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Price: EUR 3

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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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DECISIONS

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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 670/2010

of 13 July 2010

amending Regulation (EC) No 974/98 as regards the introduction of the euro in Estonia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union (the Treaty), and in particular Article 140(3) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Central Bank,

Whereas:

- (1) Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro ⁽¹⁾ provides for the substitution of the euro for the currencies of the Member States which fulfilled the necessary conditions for the adoption of the euro at the time when the Community entered the third stage of economic and monetary union.
- (2) Council Regulation (EC) No 2596/2000 ⁽²⁾ amended Regulation (EC) No 974/98 to provide for the substitution of the euro for the currency of Greece.
- (3) Council Regulation (EC) No 2169/2005 ⁽³⁾ amended Regulation (EC) No 974/98 in order to prepare for subsequent introductions of the euro in Member States which have not yet adopted the euro as the single currency.
- (4) Council Regulation (EC) No 1647/2006 ⁽⁴⁾ amended Regulation (EC) No 974/98 to provide for the substitution of the euro for the currency of Slovenia.
- (5) Council Regulation (EC) No 835/2007 ⁽⁵⁾ amended Regulation (EC) No 974/98 to provide for the substitution of the euro for the currency of Cyprus.
- (6) Council Regulation (EC) No 836/2007 ⁽⁶⁾ amended Regulation (EC) No 974/98 to provide for the substitution of the euro for the currency of Malta.
- (7) Council Regulation (EC) No 693/2008 ⁽⁷⁾ amended Regulation (EC) No 974/98 to provide for the substitution of the euro for the currency of Slovakia.
- (8) In accordance with Article 4 of the 2003 Act of Accession, Estonia is a Member State with a derogation as defined in Article 139(1) of the Treaty.
- (9) Pursuant to Council Decision 2010/416/EU of 13 July 2010 in accordance with Article 140(2) of the Treaty on the adoption by Estonia of the euro on 1 January 2011 ⁽⁸⁾, Estonia fulfils the necessary conditions for the adoption of the euro and the derogation in favour of Estonia is to be abrogated with effect from 1 January 2011.
- (10) The introduction of the euro in Estonia requires the extension to Estonia of the existing provisions on the introduction of the euro set out in Regulation (EC) No 974/98.
- (11) Estonia's changeover plan specifies that euro banknotes and coins should become legal tender in that Member State on the day of the introduction of the euro as its currency. Consequently, the euro adoption date and the cash changeover date should be 1 January 2011. No 'phasing-out' period should apply.
- (12) Regulation (EC) No 974/98 should therefore be amended accordingly.

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 974/98 shall be amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 2011.

⁽¹⁾ OJ L 139, 11.5.1998, p. 1.⁽²⁾ OJ L 300, 29.11.2000, p. 2.⁽³⁾ OJ L 346, 29.12.2005, p. 1.⁽⁴⁾ OJ L 309, 9.11.2006, p. 2.⁽⁵⁾ OJ L 186, 18.7.2007, p. 1.⁽⁶⁾ OJ L 186, 18.7.2007, p. 3.⁽⁷⁾ OJ L 195, 24.7.2008, p. 1.⁽⁸⁾ See page 24 of this Official Journal.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 13 July 2010.

For the Council
The President
D. REYNERS

ANNEX

In the Annex to Regulation (EC) No 974/98, the following line is inserted between the entries for Germany and Greece.

Member State	Euro adoption date	Cash changeover date	Member State with a 'phasing-out' period

Estonia	1 January 2011	1 January 2011	No

COUNCIL REGULATION (EU) No 671/2010**of 13 July 2010****amending Regulation (EC) No 2866/98 as regards the conversion rate to the euro for Estonia**

THE COUNCIL OF THE EUROPEAN UNION,

adoption of the euro and the derogation of Estonia is abrogated with effect from 1 January 2011.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 140(3) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Central Bank ⁽¹⁾,

Whereas:

(4) The introduction of the euro in Estonia requires the adoption of the conversion rate between the euro and the Estonian kroon. This conversion rate shall be set at 15,6466 kroon per 1 euro, which corresponds to the current central rate of the kroon in the exchange rate mechanism (ERM II).

(5) Regulation (EC) No 2866/98 should therefore be amended accordingly,

(1) Council Regulation (EC) No 2866/98 of 31 December 1998 on the conversion rates between the euro and the currencies of the Member States adopting the euro ⁽²⁾ determines the conversion rates as from 1 January 1999.

HAS ADOPTED THIS REGULATION:

Article 1

(2) According to Article 4 of the 2003 Act of Accession, Estonia is a Member State with a derogation as defined in Article 139(1) of the Treaty on the Functioning of the European Union (hereinafter 'the Treaty').

In Article 1 of Regulation (EC) No 2866/98, the following line is inserted between the conversion rates applicable to the German mark and the Greek drachma:

'= 15,6466 Estonian kroons'.

(3) Pursuant to Council Decision 2010/416/EU of 13 July 2010 in accordance with Article 140(2) of the Treaty on the adoption by Estonia of the euro on 1 January 2011 ⁽³⁾, Estonia fulfils the necessary conditions for the

Article 2

This Regulation shall enter into force on 1 January 2011.

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

Done at Brussels, 13 July 2010.

For the Council
The President
D. REYNERS

⁽¹⁾ Opinion delivered on 5 July 2010 (not yet published in the Official Journal).

⁽²⁾ OJ L 359, 31.12.1998, p. 1.

⁽³⁾ See page 24 of this Official Journal.

COMMISSION REGULATION (EU) No 672/2010**of 27 July 2010****concerning type-approval requirements for windscreen defrosting and demisting systems of certain motor vehicles and implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor**

THE EUROPEAN COMMISSION,

HAS ADOPTED THIS REGULATION:

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

*Article 1***Scope**

Having regard to 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⁽¹⁾, and in particular Article 14(1)(a) thereof,

This Regulation applies to motor vehicles of category M₁, as defined in Annex II to Directive 2007/46/EC, which are fitted with a windscreen.

