire and smoke within a given area by limiting the potential of construction products to contribute to the full development of a fire.

(4) The level of that limitation may be expressed only in terms of the different levels of reaction-to-fire performance of the products in their end-use application.

(5) By way of a harmonised solution, a system of classes was adopted in Commission Decision 2000/147/EC of 8 February 2000 implementing Council Directive 89/106/EEC as regards the classification of the reaction to fire performance of construction products <sup>(3)</sup>.

(6) In the case of air drying jointing compounds it is necessary to use the classification established in Decision 2000/147/EC.

(7) The reaction-to-fire performance of many construction products and/or materials, within the classification provided for in Decision 2000/147/EC, is well established and sufficiently well known to fire regulators in Member States that they do not require testing for this particular performance characteristic.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

*Article 1*

The construction products and/or materials which satisfy all the requirements of the performance characteristic 'reaction-to-fire' without need for further testing are set out in the Annex.

*Article 2*

The specific classes to be applied to different construction products and/or materials, within the reaction-to-fire classification adopted in Decision 2000/147/EC, are set out in the Annex to this Decision.

<sup>(1)</sup> OJ L 40, 11.2.1989, p. 12.

<sup>(2)</sup> OJ C 62, 28.2.1994, p. 1.

<sup>(3)</sup> OJ L 50, 23.2.2000, p. 14.

*Article 3*

Products shall be considered in relation to their end-use application, where relevant.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 9 February 2010.

*For the Commission*

Günter VERHEUGEN

*Vice-President*

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*ANNEX*

The table set out in this Annex lists construction products and/or materials which satisfy all the requirements for the performance characteristic 'reaction-to-fire' without need for testing.

*Table*

**Classes of reaction to fire performance for air drying jointing compounds**

| Product <sup>(1)</sup>                                                                                                                                                                                                                                                                              | Product details for the jointing system                                                                           | Maximum organic content (% in weight) | Class <sup>(2)</sup> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------|
| Air drying jointing compounds for gypsum plasterboards used together with paper jointing tape. Paste ready to use or powder to be mixed with water, on any substrate of at least class A2-s1,d0 with thickness at least 6 mm and with density at least 700 kg/m <sup>3</sup> (excluding floorings). | Air drying jointing compounds of types 1A, 2A and 3A and paper jointing tape <sup>(3)</sup> according to EN 13963 | 7,0                                   | A2-s1,d0             |

<sup>(1)</sup> Wet density of the jointing compound at least 1,1 kg/litre (1 100 kg/m<sup>3</sup>).

<sup>(2)</sup> Class as provided for in Table 1 of the Annex to Commission Decision 2000/147/EC.

<sup>(3)</sup> Maximum width of the paper jointing tape: 55 mm; maximum mass of the paper jointing tape per unit area: 135 g/m<sup>2</sup>.

**COMMISSION DECISION****of 9 February 2010****setting a new deadline for the submission of dossiers for certain substances to be examined under the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council***(notified under document C(2010) 764)***(Text with EEA relevance)***(2010/84/EU)*

THE EUROPEAN COMMISSION,

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

Having regard to Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market<sup>(1)</sup>, and in particular Article 16(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1451/2007<sup>(2)</sup> establishes a list of active substances to be assessed, with a view to their possible inclusion in Annex I, IA or IB to Directive 98/8/EC.
- (2) For a number of substance/product type combinations included in that list, either all participants have discontinued their participation from the review programme, or no complete dossier was received within the time period specified in Article 9 and Article 12(3) of Regulation (EC) No 1451/2007 by the Member State designated as rapporteur for the evaluation.
- (3) Consequently, and pursuant to Articles 11(2), 12(1) and 13(5) of Regulation (EC) No 1451/2007, the Commission informed the Member States accordingly. That information was also made public by electronic means on 13 January 2009, 11 February 2009 and 11 March 2009.
- (4) Within 3 months of the electronic publication of that information, several companies indicated an interest in

taking over the role of participant for some of the substances and product-types concerned, in accordance with Article 12(1) of Regulation (EC) No 1451/2007.

- (5) A new deadline should therefore be established for the submission of dossiers for these substances and product-types in accordance with the second subparagraph of Article 12(3) of that Regulation.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Biocidal Products,

HAS ADOPTED THIS DECISION:

*Article 1*

For the substances and product-types set out in the Annex, the new deadline for the submission of dossiers is 28 February 2011.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 9 February 2010.