*Article 2***Definitions**

Whereas:

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

- (1) Regulation (EC) No 661/2009 is a separate Regulation for the purposes of the type-approval procedure provided for by Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive)⁽²⁾.
 - (2) Regulation (EC) No 661/2009 repeals Council Directive 78/317/EEC of 21 December 1977 on the approximation of the laws of the Member States relating to the defrosting and demisting systems of glazed surfaces of motor vehicles⁽³⁾. The requirements set out in that Directive should be carried over to this Regulation and, where necessary, amended in order to adapt them to the development of scientific and technical knowledge, in particular to take into account the specific characteristics of hybrid and electrical vehicles.
 - (3) The scope of this Regulation is in line with that of Directive 78/317/EEC and thus limited to vehicles of category M₁.
 - (4) Regulation (EC) No 661/2009 lays down fundamental provisions on requirements for the type-approval of motor vehicles with regard to windscreen defrosting and demisting systems. Therefore, it is necessary to also set out the specific procedures, tests and requirements for such type-approval.
 - (5) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee — Motor Vehicles,
1. 'vehicle type with regard to the windscreen defrosting and demisting systems' means vehicles which do not differ in such essential respects as:
 - the characteristics of the defrosting and demisting systems,
 - the external and internal forms and arrangements within the 180° forward field of vision area of the driver which may affect visibility,
 - the shape, size, thickness and characteristics of the windscreen and its mounting,
 - the maximum number of seating positions;
 2. 'engine' means a combustion engine running on either liquid or gaseous fuel;
 3. 'defrosting system' means the system intended to eliminate frost or ice on the outside surface of the windscreen;
 4. 'defrosted area' means the area of the windscreen having a dry outside surface or an outside surface covered with melted or partially melted wet frost which can be removed by the vehicle's windscreen wiper system;
 5. 'demisting system' means the system intended to remove mist on the inside surface of the windscreen;
 6. 'mist' means a film of condensate on the inside face of the glazed surface of the windscreen;

⁽¹⁾ OJ L 200, 31.7.2009, p. 1.

⁽²⁾ OJ L 263, 9.10.2007, p. 1.

⁽³⁾ OJ L 81, 28.3.1978, p. 27.

7. 'demisted area' means the area of the windscreen having a dry inside surface, without any drops or traces of water, after previously being covered by mist;
8. 'vision area A' means test area A as defined in paragraph 2.2 of Annex 18 of UN-ECE Regulation 43 ⁽¹⁾;
9. 'vision area B' means reduced test area B as defined in paragraph 2.4 of Annex 18 of UN-ECE Regulation 43, without the exclusion of the area defined in paragraph 2.4.1 thereof;
10. 'design torso angle' means the angle measured between a vertical line through the R-point or seating reference point and the torso line in a position which corresponds to the design position of the seat-back as declared by the vehicle manufacturer;
11. 'R-point' or seating reference point means the design point defined by the vehicle manufacturer for each seating position with respect to the three-dimensional reference system;
12. 'three-dimensional reference system' means a reference grid which consists of a vertical longitudinal plane X-Z, a horizontal plane X-Y and a vertical transverse plane Y-Z in accordance with the provisions of Appendix 2 of Annex II;
13. 'primary reference marks' means holes, surfaces, marks or other identification signs on the vehicle body or chassis of which the X, Y and Z coordinates within the three-dimensional reference grid are specified by the vehicle manufacturer;
14. 'vehicle master control switch' means the device by which the vehicle's on-board electronics system is brought from being switched off, as is the case when a vehicle is parked without the driver being present, to normal operation mode.

Article 3

Provisions for EC type-approval of a vehicle with regard to windscreen defrosting and demisting systems

1. The manufacturer or his representative shall submit to the type-approval authority the application for EC type-approval of a vehicle with regard to windscreen defrosting and demisting systems.
 2. The application shall be drawn up in accordance with the model of the information document set out in Part 1 of Annex I.
 3. If the relevant requirements set out in Annex II are met, the approval authority shall grant an EC type-approval and issue a type-approval number in accordance with the numbering system set out in Annex VII to Directive 2007/46/EC.
- A Member State may not assign the same number to another vehicle type.
4. For the purposes of paragraph 3, the type-approval authority shall deliver an EC type-approval certificate established in accordance with the model set out in Part 2 of Annex I.

Article 4

Validity and extension of approvals granted under Directive 78/317/EEC

National authorities shall permit the sale and entry into service of vehicles type-approved before the date referred to in Article 13, paragraph 2 of Regulation (EC) No 661/2009 and continue to grant extension of approvals to those vehicles under the terms of Directive 78/317/EEC.

Article 5

Entry into force

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

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

Done at Brussels, 27 July 2010.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ Hasn't been published yet. Will be published by August 2010.

ANNEX I

Administrative documents for EC type-approval of motor vehicles with regard to windscreen defrosting and demisting systems

PART 1

Information document

MODEL

Information document No ... relating to the EC type-approval of a motor vehicle with regard to windscreen defrosting and demisting systems.

The following information shall be supplied in triplicate and include a list of contents. Any drawings shall be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, shall show sufficient detail.

If the systems, components or separate technical units referred to in this annex have electronic controls, information concerning their performance shall be supplied.

0. GENERAL
 - 0.1. Make (trade name of manufacturer):
 - 0.2. Type:
 - 0.2.1. Commercial name(s) (if available):
 - 0.3. Means of identification of type, if marked on the vehicle ^(b):
 - 0.3.1. Location of that marking:
 - 0.4. Category of vehicle ^(c):
 - 0.5. Name and address of manufacturer:
 - 0.8. Name(s) and address(es) of assembly plant(s):
 - 0.9. Name and address of the manufacturer's representative (if any):
1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE
 - 1.1. Photographs and/or drawings of a representative vehicle:
 - 1.6. Position and arrangement of the engine:
 - 1.8. Hand of drive: left/right ⁽¹⁾.
3. POWER PLANT ^(b)
 - 3.1. Manufacturer of the engine:
 - 3.1.1. Manufacturer's engine code (as marked on the engine or other means of identification):
 - 3.2. Internal combustion engine
 - 3.2.1. Specific engine information
 - 3.2.1.1. Working principle: positive ignition/compression ignition ⁽¹⁾ Cycle: four stroke/two stroke/rotary ⁽¹⁾
 - 3.2.1.2. Number and arrangement of cylinders:
 - 3.2.1.3. Engine capacity ^(m):cm³
 - 3.2.1.6. Normal engine idling speed ⁽²⁾: min⁻¹
 - 3.2.1.8. Maximum net power ⁽ⁿ⁾:kW at min⁻¹ (manufacturer's declared value)
 - 3.2.2. Fuel
 - 3.2.2.1. Light-duty vehicles: Diesel/Petrol/LPG/NG or Biomethane/Ethanol (E85)/Biodiesel/Hydrogen ⁽¹⁾ ⁽⁶⁾
 - 3.2.5. Electrical system
 - 3.2.5.1. Rated voltage: V, positive/negative ground ⁽¹⁾

- 3.2.5.2. Generator
 - 3.2.5.2.1. Type:
 - 3.2.5.2.2. Nominal output:VA
- 3.2.7. Cooling system: liquid/air ⁽¹⁾
 - 3.2.7.1. Nominal setting of the engine temperature control mechanism:
 - 3.2.7.2. Liquid
 - 3.2.7.2.1. Nature of liquid:
 - 3.2.7.2.2. Circulating pump(s): yes/no ⁽¹⁾
 - 3.2.7.2.3. Characteristics: or
 - 3.2.7.2.3.1. Make(s):
 - 3.2.7.2.3.2. Type(s):
 - 3.2.7.2.4. Drive ratio(s):
 - 3.2.7.2.5. Description of the fan and its drive mechanism:
 - 3.2.7.3. Air
 - 3.2.7.3.1. Fan: yes/no ⁽¹⁾
 - 3.2.7.3.2. Characteristics: or
 - 3.2.7.3.2.1. Make(s):
 - 3.2.7.3.2.2. Type(s):
- 3.3. Electric motor
 - 3.3.1. Type (winding, excitation)
 - 3.3.1.1. Maximum hourly output:kW
 - 3.3.1.2. Operating voltage:V
 - 3.3.2. Battery
 - 3.3.2.1. Number of cells:
 - 3.3.2.2. Mass: kg
 - 3.3.2.3. Capacity:Ah (Amp-hours)
 - 3.3.2.4. Position:
- 3.4. Engine or motor combination
 - 3.4.1. Hybrid electric vehicle: yes/no ⁽¹⁾
 - 3.4.2. Category of hybrid electric vehicle: off-vehicle charging/not off-vehicle charging: ⁽¹⁾
 - 3.4.3. Operating mode switch: with/without ⁽¹⁾
 - 3.4.3.1. Selectable modes
 - 3.4.3.1.1. Pure electric: yes/no ⁽¹⁾
 - 3.4.3.1.2. Pure fuel consuming: yes/no ⁽¹⁾
 - 3.4.3.1.3. Hybrid modes: yes/no ⁽¹⁾ (if yes, short description):
 - 3.4.4. Description of the energy storage device: (battery, capacitor, flywheel/generator)
 - 3.4.4.1. Make(s):
 - 3.4.4.2. Type(s):
 - 3.4.4.3. Identification number:

- 3.4.4.4. Kind of electrochemical couple:
- 3.4.4.5. Energy: (for battery: voltage and capacity Ah in 2 h, for capacitor: J,)
- 3.4.4.6. Charger: on board/external/without ⁽¹⁾
- 3.6. Temperatures permitted by the manufacturer
- 3.6.1. Cooling system
- 3.6.1.1. Liquid cooling, maximum temperature at outlet: K
- 3.6.1.2. Aircooling
- 3.6.1.2.1. Reference point:
- 3.6.1.2.2. Maximum temperature at reference point: K
- 3.6.2. Maximum outlet temperature of the inlet intercooler: K
- 3.6.3. Maximum exhaust temperature at the point in the exhaust pipe(s) adjacent to the outer flange(s) of the exhaust manifold or turbocharger: K
- 9. BODYWORK
- 9.1. Type of bodywork using the codes defined in Part C of Annex II of Directive 2007/46/EC:
- 9.2. Materials used and methods of construction:
- 9.3. Occupant doors, latches and hinges
- 9.3.1. Door configuration and number of doors:
- 9.4. Field of vision
- 9.4.1. Particulars of the primary reference marks in sufficient detail to enable them to be readily identified and the position of each in relation to the others and to the R-point to be verified:
- 9.4.2. Drawing(s) or photograph(s) showing the location of component parts within the 180° forward field of vision:
- 9.5. Windscreen and other windows
- 9.5.1. Windscreen
- 9.5.1.1. Materials used:
- 9.5.1.2. Method of mounting:
- 9.5.1.3. Angle of inclination:
- 9.5.1.4. Type-approval number(s):
- 9.5.1.5. Windscreen accessories and the position in which they are fitted together with a brief description of any electrical/electronic components involved:
- 9.6. Windscreen wiper(s)
- 9.6.1. Detailed technical description (including photographs or drawings):
- 9.7. Windscreen washer
- 9.7.1. Detailed technical description (including photographs or drawings) or, if approved as separate technical unit, type-approval number:
- 9.8. Defrosting and demisting
- 9.8.1. Detailed technical description (including photographs or drawings):
- 9.8.2. Maximum electrical consumption:kW
- 9.10. Interior arrangement
- 9.10.1. Interior protection for occupants
- 9.10.1.1. Layout drawing or photographs showing the position of the attached sections or views:
- 9.10.1.3. Photographs, drawings and/or an exploded view of the interior fittings, showing the parts in the passenger compartment and the materials used (with the exception of interior rear view mirrors), arrangement of controls, roof and opening roof, backrest, seats and the rear part of seats:

9.10.3. Seats

9.10.3.1. Number of seating positions ⁽⁵⁾:

9.10.3.1.1. Location and arrangement:

9.10.3.5. Coordinates or drawing of the R-point

9.10.3.5.1. Driver's seat:

9.10.3.6. Design torso angle

9.10.3.6.1. Driver's seat:

Explanatory notes⁽¹⁾ Delete where not applicable.⁽²⁾ Specify the tolerance.⁽⁶⁾ Vehicles can be fuelled with both petrol and a gaseous fuel but, where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol, will be regarded for the test as vehicles which can only run a gaseous fuel.^(b) If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this information document, such characters shall be represented in the documentation by the symbol '?' (e.g. ABC??123??).^(c) Classified according to the definitions set out in Directive 2007/46/EC Part A of Annex II.^(k) In the case of a vehicle that can run either on petrol, diesel, etc., or also in combination with another fuel, items shall be repeated. In the case of non-conventional engines and systems, particulars equivalent to those referred to here shall be supplied by the manufacturer.^(m) This value shall be calculated ($\pi = 3,1416$) and rounded off to the nearest cm³.⁽ⁿ⁾ Determined in accordance with the requirements of Council Directive 80/1269/EEC (OJ L 375, 31.12.1980, p. 46).^(p) The number of seating positions to be mentioned shall be the one when the vehicle is in motion. A range can be specified in case of modular arrangement.