*For the Commission*

Stavros DIMAS

*Member of the Commission*<sup>(1)</sup> OJ L 123, 24.4.1998, p. 1.<sup>(2)</sup> OJ L 325, 11.12.2007, p. 3.

## ANNEX

**Substances and product-types for which the new deadline for the submission of dossiers is 28 February 2011**

| Name                                                                  | EC number | CAS number  | Product-type | RMS |
|-----------------------------------------------------------------------|-----------|-------------|--------------|-----|
| Ammonium bromide                                                      | 235-183-8 | 12124-97-9  | 11           | SE  |
| Boric acid                                                            | 233-139-2 | 10043-35-3  | 22           | NL  |
| Chloralose                                                            | 240-016-7 | 15879-93-3  | 15           | PT  |
| Chloralose                                                            | 240-016-7 | 15879-93-3  | 23           | PT  |
| Copper                                                                | 231-159-6 | 7440-50-8   | 2            | FR  |
| Copper                                                                | 231-159-6 | 7440-50-8   | 4            | FR  |
| Copper                                                                | 231-159-6 | 7440-50-8   | 5            | FR  |
| N'-tert-butyl-N-cyclopropyl-6-(methylthio)-1,3,5-triazine-2,4-diamine | 248-872-3 | 28159-98-0  | 7            | NL  |
| N'-tert-butyl-N-cyclopropyl-6-(methylthio)-1,3,5-triazine-2,4-diamine | 248-872-3 | 28159-98-0  | 10           | NL  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 2            | FR  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 3            | FR  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 4            | FR  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 7            | FR  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 9            | FR  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 10           | FR  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 11           | FR  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 12           | FR  |
| Oligo(2-(2-ethoxy)ethoxyethylguanidinium chloride)                    | Polymer   | 374572-91-5 | 20           | FR  |
| Pine ext.                                                             | 304-455-9 | 94266-48-5  | 10           | LV  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 2            | FR  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 3            | FR  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 4            | FR  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 7            | FR  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 9            | FR  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 10           | FR  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 11           | FR  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 12           | FR  |
| Poly(hexamethylendiamine guanidinium chloride)                        | Polymer   | 57028-96-3  | 20           | FR  |
| Tosylchloramide sodium                                                | 204-854-7 | 127-65-1    | 11           | ES  |

## COMMISSION DECISION

of 9 February 2010

**establishing the classes of reaction-to-fire performance for certain construction products as regards cementitious screeds, calcium sulphate screeds and synthetic resin floor screeds**

(notified under document C(2010) 772)

(Text with EEA relevance)

(2010/85/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/106/EEC of 21 December 1988, on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products<sup>(1)</sup>, and in particular Article 20(2) a thereof,

Whereas:

- (1) Directive 89/106/EEC envisages that in order to take account of different levels of protection for the construction works at national, regional or local levels, it may be necessary to establish in the interpretative documents classes corresponding to the performance of products in respect of each essential requirement. Those documents have been published as the 'Communication of the Commission with regard to the interpretative documents of Directive 89/106/EEC'<sup>(2)</sup>.
- (2) With respect to the essential requirement of safety in the event of fire, interpretative document No 2 lists a number of interrelated measures which together define the fire safety strategy to be variously developed in the Member States.
- (3) Interpretative document No 2 identifies one of those measures as the limitation of the generation and spread of fire and smoke within a given area by limiting the potential of construction products to contribute to the full development of a fire.
- (4) The level of that limitation may be expressed only in terms of the different levels of reaction-to-fire performance of the products in their end-use application.
- (5) By way of a harmonised solution, a system of classes was adopted in Commission Decision 2000/147/EC of 8 February 2000 implementing Council Directive 89/106/EEC as regards the classification of the reaction-to-fire performance of construction products<sup>(3)</sup>.
- (6) In the case of cementitious screeds, calcium sulphate screeds synthetic resin screed material and floor screeds

it is necessary to use the classification established in Decision 2000/147/EC.

- (7) The reaction-to-fire performance of many construction products and/or materials, within the classification provided for in Decision 2000/147/EC, is well established and sufficiently well known to fire regulators in Member States that they do not require testing for this particular performance characteristic.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

*Article 1*

The construction products and/or materials which satisfy all the requirements of the performance characteristic 'reaction-to-fire' without need for further testing are set out in the Annex.