PART 2

EC type-approval certificate

MODEL

Format: A4 (210 × 297 mm)

EC TYPE-APPROVAL CERTIFICATE

Stamp of type-approval authority

Communication concerning:

- | | | |
|---|---|---|
| — EC type-approval ⁽¹⁾ | } | of a type of vehicle with regard to windscreen defrosting and demisting systems |
| — extension of EC type-approval ⁽¹⁾ | | |
| — refusal of EC type-approval ⁽¹⁾ | | |
| — withdrawal of EC type-approval ⁽¹⁾ | | |

with regard to Regulation (EU) No 672/2010, as last amended by Regulation (EU) No .../... ⁽¹⁾

EC type-approval number:

Reason for extension:

SECTION I

- 0.1. Make (trade name of manufacturer):
- 0.2. Type:
- 0.2.1. Commercial name(s) (if available):
- 0.3. Means of identification of type, if marked on the vehicle ⁽²⁾:
- 0.3.1. Location of that marking:
- 0.4. Category of vehicle ⁽³⁾:
- 0.5. Name and address of manufacturer:
- 0.8. Name(s) and address(es) of assembly plant(s):
- 0.9. Name and address of the manufacturer's representative (if any):

SECTION II

1. Additional information: see Addendum.
2. Technical service responsible for carrying out the tests:
3. Date of test report:
4. Number of test report:
5. Remarks (if any): see Addendum.
6. Place:
7. Date:
8. Signature:

Attachments: Information package

Test report

⁽¹⁾ Delete where not applicable.⁽²⁾ If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered by this information document, such characters shall be represented in the documentation by the symbol '?' (e.g. ABC??123??).⁽³⁾ As defined in Directive 2007/46/EC, Annex II, Section A.

*Addendum***to EC type-approval certificate No ...**

1. Additional information:
 - 1.1. Brief description of the vehicle type as regards its structure, dimensions, lines and constituent materials:
 - 1.2. Description of the defrosting and demisting systems:
 - 1.3. Description of the interior arrangements or fittings that might affect the tests:
 - 1.4. Maximum number of seating positions:
 - 1.5. Characteristics of the windscreen:thickness of component parts (mm):
 - 1.6. Rated voltage of the electrical installation (V):
2. Hand of drive: left/right ⁽¹⁾
3. Power plant: positive ignition/compression ignition/electric/hybrid electric/⁽¹⁾
4. Defrost test temperature: – 8 °C/– 18 °C ⁽¹⁾
5. Remarks:

⁽¹⁾ Delete where not applicable

ANNEX II

Requirements for windscreen defrosting and demisting systems

1. SPECIFIC REQUIREMENTS
 - 1.1. Windscreen defrosting
 - 1.1.1. Every vehicle shall be equipped with a system for removing frost and ice from the exterior glazed surface of the windscreen. The windscreen defrosting system shall be effective enough to ensure adequate visibility through the windscreen in cold weather.
 - 1.1.2. The efficiency of the system shall be verified by determining the defrosted area of the windscreen periodically after starting, the vehicle having been kept in a cold chamber for a certain amount of time.
 - 1.1.3. The requirements of paragraphs 1.1.1 and 1.1.2 shall be checked using the method set out in paragraph 2.1 of this Annex.
 - 1.1.4. The following requirements shall be satisfied:
 - 1.1.4.1. 20 minutes after the start of the test period, vision area A, as determined in accordance with Appendix 3 to Annex II, shall be 80 % defrosted;
 - 1.1.4.2. 25 minutes after the start of the test period, the defrosted area of the windscreen on the passenger side shall be comparable to that specified in paragraph 1.1.4.1 for the driver's side;
 - 1.1.4.3. 40 minutes after the start of the test period, vision area B, as determined in accordance with Appendix 3 to Annex II, shall be 95 % defrosted.
 - 1.2. Windscreen demisting
 - 1.2.1. Every vehicle shall be equipped with a system for removing mist from the interior glazed surface of the windscreen.
 - 1.2.2. The demisting system shall be effective enough to restore visibility through the windscreen in case it is fogged up with mist. Its efficiency shall be verified by the procedure described in paragraph 2.2 of this Annex.
 - 1.2.3. The following requirements shall be satisfied:
 - 1.2.3.1. Vision area A, as determined in accordance with Appendix 3 to Annex II, shall be 90 % demisted in 10 minutes;
 - 1.2.3.2. Vision area B, as determined in accordance with Appendix 3 to Annex II, shall be 80 % demisted in 10 minutes.
2. TEST PROCEDURE
 - 2.1. Windscreen defrosting
 - 2.1.1. The test shall be carried out at a temperature of $-8 \pm 2^{\circ}\text{C}$ or $-18 \pm 3^{\circ}\text{C}$, as selected by the manufacturer.
 - 2.1.2. The test shall be carried out in a cold chamber large enough to contain the complete vehicle and equipped to maintain one of the temperatures mentioned in paragraph 2.1.1 in the chamber throughout the test and to circulate cold air. The cold chamber shall be maintained at or below the specified test temperature for not less than 24 hours before the start of the period during which the vehicle is exposed to cold.
 - 2.1.3. Before the test, the inner and outer surfaces of the windscreen shall be thoroughly degreased by means of methylated spirit or an equivalent degreasing agent. After drying, a solution of ammonia of not less than 3 % and not more than 10 % shall be applied. The surface shall be allowed to dry again and then be wiped with a dry cotton cloth.

- 2.1.4. The vehicle shall be switched off and shall be kept at the test temperature for not less than 10 hours prior to commencement of the test.
- 2.1.4.1. If it is possible to check whether the vehicle's engine coolant and lubricant are stabilized at the test temperature, this period may be shortened.
- 2.1.5. Following the exposure period prescribed in paragraph 2.1.4, an even layer of ice of 0,044 g/cm² shall be applied over the entire outside surface of the windscreen by means of a water spray gun working at 3,5 ± 0,2 bar operating pressure.
- 2.1.5.1. The spray nozzle, adjusted to full fan pattern and maximum flow, shall be held perpendicular to and at a distance of between 200 and 250 mm from the glazed surface, and so directed as to form an even layer of ice right across the windscreen from one side to the other.
- 2.1.5.1.1. A spray gun having a nozzle of 1,7 mm diameter and a liquid flow rate of 0,395 l/min, and capable of producing a fan pattern of 300 mm diameter on the glazed surface at a distance 200 mm from that surface, may be used to satisfy the requirements of paragraph 2.1.5. Any other device by which the requirements can be satisfied shall also be permitted.
- 2.1.6. After the ice has been formed on the windscreen, the vehicle shall be kept in the cold chamber for an additional period of not less than 30 minutes and not more than 40 minutes.
- 2.1.7. After the period prescribed in paragraph 2.1.6 has elapsed, one or two observers shall enter the vehicle, subsequently the vehicle master operation control may be switched to the on position and any engine can be started, if necessary by some external means. The test period shall commence as soon as the vehicle master control switch has been activated.
- 2.1.7.1. If the vehicle is fitted with an engine, the engine speeds may be adjusted according to manufacturer's specification recommended for warming up when starting in cold weather, during the first five minutes of the test period.
- 2.1.7.2. During the final 35 minutes of the test period (or during the entire test period if the five-minute warming-up procedure is not followed):
 - 2.1.7.2.1. The engine, if fitted, shall run at a speed not exceeding 50 % of the speed corresponding to its maximum power output. However, if this is proven not to be practicable due to specific engine control strategies, for instance in the case of electric hybrid vehicles, a realistic worst case scenario shall be determined. The scenario shall take into account the engine speeds, periodical absence or complete absence of a running engine during normal driving conditions at an ambient temperature of – 8 °C or – 18 °C, whichever has been selected by the manufacturer as the designated test temperature. If the system can meet the defrosting requirements without a running engine, the engine does not have to run at all.
- 2.1.7.3. All batteries shall be fully charged at the start of the test.
- 2.1.7.4. During the test, the voltage at the terminals of the defrosting device may be not more than 20 % above the nominal rating of the system.
- 2.1.7.5. The temperature in the test chamber shall be measured at the level of the centre of the windscreen, at a point not significantly affected by heat from the vehicle under test.
- 2.1.7.6. The horizontal component of the speed of the air cooling the chamber, measured immediately prior to the test, in the median plane of the vehicle at a point 300 mm forward of the base of the windscreen and at a level half-way between the base and the top of the windscreen, shall be as low as possible and in any event less than 8 km/h.
- 2.1.7.7. If fitted, the engine bonnet, roof, all doors, windows and vents, except the intakes and outlets of the heating and ventilating system, shall be closed; one or two windows may be opened for a total vertical distance of 25 mm if the vehicle manufacturer so requests.

- 2.1.7.8. The vehicle's defrosting system controls shall be set as recommended by the vehicle manufacturer for the test temperature.
- 2.1.7.9. The windscreen wipers may be used during the test, but this shall be done without any manual assistance apart from the operation of any controls in the interior of the vehicle.
- 2.1.8. The observer(s) shall outline the defrosted area on the inside surface of the windscreen, at five-minute intervals from the start of the test period.
- 2.1.9. On completion of the test, the pattern of the defrosted area outlined on the inner face of the windscreen as required by paragraph 2.1.8 shall be noted and marked to identify windscreen vision areas A and B.
- 2.2. Windscreen demisting
- 2.2.1. Before the test, the inside surface of the windscreen shall be thoroughly degreased by means of methylated spirit, or an equivalent degreasing agent. After drying, a solution of ammonia of not less than 3 % and not more than 10 % shall be applied. The surface shall be allowed to dry again and then be wiped with a dry cotton cloth.
- 2.2.2. The test shall be carried out in an environmental chamber large enough to take the complete vehicle and capable of producing and maintaining a test temperature of -3 ± 1 °C throughout the test period.
- 2.2.2.1. The temperature in the test chamber shall be measured at the level of the centre of the windscreen, at a point not significantly affected by heat from the vehicle under test.
- 2.2.2.2. The horizontal component of the speed of the air cooling the chamber, measured immediately prior to the test, in the median plane of the vehicle at a point 300 mm forward of the base of the windscreen and at a level half-way between the base and the top of the windscreen, shall be as low as possible and in any event less than 8 km/h.
- 2.2.2.3. If fitted, the engine bonnet, roof, all doors, windows and vents, except the intakes and outlets of the heating and ventilation system, shall be closed; one or two windows may be opened from the beginning of the demisting test for a total vertical distance of 25 mm if the vehicle manufacturer so requests.
- 2.2.3. The mist shall be produced by means of the steam generator described in Appendix 4 of Annex II. The generator shall contain enough water to generate at least 70 ± 5 g/h of steam for each seating position designated by the manufacturer, in an ambient temperature of -3 °C.
- 2.2.4. The inside surface of the windscreen shall be cleaned as prescribed in paragraph 2.2.1 after the vehicle is placed in the environmental chamber. The ambient air temperature shall be lowered and stabilized at -3 ± 1 °C. The vehicle shall be switched off and shall be kept at the test temperature for not less than 10 hours prior to commencement of the test. If it is possible to check whether the vehicle's engine coolant and lubricant are stabilized at the test temperature, this period may be shortened.
- 2.2.5. The steam generator shall be placed with its outlets in the median longitudinal plane of the vehicle at a height of 580 ± 80 mm above the R-point or seating reference point of the driver's seat. It shall normally be placed immediately behind the front seat backrests, with the seats in the manufacturer's declared design positions and the seat-backs set in accordance with design torso angles. Where the design of the vehicle precludes this, the generator shall be placed in front of the backrests, in the nearest convenient position to that mentioned above.
- 2.2.6. After the generator has been operating for five minutes inside the vehicle, one or two observers shall quickly enter the vehicle, opening any access doors for a total duration not exceeding 8 seconds, and be seated on the front seating position(s), the output of the generator being then reduced by 70 ± 5 g/h for each observer.
- 2.2.7. One minute after the observer(s) have entered the vehicle, the vehicle master operation control may be switched to the on position and any engine can be started, if necessary by some external means. The test period shall commence as soon as the vehicle master control switch has been activated.

- 2.2.7.1. If the vehicle is fitted with an engine, it shall run at a speed not exceeding 50 % of the speed corresponding to its maximum power output. However, if this is proven not to be practicable due to specific engine control strategies, for instance in the case of electric hybrid vehicles, a realistic worst case scenario shall be determined. The scenario shall take into account the engine speeds, periodical absence or complete absence of a running engine during normal driving conditions at an ambient temperature of -1°C . If the system can meet the demisting requirements without a running engine, the engine does not have to run at all.
 - 2.2.7.2. The vehicle's demisting system controls shall be set as recommended by the vehicle manufacturer for the test temperature.
 - 2.2.7.3. All batteries shall be fully charged at the start of the test.
 - 2.2.7.4. The voltage at the terminals of the demisting device may be not more than 20 % above the nominal rating of the system.
 - 2.2.8. At the end of the test, the demist pattern shall be recorded, noted and marked to identify windscreen vision areas A and B.
-

*Appendix 1***Procedure for verification of the R-point or seating reference point**

The R-point or seating reference point is established in accordance with the provisions laid down in Annex 3 of UN-ECE Regulation 17 ⁽¹⁾.