*Article 2*

The specific classes to be applied to different construction products and/or materials, within the reaction-to-fire classification adopted in Decision 2000/147/EC, are set out in the Annex to this Decision.

*Article 3*

Products shall be considered in relation to their end-use application, where relevant.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 9 February 2010.

*For the Commission*  
Günter VERHEUGEN  
Vice-President

<sup>(1)</sup> OJ L 40, 11.2.1989, p. 12.

<sup>(2)</sup> OJ C 62, 28.2.1994, p. 1.

<sup>(3)</sup> OJ L 50, 23.2.2000, p. 14.

## ANNEX

The tables set out in this Annex list construction products and/or materials which satisfy all of the requirements for the performance characteristic 'reaction-to-fire' without need for testing.

Table 1

**Classes of reaction-to-fire performance for cementitious screeds and calcium sulphate screeds**

| Product <sup>(1)</sup>                         | Maximum layer thickness (mm) | Organic content (% in weight) | Class <sup>(2)</sup> |
|------------------------------------------------|------------------------------|-------------------------------|----------------------|
| Cementitious screeds according to EN 13813     | 30                           | < 20                          | E                    |
| Calcium sulphate screeds according to EN 13813 |                              |                               |                      |

<sup>(1)</sup> Mounted on a substrate of at least class D-s2,d0 with minimum thickness 12 mm and with minimum density 680 kg/m<sup>3</sup>.

<sup>(2)</sup> Class E as provided for in Table 1 of the Annex to Commission Decision 2000/147/EC when the screed is used as underlying layer.

Table 2

**Classes of reaction-to-fire performance for synthetic resin floor screeds**

| Product <sup>(1)</sup>                                                                                                                                                                                                                    | Maximum layer thickness (mm) | Organic content (% in weight) | Class <sup>(2)</sup> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------|----------------------|
| Unfilled synthetic resin floor screeds with binder made of epoxy resin or polyurethane resin or polymethylmethacrylates resin or vinylester resin in accordance with EN 13813                                                             | 4                            | 100                           | E or E <sub>fl</sub> |
| Filled synthetic resin floor screeds with binder made of epoxy resin or polyurethane resin or polymethylmethacrylates resin or vinylester resin and filled with mineral aggregates in accordance with EN 13813                            | 10                           | < 75                          |                      |
| Filled synthetic resin floor screeds scattered with silica sand with binder made of epoxy resin or polyurethane resin or polymethylmethacrylates resin or vinylester resin and filled with mineral aggregates in accordance with EN 13813 | 10                           | < 75                          |                      |

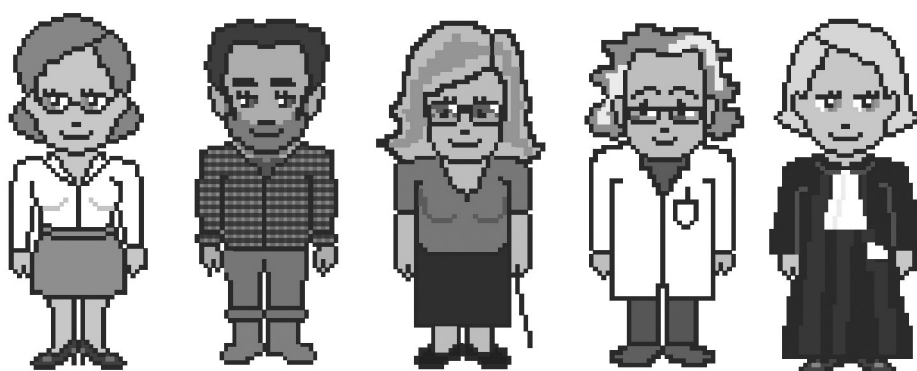
<sup>(1)</sup> Mounted on a substrate of at least class A2-s1,d0 with minimum thickness 6 mm and with minimum density 1 800 kg/m<sup>3</sup>.

<sup>(2)</sup> Class E as provided for in Table 1 of the Annex to Commission Decision 2000/147/EC when the screed is used as underlying layer, or Class E<sub>fl</sub> as provided for in Table 2 of the Annex to Commission Decision 2000/147/EC when the screed is used as wearing layer.



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