⁽¹⁾ OJ L 373, 27.12.2006, p. 1.

*Appendix 2***Procedure for determining primary reference marks in the three-dimensional reference system**

The dimensional relationships between primary reference marks on drawings and their position on the actual vehicle are established in accordance with the provisions laid down in Annex 4 of UN-ECE Regulation 125 ⁽¹⁾.

⁽¹⁾ Hasn't been published yet. Will be published by August 2010.

*Appendix 3***Procedure for determining vision areas on windcreens of vehicles**

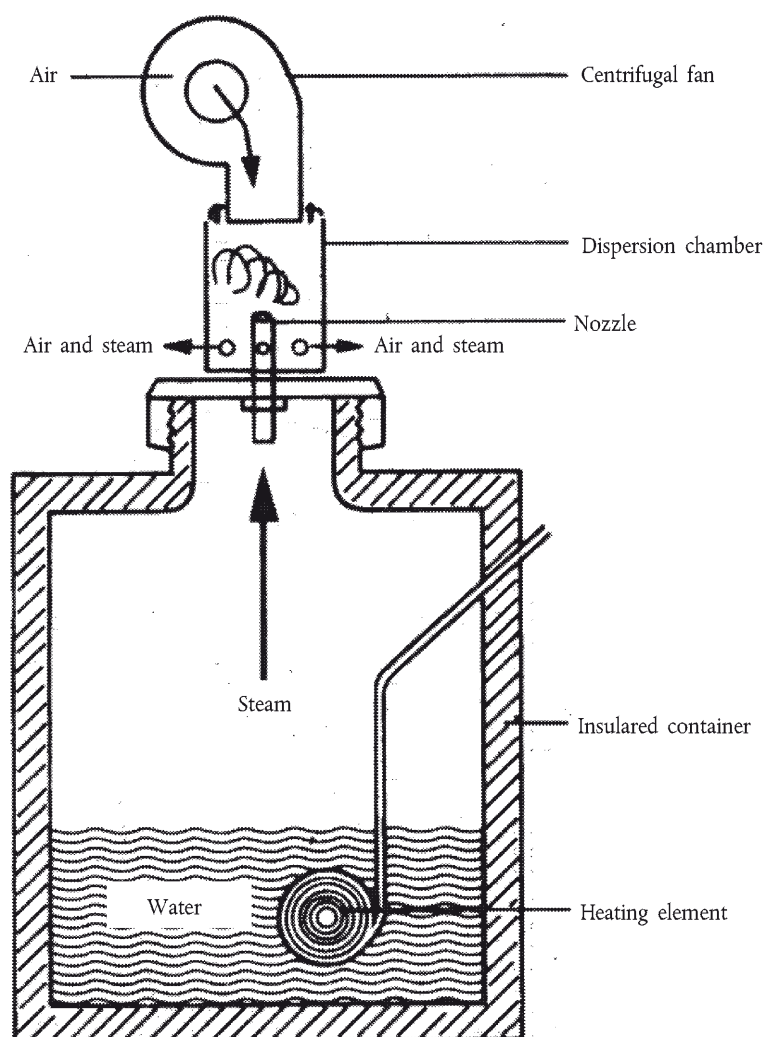
The vision areas A and B are established in accordance with the provisions laid down in Annex 18 of UN-ECE Regulation 43.

Appendix 4

Requirements for the steam generator

1. CHARACTERISTICS
 - 1.1. The steam generator used for the test shall have the following general characteristics:
 - 1.1.1. The water container shall have a capacity of at least 2,25 litres.
 - 1.1.2. The heat loss at boiling point shall not exceed 75 W in an ambient temperature of -3 ± 1 °C.
 - 1.1.3. The fan shall have a capacity of 0,07 to 0,10 m³/min at 0,5 mbar static pressure.
 - 1.1.4. Six steam outlet holes shall be positioned at the top of the generator, around the perimeter spaced at equal distances (see Figure 1):
 - 1.1.5. The generator shall be calibrated at -3 ± 1 °C to give reading for each 70 ± 5 g/h output up to a maximum of n times this figure, where n is the maximum number of seating positions designated by the manufacturer.

Figure 1

Diagram of steam generator

- 1.2. The specified parts shall have the following dimensional and material characteristics:
 - 1.2.1. Nozzle
 - 1.2.1.1. Dimensions:
 - 1.2.1.1.1. Length 100 mm.
 - 1.2.1.1.2. Inside diameter 15 mm.
 - 1.2.1.2. Material:
 - 1.2.1.2.1. Brass.
 - 1.2.2. Dispersion chamber
 - 1.2.2.1. Dimensions:
 - 1.2.2.1.1. Pipe outside diameter 75 mm.
 - 1.2.2.1.2. Wall thickness 0,38 mm.
 - 1.2.2.1.3. Length 115 mm.
 - 1.2.2.1.4. Six evenly spaced holes of 6,3 mm in diameter, 25 mm above the bottom of the dispersion chamber.
 - 1.2.2.2. Material:
 - 1.2.2.2.1. Brass.
-

COMMISSION REGULATION (EU) No 673/2010**of 27 July 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) ⁽¹⁾,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 ⁽²⁾, 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 28 July 2010.

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

Done at Brussels, 27 July 2010.

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

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*⁽¹⁾ OJ L 299, 16.11.2007, p. 1.⁽²⁾ 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 ⁽¹⁾	Standard import value
0702 00 00	MK	30,3
	TR	105,8
	ZZ	68,1
0707 00 05	TR	95,6
	ZZ	95,6
0709 90 70	TR	85,8
	ZZ	85,8
0805 50 10	AR	107,4
	UY	133,9
	ZA	100,7
	ZZ	114,0
0806 10 10	AR	137,6
	CL	86,1
	EG	145,2
	IL	126,4
	MA	161,5
	TR	154,8
	ZA	130,8
	ZZ	134,6
0808 10 80	AR	143,2
	BR	77,2
	CA	98,9
	CL	102,3
	CN	82,1
	MA	54,2
	NZ	110,3
	US	132,3
	UY	111,6
	ZA	97,9
	ZZ	101,0
0808 20 50	AR	74,3
	CL	183,5
	NZ	130,0
	ZA	106,0
	ZZ	123,5
0809 10 00	TR	192,5
	ZZ	192,5
0809 20 95	TR	228,0
	US	520,8
	ZZ	374,4
0809 30	TR	193,7
	ZZ	193,7
0809 40 05	BA	63,7
	TR	126,3
	XS	82,8
	ZZ	90,9

⁽¹⁾ 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'.

**REGULATION (EU) No 674/2010 OF THE EUROPEAN CENTRAL BANK
of 23 July 2010**

**amending Regulation (EC) No 63/2002 (ECB/2001/18) concerning statistics on interest rates applied
by monetary financial institutions to deposits and loans vis-à-vis households and non-financial
corporations**

(ECB/2010/7)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank ⁽¹⁾, and in particular to Articles 5(1) and 6(4) thereof,

Whereas:

- (1) The quality of the minimum national sample size determined by the defined criteria has to be further assessed and therefore an extension of the relevant transitional period is needed to study this matter.
- (2) Regulation (EC) No 63/2002 of the European Central Bank of 20 December 2001 concerning statistics on interest rates applied by monetary financial institutions to deposits and loans vis-à-vis households and non-financial corporations (ECB/2001/18) ⁽²⁾ should be amended accordingly,

Article 1

The introductory sentence of the first paragraph of Annex IV to Regulation (EC) No 63/2002 (ECB/2001/18) is replaced by the following:

‘Until and including the reference month of December 2013, paragraph 10 of Annex I reads as follows:’.

Article 2

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

Done at Frankfurt am Main, 23 July 2010.

For the Governing Council of the ECB
The President of the ECB
Jean-Claude TRICHET

⁽¹⁾ OJ L 318, 27.11.1998, p. 8.

⁽²⁾ OJ L 10, 12.1.2002, p. 24.

DECISIONS

COUNCIL DECISION

of 13 July 2010

in accordance with Article 140(2) of the Treaty on the adoption by Estonia of the euro on 1 January 2011

(2010/416/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union (Treaty), and in particular Article 140(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the report from the European Commission,

Having regard to the report from the European Central Bank,

Having regard to the opinion of the European Parliament,

Having regard to the discussion of the European Council,

Having regard to the recommendation of the members of the Council representing Member States whose currency is the euro,

Whereas:

(1) The third stage of economic and monetary union (EMU) started on 1 January 1999. By Decision 98/317/EC ⁽¹⁾ the Council, meeting in Brussels on 3 May 1998 in the composition of Heads of State or Government, decided that Belgium, Germany, Spain, France, Ireland, Italy, Luxembourg, the Netherlands, Austria, Portugal and Finland fulfilled the necessary conditions for adopting the single currency on 1 January 1999.

(2) By Decision 2000/427/EC ⁽²⁾ the Council decided that Greece fulfilled the necessary conditions for adopting the single currency on 1 January 2001. By Decision 2006/495/EC ⁽³⁾ the Council decided that Slovenia fulfilled the necessary conditions for adopting the single

currency on 1 January 2007. By Decisions 2007/503/EC ⁽⁴⁾ and 2007/504/EC ⁽⁵⁾ Council decided that Cyprus and Malta respectively fulfilled the necessary conditions for adopting the single currency on 1 January 2008. By Decision 2008/608/EC ⁽⁶⁾ the Council decided that Slovakia fulfilled the necessary conditions for adopting the single currency on 1 January 2009.

(3) In accordance with paragraph 1 of the Protocol on certain provisions relating to the United Kingdom of Great Britain and Northern Ireland annexed to the Treaty establishing the European Community, the United Kingdom notified the Council that it did not intend to move to the third stage of EMU on 1 January 1999. This notification has not been changed since then. In accordance with paragraph 1 of the Protocol on certain provisions relating to Denmark annexed to the Treaty establishing the European Community and the Decision taken by the Heads of State or Government in Edinburgh in December 1992, Denmark notified the Council that it will not participate in the third stage of EMU. Denmark has not requested that the procedure referred to in Article 140(2) of the Treaty be initiated.

(4) By virtue of Decision 98/317/EC Sweden has a derogation as defined in Article 139(1) of the Treaty. In accordance with Article 4 of the 2003 Act of Accession, the Czech Republic, Estonia, Latvia, Lithuania, Hungary and Poland have a derogation as defined in Article 139(1) of the Treaty. In accordance with Article 5 of the 2005 Act of Accession, Bulgaria and Romania have a derogation as defined in Article 139(1) of the Treaty.

(5) The European Central Bank (ECB) was established on 1 July 1998. The European Monetary System has been replaced by an exchange rate mechanism, the setting-up of which was agreed by a resolution of the European Council on the establishment of an exchange-rate mechanism in the third stage of economic and

⁽¹⁾ OJ L 139, 11.5.1998, p. 30.

⁽²⁾ OJ L 167, 7.7.2000, p. 19.

⁽³⁾ OJ L 195, 15.7.2006, p. 25.

⁽⁴⁾ OJ L 186, 18.7.2007, p. 29.

⁽⁵⁾ OJ L 186, 18.7.2007, p. 32.

⁽⁶⁾ OJ L 195, 24.7.2008, p. 24.

monetary union of 16 June 1997 ⁽¹⁾. The procedures for an exchange-rate mechanism in stage three of economic and monetary union (ERM II) were laid down in the Agreement of 16 March 2006 between the European Central Bank and the national central banks of the Member States outside the euro area laying down the operating procedures for an exchange rate mechanism in stage three of economic and monetary union ⁽²⁾.

(6) Article 140(2) of the Treaty lays down the procedures for abrogation of the derogation of the Member States concerned. At least once every two years, or at the request of a Member State with a derogation, the Commission and the ECB shall report to the Council in accordance with the procedure laid down in Article 140(1) of the Treaty. The latest Commission and ECB regular Convergence Reports were adopted in May 2010.

(7) National legislation in the Member States including the statutes of national central banks is to be adapted as necessary with a view to ensuring compatibility with Articles 130 and 131 of the Treaty and the Statute of the European System of Central Banks and of the European Central Bank (Statute of the ESCB and of the ECB). The reports of the Commission and the ECB provide a detailed assessment of the compatibility of the legislation of Estonia with Articles 130 and 131 of the Treaty and the Statute of the ESCB and of the ECB.

(8) In accordance with Article 1 of Protocol No 13 on the convergence criteria (the Protocol) the criterion on price stability referred to in the first indent of Article 140(1) of the Treaty means that a Member State has a price performance that is sustainable and an average rate of inflation, observed over a period of one year before the examination, that does not exceed by more than one and a half percentage points that of, at most, the three best performing Member States in terms of price stability. For the purpose of the criterion on price stability, inflation is measured by the harmonised indices of consumer prices (HICPs) defined in Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonised indices of consumer prices ⁽³⁾. In order to assess the price stability criterion a Member State's inflation has been measured by the percentage change in the arithmetic average of 12 monthly indices relative to the arithmetic average of 12 monthly indices of the previous period. A reference value calculated as the simple arithmetic average of the inflation rates of the three best-performing Member States in terms of price stability plus 1,5 percentage points was considered in the reports of the Commission and the ECB.

In the one-year period ending in March 2010, the inflation reference value was calculated to be 1 percent, with Portugal, Estonia and Belgium as the three best-performing Member States in terms of price stability, with inflation rates of, respectively – 0,8 percent, – 0,7 percent and – 0,1 percent. In the current economic circumstances characterised by a large common adverse shock, where a significant number of countries face episodes of negative inflation rates, it seems warranted to exclude from the best performers those countries whose average inflation rate is distant from the euro area average inflation (0,3 % in March 2010) by a wide margin — in line with the precedent of the 2004 Convergence Report —, as these outliers cannot reasonably be judged as being best performers in terms of price stability and including them would severely affect the reference value and thus the fairness of the criterion. In March 2010, this leads to the exclusion of Ireland, the only country whose 12-month average inflation rate (at – 2,3 % in March 2010) deviated by a wide margin from that of the euro area and other Member States, mainly reflecting the severe economic downturn.

(9) In accordance with Article 2 of the Protocol the criterion on the government budgetary position referred to in the second indent of Article 140(1) of the Treaty means that at the time of the examination the Member State is not the subject of a Council Decision under Article 126(6) of the Treaty that an excessive deficit exists.

(10) In accordance with Article 3 of the Protocol, the criterion on participation in the exchange-rate mechanism of the European Monetary System referred to in the third indent of Article 140(1) of the Treaty means that a Member State has respected the normal fluctuation margins provided for by the exchange-rate mechanism of the European Monetary System without severe tensions for at least the last two years before the examination. In particular, the Member State must not have devalued its currency's bilateral central rate against the euro on its own initiative for the same period. Since 1 January 1999 the ERM II provides the framework for assessing the fulfilment of the exchange rate criterion. In assessing the fulfilment of this criterion in their reports, the Commission and the ECB have examined the two-year period ending on 23 April 2010.

(11) In accordance with Article 4 of the Protocol, the criterion on the convergence of interest rates referred to in the fourth indent of Article 140(1) of the Treaty means that, observed over a period of one year before the examination, a Member State has had an average nominal long-term interest rate that does not exceed by more than two percentage points that of, at most, the three best performing Member States in terms of price stability. For the purpose of the criteria on the convergence of interest rates, comparable interest rates on 10-year benchmark government bonds were used. Estonia,

⁽¹⁾ OJ C 236, 2.8.1997, p. 5.

⁽²⁾ OJ C 73, 25.3.2006, p. 21.

⁽³⁾ OJ L 257, 27.10.1995, p. 1.

which was one of the best performing Member States in terms of price stability in March 2010, does not have a harmonised benchmark long-term government bond or a comparable security that could be used for the calculation of the reference value. Therefore, in line with the wording of the Protocol (referring to 'at most the three best performing Member States'), in order to assess the fulfilment of the interest-rate criterion a reference value calculated as the simple arithmetic average of the nominal long-term interest rates of the two other best performing Member States in terms of price stability plus two percentage points was considered in the reports of the Commission and the ECB. On this basis, the reference value in the one year period ending in March 2010 was 6,0 percent, the average of interest rate in Portugal (4,2 %) and Belgium (3,8 %) plus two percentage points.

(12) In accordance with Article 5 of the Protocol the data used in the current assessment of the fulfilment of the convergence criteria have to be provided by the Commission. For the preparation of this Decision the Commission provided data. Budgetary data were provided by the Commission after reporting by the Member States by 1 April 2010 in accordance with Council Regulation (EC) No 479/2009 of 25 May 2009 on the application of the Protocol on the excessive deficit procedure annexed to the Treaty establishing the European Community ⁽¹⁾.

(13) On the basis of reports presented by the Commission and the ECB on the progress made in the fulfilment by Estonia of its obligations regarding the achievement of the EMU, the Commission concluded that:

(a) in Estonia, national legislation, including the Statute of the national central bank, is compatible with Articles 130 and 131 of the Treaty and with the Statute of the ESCB and of the ECB;

(b) regarding the fulfilment by Estonia of the convergence criteria mentioned in the four indents of Article 140(1) of the Treaty:

— the average inflation rate in Estonia in the year ending March 2010 stood at – 0,7 percent, which is well below the reference value, and it is likely to remain below the reference value in the months ahead,

— Estonia is not the subject of a Council decision on the existence of an excessive deficit, with a budget deficit of 1,7 % of GDP in 2009,

— Estonia has been a member of the ERM II since 28 June 2004; in the two-year period ending 23 April 2010, the Estonian kroon has not been subject to severe tensions and there has been no deviation from the ERM II central rate since the kroon's participation,

— as a result of Estonia's very low level of gross public debt, no benchmark long-term government bonds or other appropriate securities are available to assess the durability of convergence as reflected in long-term interest rates. While financial market risk perceptions vis-à-vis Estonia increased at the height of the crisis, their development during the reference period, as well as a broader assessment on the durability of convergence, including Estonia's fiscal policy track record and comparatively flexible economy, would support a positive assessment of Estonia's fulfilment of the long-term interest rate criterion;

(c) in the light of the assessment on legal compatibility and on the fulfilment of the convergence criteria as well as the additional factors, Estonia fulfils the necessary conditions for the adoption of the euro,

HAS ADOPTED THIS DECISION:

Article 1

Estonia fulfils the necessary conditions for the adoption of the euro. The derogation in favour of Estonia referred to in Article 4 of the 2003 Act of Accession is abrogated with effect from 1 January 2011.

Article 2

This Decision is addressed to the Member States.

Article 3

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

Done at Brussels, 13 July 2010.

For the Council

The President

D. REYNERS

⁽¹⁾ OJ L 145, 10.6.2009, p. 1.

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